LIVERMORE
CALIFORNIA

CITY COUNCIL

AGENDA
MONDAY, FEBRUARY 13, 2023

REGULAR HYBRID MEETING – 7:00 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:
ATTENTION: Zoom update requirements found at the bottom of the agenda
https://us02web.zoom.us/j/89560054369

Zoom dial in phone number:
1 669 900 6833
Meeting ID: 895 6005 4369

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 - NONE.

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

3. PROCLAMATIONS AND PRESENTATIONS

3.1 Livermore Airport Annual Update Presented by Airport Commission Chair Adam Bertsch.

Recommendation:
Staff recommends City Council accept the Livermore Airport annual update.

Staff Report

3.2 Proclamation recognizing the project Violins of Hope presented to Larry Lagin of the East Bay Holocaust Education Center.

Recommendation:
Staff recommends the City Council recognize the project Violins of Hope, which exhibits the instruments' remarkable stories of resilience and survival, and which is brought to the Livermore community by the East Bay Holocaust Education Center.

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.
- 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 - January 10, 2023 Special Meeting.

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

Staff Report
Attachments:
1. Draft 2023-01-10 Meeting Minutes

5.2 Resolution awarding and authorizing execution of an agreement with Penkor Wrecking, for the demolition of the old Council Chambers and construction of a fence around the perimeter, in an amount not-to-exceed $126,200, for the Police Facility Expansion Phase 1 and Council Chambers Demolition, Project 2000-28.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Awarding a construction contract to Penkor Wrecking, in an amount not-to-exceed $126,200, for the Police Facility Expansion Phase 1, Council Chambers Demolition, Project 2000-28, and authorizing the City Manager to sign the agreement, attached as Exhibit A to the resolution,
2. Rejecting 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 - Agreement with Penkor Wrecking

5.3 Resolution authorizing execution of an agreement with Gannett Fleming, Inc. to provide construction management services, in the not-to-exceed amount of $952,000, for the Livermore Village Parking Garage (L Street Garage) Construction, Project 586003.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Gannett Fleming, Inc. to provide construction management services in the not-to-exceed amount of $952,000, for the Livermore Village Parking Garage (L Street Garage) Construction, Project 586003.

Staff Report

Attachments:

1. Site Plan
2. Resolution
3. Exhibit A - Agreement with Gannett Fleming, Inc

5.4 Resolution authorizing a supplemental appropriation in the amount of $3,000,000 to Fiscal Year 2023-24 and awarding and authorizing execution of an agreement with Environmental Systems Inc. of Northern California, for replacing HVAC equipment and building controllers in the Central Plant, Police Department, and City Hall, in an amount not-to-exceed $3,094,000 for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30.

Recommendation:

Staff recommends the City Council adopt a resolution for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30:

1. Authorizing a supplemental appropriation of $1,200,000 in Fund 740 (Facilities Rehabilitation Program) from FY 2022-23 to FY 2023-24,
2. Authorizing a supplemental appropriation of $1,800,000 in Fund 740 (Facilities Rehabilitation Program) for a total of $3,000,000 to FY 2023-24,
3. Awarding a construction contract to Environmental Systems Inc. of Northern California, in an amount not-to-exceed $3,094,000, and authorizing the City Manager to sign the agreement,
4. Rejecting all other bids or proposals, and
5. 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. Site Plan
2. Budget Info
3. Resolution
4. Exhibit A - Construction Contract

5.5 Resolution authorizing execution of a purchase order with the Microsoft Store for 250 Microsoft Surface laptops to replace obsolete equipment and migrate City staff to mobile computers in an amount not-to-exceed $650,000.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing execution of a purchase order with the Microsoft Store for the purchase of Microsoft Surface laptops and related accessories (mice, cables, docking station, laptop bag, etc.) in an amount not-to-exceed $650,000.

Staff Report

Attachments:

1. Microsoft Quote USQ-000114481

2. Resolution

5.6 Resolution authorizing the acceptance for permanent maintenance and release of the security bonds, and execution of a Notice of Completion for the I-Street Garage, Project 2017-15.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the acceptance for permanent maintenance and release of the security bonds for the I-Street Garage Project 2017-15 and authorize the City Manager to sign the Notice of Completion, a copy of which is attached as Exhibit A to the resolution.

Staff Report
Attachments:
1. Location Map
2. Resolution
3. Exhibit A - Notice of Completion

5.7 Resolution authorizing the approval of a grant application, acceptance of grant funds, and authorizing an agreement with the California Department of Fish and Wildlife for the Livermore Habitat Conservation Plan.

Recommendation:
Staff recommends the City Council adopt a resolution approving the filing of a grant application and accepting grant funds in the amount of $700,000, authorizing an agreement with the California Department of Fish and Wildlife, and authorizing the City Manager or designee to sign all grant documents for the Livermore Habitat Conservation Plan.

Staff Report
Attachments:
1. Award Letter Application
2. Resolution

5.8 Resolution authorizing an increase of an existing 0.5 full-time equivalent (FTE) Horizons' Family Therapist to a 0.75 FTE Family Therapist to provide school-based counseling in designated schools within the Livermore Valley Joint Unified School District (LVJUSD) and funded by LVJUSD.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing an increase of an existing 0.5 full-time equivalent (FTE) Horizons' Family Therapist to a 0.75 FTE Family Therapist to provide school-based counseling in designated schools within the Livermore Valley Joint Unified School District (LVJUSD) and funded by LVJUSD.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Family Therapist job classification

6. PUBLIC HEARINGS - NONE.

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. 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 Planning Commission interview and candidate selection process.

Recommendation:
Staff recommends the City Council review the 14 Planning Commission applications received, select 6 candidates to move forward in the live interview process on March 2, 2023, and appoint a City Council subcommittee to draft interview questions.

Staff Report
Attachments:
1. William Aboumrad
2. Jacob Anderson
3. Erik Bjorklund
4. Carmelita (Mel) Chiong
5. Zachary Consenza
6. Parker Ehret
7. Yolanda Fintschenko
8. Constance Kopps
9. Tracy Kronzak
10. Alan Marling
11. Neal Pann
12. Julie Perea
13. John Stein
14. Asa Strout
15. Livermore Municipal Code 2.55

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, February 27, 2023 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue and virtually using Zoom.

10. SUPPLEMENTAL MATERIALS

10.1 Supplemental materials received prior to the meeting.

Staff Report

Attachments:
1. Supplemental Materials

10.2 Supplemental materials received at the meeting.
Staff Report
Attachments:
1. Items Received at the Meeting

11. 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

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

Zoom Webinar: https://us02web.zoom.us/j/89560054369
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: 895 6005 4369

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.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 3.1**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Scott Lanphier, Public Works Director

SUBJECT: Livermore Airport Annual Update Presented by Airport Commission Chair Adam Bertsch.

RECOMMENDED ACTION

Staff recommends City Council accept the Livermore Airport annual update.

SUMMARY

DISCUSSION

ATTACHMENTS

Prepared by: Michael Musca
Airport Manager

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 3.2**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Proclamation recognizing the project Violins of Hope presented to Larry Lagin of the East Bay Holocaust Education Center.

RECOMMENDED ACTION

Staff recommends the City Council recognize the project Violins of Hope, which exhibits the instruments' remarkable stories of resilience and survival, and which is brought to the Livermore community by the East Bay Holocaust Education Center.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Proclamation

Prepared by: Stephanie Egidio
Management Analyst

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

Proclamation

of the
City of Livermore

Recognizing

Violins of Hope

February 13, 2023

***WHEREAS**, Violins of Hope is a collection of restored violins that were played by Jewish musicians before or during the Holocaust. These instruments have survived concentration camps, pogroms, and many long journeys to tell remarkable stories of resilience and survival. The instruments have been lovingly restored by master violin makers Amnon Weinstein and his son Avshalom Weinstein in their Tel Aviv, Israel and Istanbul, Turkey workshops; and*

***WHEREAS**, since 2006, these restored instruments have been exhibited and played by leading orchestras and music festivals in Europe and America. A strong component of the project is to exhibit the violins and bring them to schools and other organizations to experience these amazing instruments and their stories; and*

***WHEREAS**, all the instruments have a common denominator: they are symbols of hope and a way to say "remember me, remember us. Life is good, celebrate it for those who perished, for those who survived. For all people." Violins of Hope is not only a memorial to lost culture and people, it is also an educational act that reaches young students and adults wherever concerts are performed. In January and February 2023, Avshalom Weinstein, violinist Cookie Segelstein and musician Joshua Horowitz will present free concerts at over 35 East Bay middle and high schools, including Livermore schools, with the Violins of Hope; and*

***WHEREAS,** during February 2023, these restored instruments will also be on display and will be played in three concerts at the Bankhead Theater by the Livermore-Amador Symphony orchestra conducted by Lara Webber, with special performances by violinist Lindsay Deutsch, cellist Peter Bedrossian and stories by Violins of Hope co-founder Avshalom Weinstein; and*

***WHEREAS**, every concert brings together people of all faiths and backgrounds and every project is accompanied by an extensive educational program that tells the history of some instruments – such as the violin which was thrown out of a cattle train on the way from France to Auschwitz; the violin that was buried under the snow in Holland; the violins that saved lives of people who played in camp orchestras and survived;*

***NOW, THEREFORE,** the City Council of the City of Livermore thanks the East Bay Holocaust Education Center for bringing Violins of Hope to the Livermore community and sharing with residents the instruments' remarkable stories of resilience and survival.*

Mayor John Marchand

CORPORATE SEAL OF THE CITY OF LIVERMORE, CA.

Vice Mayor Brittni Kiick

Council Member Ben Barrientos

Council Member Evan Branning

Council Member Robert W. Carling

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.1**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Approval of draft minutes - January 10, 2023 Special Meeting.

RECOMMENDED ACTION

Staff recommends the City Council approve the draft minutes.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Draft 2023-01-10 Meeting Minutes

Prepared by: Marie Weber
City Clerk

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

CITY COUNCIL
JANUARY 10, 2023

SPECIAL WORKSHOP MEETING

1. CALL TO ORDER – The meeting of the City Council was called to order by Mayor Bob Woerner at 6:00 pm, held in person at 1016 S. Livermore Avenue and remotely using Zoom and YouTube.

2. ROLL CALL – Present: Mayor John Marchand and Council Members Evan Branning, and Robert W. Carling

Absent: Vice Mayor Brittni Kiick and Council Member Ben Barrientos

PLEDGE OF ALLEGIANCE

3. SPECIAL MEETING WORKSHOP ITEM
AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING THE SPECIAL MEETING ITEM WILL BE PROVIDED BY THE MAYOR.

3.1 Ratification of Local Emergency

Recommendation: Staff recommends the City Council adopt a resolution ratifying the Director of Emergency Services' Proclamation of Local Emergency.

City Manager Marianna Marysheva presented the staff report.

Mayor Marchand opened the public comment portion of the meeting.

There were no speakers and the public comment period was closed.

ON THE MOTION OF CM CARLING, SECONDED BY CM BRANNING AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL ADOPTED THE FOLLOWING RESOLUTION:

Resolution 2023-001 ratifying proclamation 23-01 of the director of emergency services concerning the existence of a local emergency, and making teleconferencing determinatons required by government code section 54953

8. ADJOURNMENT – at 6:06 pm to a Regular City Council Meeting on Monday, January 23, 2023 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue and virtually using Zoom.

APPROVED: 

JOHN MARCHAND, MAYOR

ATTEST: _____

MARIE WEBER, CITY CLERK

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.2**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution awarding and authorizing execution of an agreement with Penkor Wrecking, for the demolition of the old Council Chambers and construction of a fence around the perimeter, in an amount not-to-exceed $126,200, for the Police Facility Expansion Phase 1 and Council Chambers Demolition, Project 2000-28.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution:

1. Awarding a construction contract to Penkor Wrecking, in an amount not-to-exceed $126,200, for the Police Facility Expansion Phase 1, Council Chambers Demolition, Project 2000-28, and authorizing the City Manager to sign the agreement, attached as Exhibit A to the resolution,
2. Rejecting 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.

SUMMARY

The Police Facility Expansion Phase 1, Council Chambers Demolition, Project 2000-28, involves demolishing the old Council Chambers at 3575 Pacific Avenue and constructing a fence around the perimeter of the lot. Attachment 1 shows the site location. Seven bids were received for the project on December 14, 2022. Staff recommends the City Council award and authorize a construction contract with Penkor Wrecking, the lowest responsible and responsive bidder, and authorize the City Manager to sign the agreement.

DISCUSSION

The old City Council Chambers modular building located at 3575 Pacific Avenue has been unoccupied since public meetings moved to the new Civic Center Meeting Hall. The modular building served as the City's Council Chambers for 30 years. This project will demolish the modular building which is at the end of its service life and construct a temporary fence around the perimeter of the lot.

On February 9, 2021, City Council reserved the property located at 3575 Pacific Avenue for the Police Department expansion needs as identified in the November 2020 Police Facility Expansion Analysis and Recommendations Report. This report recommends a phased project approach to meeting the critical short and long-term needs for police facilities and identifies the use of the old City Council Chambers site as a prime location to accommodate those needs. The proximity of the site, with direct access to Pacific Avenue, will provide opportunity for the Police Department to meet immediate critical needs as well as to accommodate longer range needs required to provide vital services to the community.

The recommended approach includes initially building a storage garage and tactical vehicle bay near the location of the old Council Chambers. This structure would provide protection for valuable assets such as the mobile command post, motorcycles, and evidence storage. The next phase involves expanding the structure to provide two levels of office space. The final phase involves the addition of dormitories for commuting officers.

Staff advertised the project on November 22, 2022 and opened bids on December 14, 2022. The City received seven bids for the project. The lowest responsible and responsive bid was received from Penkor Wrecking for $126,200. Penkor Wrecking is based in San Lorenzo, CA and has worked on similar demolition projects for the County of Santa Cruz and Portola Valley School District. Staff has checked references for Penkor Wrecking and has found them satisfactory.

The following is a list of bids received and the Engineer's Estimate for the project:

Police Facility Expansion Phase 1, Council Chambers Demolition Project 2000-28 Bid Results

Contractor	Location	Bid Amount
Penkor Wrecking	San Lorenzo, CA	$126,200
Central Valley Environmental	Fresno, CA	$143,450
Demolition Services & Grading, Inc.	Manteca, CA	$149,975
D-Line Constructors, Inc.	Oakland, CA	$150,407
Silverado Contractors, Inc.	Oakland, CA	$165,300
NBC Construction & Engineering, Inc.	San Francisco	$182,222
Resource Environmental	Cerritos, CA	$267,000
Engineer's Estimate		$104,000

In accordance with Livermore Municipal Code, Section 2.68.560B the City Manager can authorize change orders up to a cumulative amount of $50,000.

FISCAL AND ADMINISTRATIVE IMPACTS

The construction contract award amount is $126,200. Funding for this agreement, change orders, inspections, project management, and other project costs are included in the project budget for the Police Facility Expansion Phase 1, Council Chambers Demolition Project 2000-28 in the FY 2021-23 Capital Improvement Plan, and no additional funding is needed.

The project is funded with LPD-COPS Ahead AB 3229 Grant Fund 603. This demolition project will not increase operation and maintenance costs.

The current Capital Improvement Plan only provides funding for the old Council Chambers demolition. Funding for the Police Facility expansion will be considered as part of future Capital Improvement Programs.

ATTACHMENTS

1. Location Map
2. Resolution
3. Exhibit A - Agreement with Penkor Wrecking

Prepared by: Edward Reyes
Associate Civil Engineer

Approved by:

Marianna Marysheva
City Manager

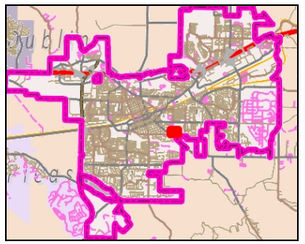
Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE CALIFORNIA

Project Location Map





Legend

- City Limits
- Street Names (0-2500)
- Golf Labels
- Creeks
- Public Facilities 0-4500)
- Park Names (0-4500)
- School Names (0-4500)
- Buildings

1: 1,200

200.0 0 100.00 200.0 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US
Information Technologies, GIS Division, City of Livermore

Date Printed: 1/12/2023

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. The City of Livermore is not responsible for misuse or errors or omissions on this map. All information should be confirmed.

Notes

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT WITH PENKOR WRECKING IN AN AMOUNT NOT-TO-EXCEED $126,200

(Police Facility Expansion Phase 1, Council Chambers Demolition Project 2000-28)

The City of Livermore advertised on November 22, 2022, and opened seven bids on December 14, 2022, for Construction of the Police Facility Expansion Phase 1, Council Chambers Demolition, Project 2000-28 ("Project"). The Project involves demolishing the old Council Chambers and constructing a fence around the perimeter.

City staff recommends awarding the Project to Penkor Wrecking, the lowest responsible and responsive bidder for the Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Awards a construction contract to Penkor Wrecking, in an amount not-to-exceed $126,200, for construction of the Police Facility Expansion Phase 1, Council Chambers Demolition, Project 2000-28, and authorizes the City Manager to sign the agreement, attached hereto as Exhibit A and incorporated by this reference;

2. Rejects all other bids or proposals; and

3. Authorizes 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.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Assistant City Attorney

Exhibit A- Construction Contract with Penkor Wrecking

CONTRACT

This public works contract ("Contract") is entered into by and between the City of Livermore, a California Municipal Corporation ("City") and Penkor Wrecking, a California corporation("Contractor") for work on the Police Facility Expansion Phase 1, Council Chambers Demolition, City Project No. 2000-28 ("Project").

The Parties Agree as Follows:

1. Award of Contract.

In response to the Notice Inviting Bids, Contractor has submitted a Bid Proposal to perform work on the Project, and on _____, 20___, as part of Resolution No. _____, City authorized award of this Contract to Contractor for the amount of Contractor's bid.

2. Contract Documents.

This Contract consists of all of the written representations and submissions made by Contractor as part of the Bid process and the following numbered and un-numbered component documents, as detailed on the table of contents of this Agreement:

a. Bidding requirements (consisting of the Notice Inviting Bids; Instructions to Bidders; Bid Proposal; Bid Schedule, Subcontractor List, Noncollusion Declaration, Bid Bond, Bidder's Questionnaire, Payment Bond, Performance Bond, Warranty Bond);

b. General Conditions;

c. Special Conditions;

d. Division One Technical Specifications;

e. Appendix;

f. Index of Defined Terms;

g. Project Drawings and Specifications;

h. Bid Addenda, if any;

i. Change Orders, if any;

j. ALB Notice;

k. Notice to Proceed;

l. City Standard Specifications and Details;

m. And the following:

No other documents

3. Contractor's Obligations.

Contractor agrees to perform all of the Work required for the Project, as specified in the Contract Documents. Contractor must provide, furnish, and supply all things necessary and incidental for the timely performance and completion of the Work, including all necessary labor, materials, equipment, transportation, and utilities, unless otherwise specified in the Contract Documents. Contractor must use its best efforts to complete the Work in a professional and expeditious manner and to meet or exceed the performance standards required by the Contract Documents.

4. Payment.

As full and complete compensation for Contractor's timely performance and completion of the Work in strict accordance with the terms and conditions of the Contract Documents, City will pay Contractor One Hundred Twenty-Six Thousand Two Hundred Dollars ($126,200) (the "**Contract Price**"), in accordance with the payment provisions in the General Conditions.

5. Time for Completion.

5.1. Substantial Completion

Contractor must achieve Substantial Completion, as that term is defined in the General Conditions, of the Project Work within 25 Working Days from the commencement date stated in the Notice to Proceed. ("**Substantial Completion Deadline**."). For this project, the Contractor shall also incorporate four (4) anticipated inclement Weather Days into their bid estimate. Contractor shall be solely responsible for the extended overhead and profit for these weather days and shall not be compensated by the City in any way, reference Section 10.3 of the General Conditions and Section 013200-4.3 Contract Schedules for additional weather day information.

5.2. Final Completion

Contractor must achieve Final Completion, as that term is defined in the General Conditions, of the Project Work within 10 Working Days after the date of substantial completion. ("**Final Completion Deadline**.")

5.3. Early Completion.

By signing below, Contractor expressly waives any claim for delayed early completion.

6. Liquidated Damages.

If Contractor fails to meet either the Substantial Completion Deadline or the Final Completion Deadline, City may assess liquidated damages according the provisions in the General Conditions of the Contract Documents in the following amounts for each day of Unexcused Delay, and the Contract Price shall be reduced accordingly.

6.1. Substantial Completion Deadline: Five hundred dollars ($ 500) per day.

6.2. Final Completion Deadline: Two hundred fifty ($ 250) per day.

This Contract is subject to all applicable requirements of Chapter 1 of Part 7 of Division 2 of the California Labor Code, including requirements pertaining to wages, working hours and workers' compensation insurance.

6.3. Prevailing Wages.

This Project is subject to the prevailing wage requirements applicable to the locality in which the Work is to be performed for each craft, classification or type of worker needed to perform the Work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes. The general prevailing wage rates for each craft, classification or type of covered work are available online at http://www.dir.ca.gov/DLSR.

6.4. DIR Registration.

City will not accept a Bid Proposal from or enter into the Contract with a bidder without proof that the bidder and its Subcontractors are registered with the California Department of Industrial Relations to perform public work under Labor Code, Section 1725.5, subject to limited legal exceptions allowed by the Labor Code.

7. Workers' Compensation Certification.

Under Labor Code, Section 1861, by signing this Contract, Contractor certifies as follows: "I am aware of the provisions of Labor Code, Section 3700 which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the Work on this Contract."

The successful bidder previous to the entering of the contract to do the said work shall take out and maintain in full force and effect worker's compensation insurance with an insurance carrier authorized to transact business in the State of California, covering the bidder's full liability for compensation to any persons employed who may be injured in the carrying out of said contract or the dependents thereof. Evidence of such worker's compensation insurance shall be furnished to the City of Livermore by certificate and waiver of subrogation in the City's electronic insurance certificate tracking system (PINS) prior to the commencement of the work and said certificate shall contain a provision that the coverage thereunder will not be canceled until at least thirty (30) days prior written notice has been given to the City.

8. Notice.

Any notice, billing, or payment required by the Contract Documents must be made in writing, and sent to the other party by personal delivery, U.S. Mail, a reliable overnight delivery service, facsimile, or by email as a PDF (or comparable) file. Notice is deemed effective upon delivery unless otherwise specified. Notice for each party must be given as follows:

	City	Contractor
Name	Bob Vinn	Penkor Wrecking
Address	1052 South Livermore Avenue	1791 Via Hermana
City/state/zip	Livermore, CA 94550	San Lorenzo, CA 94580
Phone	925-960-4500	341-208-8911
Fax	925-960-4505	
Attention	City Engineer	Khaleel Obaidi
Email	bgvinn@livermoreca.gov	kobaidi@penkorwrecking.com
Copy to	eireyes@livermoreca.gov	

9. General Provisions.

The following items are repeated here as stated as part of Part 2, General Conditions, for *emphasis:*

9.1. Assignment and Successors.

Contractor may not assign its rights or obligations under this Contract, in part or in whole, without City's written consent. This Contract is binding on Contractor's successors and permitted assigns. A consolidation or merger of Contractor or a change in ownership of 25% or more of Contractor's capital stock constitutes an assignment by Contractor requiring the City's written consent.

9.2. Third Party Beneficiaries.

There are no intended third party beneficiaries to this Contract except as expressly provided in the General Conditions or Special Conditions.

9.3. Governing Law and Venue.

This Contract will be governed by California law and venue will be in the Superior Court of the County in which the Project is located, and no other place.

9.4. Amendment.

No amendment or modification of this Contract will be binding unless it is in a writing duly authorized and signed by the parties to this Contract.

9.5. Integration; Severability.

This Contract and the Contract Documents incorporated herein, including authorized amendments or Change Orders thereto, constitute the final, complete, and exclusive terms of the agreement between City and Contractor. If any provision of the Contract Documents, or portion of a provision, is determined to be illegal, invalid, or unenforceable, the remaining provisions of the Contract Documents will remain in full force and effect.

10. Authorization.

Each individual signing below warrants that he or she is authorized to do so by the party that he or she represents, and that this Contract is legally binding on that party. If Contractor is a corporation, signatures from two officers of the corporation are required under California Corporation Code, Section 313.

The parties agree to this Contract as witnessed by the signatures below:

CITY	CONTRACTOR
City of Livermore, a California Municipal Corporation	Penkor General Contractors Inc. DBA Penkor Wrecking
s/_____	s/ Khaleel Obaidi
Marianna Marysheva, City Manager	Khaleel Obaidi, Secretary
Date: _____	Date: 1/10/2023
	s/_____
Approved as to form:	Valentin Peña, CEO
_____	Date: 1/10/2023
City of Livermore City Attorney	1094975
	Contractor's Calif. License Number(s)
	Seal:
	Aug 4, 2023
	Expiration Date(s)

END OF DOCUMENT

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.3**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing execution of an agreement with Gannett Fleming, Inc. to provide construction management services, in the not-to-exceed amount of $952,000, for the Livermore Village Parking Garage (L Street Garage) Construction, Project 586003.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Gannett Fleming, Inc. to provide construction management services in the not-to-exceed amount of $952,000, for the Livermore Village Parking Garage (L Street Garage) Construction, Project 586003.

SUMMARY

This Professional Services Agreement with Gannett Fleming, Inc. will provide construction management services in connection with the Livermore Village Parking Garage (L Street Garage) Construction, Project 586003. The project involves constructing a 4-level public parking garage with 452 spaces to be located east of L Street, between Veterans Way and First Street.

Services under this agreement include construction management services during construction. Construction management services include leading weekly meetings, maintaining project documentation, coordinating construction activities, preparing weekly inspection reports, managing submittals, elevator inspections and commissioning, assistance with change orders, project commissioning, and project close-out.

DISCUSSION

On January 30, 2018, the City Council approved the locations for open space, housing, parking and circulation systems, cultural facilities, commercial uses, and a hotel for the Downtown catalyst sites. The approved plan includes additional parking on the northwest side of the existing Livermore Valley Parking Garage located at I Street and Railroad Avenue (I Street Garage) and additional parking at the southwest corner of the Livermore Village Site. City Council directed staff to maintain the existing parking supply during all phases of downtown development and to provide adequate parking for all existing and

new development. The new Livermore Village Parking Garage (L Street Garage) will help meet these objectives.

The Planning Commission reviewed the project on August 21, 2018, and determined that it is consistent with the Livermore General Plan and related polices. On September 11, 2018, the City Council approved Downtown Design Review 18-006 for the project subject to the Conditions of Approval and directed staff to file the Notice of Determination.

The City moved forward with constructing the I Street Garage first while the final parcel of property was purchased for the L Street Garage. The I Street Garage was completed in June 2022. New parking in the I Street Garage will replace current parking that will be removed during the construction of the L Street Garage. In this manner, overall parking supply will be maintained.

The L Street Garage Construction, Project 586003, will be constructed in two phases. Phase 1 consists of reconfiguring the surface parking lot east of the future garage, constructing a trash enclosure facility, and installing infrastructure for 16 electrical vehicle fast chargers. Phase 2 will involve constructing the parking garage and the remaining site improvements. The Phase 1 construction contract was awarded by Council on July 11, 2022. Construction of Phase 1 began in July 2022 and is scheduled for completion in March 2023. City Council awarded the Phase 2 construction contract on November 28, 2022. Construction of Phase 2 is scheduled from March 2023 through Fall 2024.

In November 2021, staff issued a Request for Qualifications and Proposals (RFQ/RFP) for construction management services for various Capital Improvement Projects including the L Street Garage. The following four consultants submitted proposals in January 2022: CPM Associates, Inc., Swinterton Management & Consulting, Gannett Fleming, Inc., and 4LEAF Inc. A five-person selection committee reviewed the proposals and decided to interview all four firms. The firms were rated on overall responsiveness, relevant experience and staff qualifications, ability to respond to the City's needs in a timely manner, and their understanding and approach to the project. CPM Associates Inc. was ranked as the most qualified consultant to provide construction management services for the L Street Parking Garage. Their experienced construction manager proposed for the project was an important part of their selection for the job. Gannett Fleming was ranked a close second based on their experience with major construction projects in the Livermore area.

City Council awarded a $928,000 professional services agreement for construction management services to CPM Associates, Inc. on June 13, 2022. However, in November 2022 CPM Associates, Inc. notified the City that the construction manager proposed for this project during the selection process was not available to manage the L Street Project. Staff subsequently terminated the agreement with CPM Associates, Inc. and began negotiations with the second ranked consultant Gannett Fleming.

Staff negotiated the attached professional services agreement and scope of work with Gannett Fleming in the not-to-exceed amount of $952,000. The scope of work for this agreement includes 40 hours per week, full-time construction management services during the Phase 2 construction. The contract amount is slightly more than the prior CPM Associates contract because elevator inspections and commissioning services were added to the Gannett Fleming Agreement.

Construction management services include the following:

- Lead job-site meetings

- Maintain project documentation
- Review and analyze the contractor's schedule
- Coordinate construction activities
- Oversee inspections
- Prepare weekly inspection reports
- Manage submittals and requests of information
- Identify problems and assist with change orders
- Provide elevator inspections and commission services
- Assist with commissioning and project close-out

The $952,000 contract amount is approximately 3.2% of the $30,090,000 construction contract. This is within the typical range for construction management services.

FISCAL AND ADMINISTRATIVE IMPACTS

On September 12, 2022, the City Council approved the issuance of up to $47 million in bonds (2022 COP Debt Construction Fund 320) for the L Street Parking Garage construction, Project 586003, and some other associated downtown projects. Based on the construction bids received, the total amount of the bonds will be $41,060,000. Council approved the following fiscal year expenditures from Fund 320 for the L Street Garage Project when the construction contract was awarded on November 28, 2022: $11.7 Million in Fiscal Year 2022-23 and $26.7 Million in Fiscal Year 2023-24. The current budget allocation is sufficient to cover the cost of this professional services agreement, and all other project costs including Phase 1 construction, Phase 2 construction, change order allowances, design, inspection, materials testing, construction management, project management, and building permit fees.

ATTACHMENTS

1. Site Plan
2. Resolution
3. Exhibit A - Agreement with Gannett Fleming, Inc

Prepared by: Joel Waxdeck
Assistant City Engineer

Approved by:

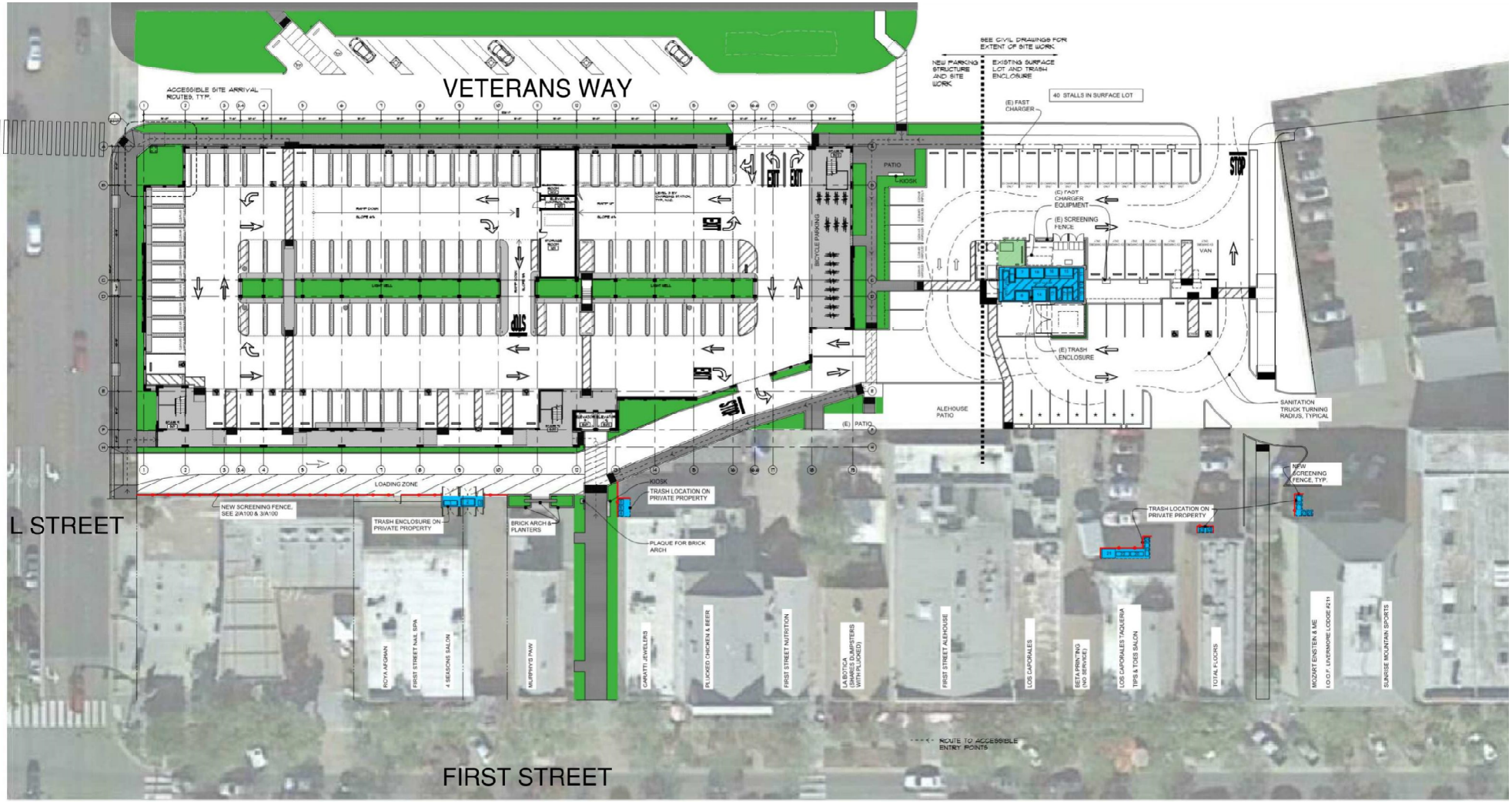
Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

Livermore Village Garage

Site Plan



LIVERMORE CALIFORNIA

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH GANNETT FLEMING, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES IN AN AMOUNT NOT-TO-EXCEED $952,000

(Livermore Village Parking Garage Construction, Project No.586003)

The Engineering Division requires a consultant to provide construction management services for the Livermore Village Parking Garage (L Street Garage) Construction, Project No. 586003. The project involves the construction of a four level, 452 space parking garage, and other site improvements, at the Livermore Village Site. This Professional Services Agreement with Gannett Fleming, Inc., in an amount not-to-exceed $952,000, covers this required work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the City Manager is authorized to execute a Professional Services Agreement with Gannett Fleming, Inc., attached hereto as Exhibit A, in an amount not-to-exceed $952,000, to provide construction management services for the Livermore Village Parking Garage Construction Project.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Assistant City Attorney

Exhibit A – Agreement with Gannett Fleming, Inc.

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EXHIBIT A

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this ___ day of _____, 20 , by and between the City of Livermore ("City"), a municipal corporation, and Gannett Fleming, Inc. ("Consultant"), a Delaware corporation.

RECITALS

City requires professional services to provide construction management services for the Livermore Village Parking Garage Construction Project 586003.

Consultant warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Consultant acknowledges City has relied upon these warranties to retain Consultant.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. Retention as Consultant. City hereby retains Consultant, and Consultant hereby accepts such engagement, to perform the services described in Section 3 below subject to the terms and conditions in this Agreement.

2. Relationship of Parties – Independent Contractors. The relationship of the parties shall be that of independent contractors. Consultant and its employees are not City officers or employees. Consultant is responsible for the supervision and management of its employees, including any workers compensation insurance, withholding taxes, unemployment insurance, and any other employer obligations associated with the delivery of the services contemplated by this Agreement.

3. Description of Services. Consultant shall provide the following professional services as more particularly set forth in Exhibit "A" (collectively "the Services"):

Provide construction mangement services for the Lviermore Village Parking Garage Construction Project 586003.

4. Consultant's Responsibilities. Consultant shall:

(a) Diligently perform the Services in a manner commensurate with industry, professional, and community standards;

(b) Provide the resources necessary to complete the Services in a timely manner;

(c) Obtain a business license from the City of Livermore, and keep it in effect for the term of this Agreement;

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(d) Obtain and keep in effect all necessary licenses, permits, qualifications, insurance, and approvals legally and professionally required for Consultant to practice its profession and to provide the Services;

(e) Comply with all laws in effect that are related to Consultant and the Services;

(f) Coordinate the Services with Edward Reyes ("Project Manager"), or such other person designated as the Project Manager by City;

(g) Be available to the Project Manager, and other parties referred to Consultant by the Project Manager, to answer questions or inquiries related to the Services;

(h) Only invoice City for the Services rendered. Consultant's invoice shall be in writing and describe the Services performed for the payment requested. Consultant shall not submit an invoice to City more frequently than once a calendar month;

(i) Keep and maintain invoices and records related to the Services in an organized manner. At a minimum, the records must be kept for at least 3 years from the date of final payment to Consultant and must include time sheets, work progress reports, and other documentation to adequately explain all the Services invoiced for payment. Consultant shall make the invoices and records immediately available to City upon delivery of a written request to examine, audit, or copy them at City's place of business during normal business hours. Consultant shall give City 30 calendar-days' written notice prior to destroying the invoices and records and allow City an opportunity to take possession. If City wants them, Consultant and City shall coordinate their delivery to City in the most efficient manner possible;

(j) Prepare and submit a written report to the Project Manager, within 3 business-days of the Project Manager's written request, that identifies the Services completed and in progress, the charges incurred to date, and the anticipated cost to complete the remaining Services;

(k) Consultant shall correct, at its own expense, all errors in the Services. Should Consultant fail to make such correction in a timely manner, City may make the correction and charge the cost thereof to Consultant;

(l) If applicable, Consultant shall ensure that all work for compensation is provided in compliance with the requirements of the California Labor Code including but not limited to hours of labor, nondiscrimination, payroll records, apprentices, worker's compensation and prevailing wages. If applicable, Consultant shall comply with all prevailing wage laws, such as sections 1773, 1773.8, 1775, 1776, 1777.5, 1777.6, and 1813 of the California Labor Code and any other applicable wage and hour law. If any violation of prevailing wage law associated with this Agreement is deemed to have occurred by any court or administrative authority, Consultant shall forfeit to the City, as a penalty, the sum of fifty dollars ($50.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic employed, paid less than the applicable prevailing rates for any work done to accomplish the purposes of this Agreement; and,

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(m) Consultant's services provided pursuant to this Agreement shall comply with the Americans with Disabilities Act (ADA) of 1990, and all amendments thereto, as well as all applicable regulations and guidelines issued pursuant to the ADA.

5. Compensation and Payment.

(a) The total compensation payable by City to Consultant for the Services **SHALL NOT EXCEED** the sum of $952,000 ("not-to-exceed amount"). City shall compensate Consultant for the Services rendered at the hourly rates, task amounts or travel expenses set forth in Exhibit "A" up to the not-to-exceed amount. Except as provided in the body of this Agreement, the hourly rates, task amounts or travel expenses are intended to be Consultant's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and employees to provide the Services.

(b) City shall pay Consultant no later than 30 days after City receives a written invoice from Consultant and verifies the Services were performed for the payment requested.

6. Term. The term of this Agreement commences on February 14, 2023, and terminates upon the completion of the Services or December 31, 2025, whichever occurs first.

7. Termination by City. City may terminate any portion or all of the Services by giving Consultant at least 30 calendar-days written notice. Upon receipt of a termination notice, Consultant shall immediately stop all work in progress on the Services except where necessary to preserve the benefit of the work, and then assemble the work on the Services for delivery to City on the termination date. All compensation for Services performed prior to the termination date shall be payable to Consultant in accordance with Section 5.

8. Ownership of Documents. All drawings, designs, data, photographs, reports and other items prepared or obtained by Consultant in the performance of the Services are City's property and Consultant shall deliver them to City upon demand.

9. Copyright and Right of Use. All items created by Consultant for City under this Agreement are works made for hire, and Consultant shall give City the copyright and all intellectual property rights to all items developed, prepared, and delivered as part of the Services. Consultant agrees that all aspects of the Services and items created thereby will be original works of creation and will not use, in whole or in part, any work created by any other party, except when expressly disclosed by Consultant to City and Consultant obtains a license to such items for the benefit of City. All licenses must be perpetual, world-wide, non-exclusive, and royalty free sufficient in scope to permit City's full use and enjoyment of its ownership rights in the items created by the Services.

10. Confidentiality. Consultant shall not disclose any confidential or proprietary information received from City to anyone except Consultant's employees who require

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access to the information to perform the Services. This obligation shall survive termination and remain in full force and effect until the information, and any copies thereof, are destroyed or returned to City.

11. Defense, Indemnity, and Hold Harmless. To the fullest extent permitted by law, Consultant shall hold harmless, indemnify, and defend with counsel selected by the City or otherwise acceptable to the City, the City and its elected and appointed officials, officers, directors, employees, agents and designated volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Consultant's performance of the services contemplated by this Agreement, or in connection with Consultant's failure to comply with any of its obligations contained in this Agreement, except for such Liability caused by the sole active negligence or willful misconduct of City. Consultant's obligations to hold harmless, indemnify, and defend shall not be excused because of Consultant's inability to evaluate Liability or because Consultant evaluates Liability and determines that Consultant is not liable to the claimant. These obligations are independent of, and shall not in any way be limited by, the minimum insurance obligations contained in this Agreement. These obligations shall survive the completion or termination of this Agreement. Consultant must respond within 30 days to the tender of any claim for defense and indemnity by the City.

(a) Modification for Construction Contracts. To the extent this Agreement is a "construction contract" covered by California Civil Code section 2782, then Consultant's duty to indemnify shall not apply in a manner prohibited by California Civil Code section 2782.

(b) Modification for Design Professional Services. To the extent this Agreement is for "design professional services" defined in California Civil Code section 2782.8, then Consultant's duties to defend and indemnify shall only apply to the extent provided for in California Civil Code section 2782.8(a), unless section 2782.8(a) is not applicable for one of the reasons set forth in 2782.8(e).

12. Insurance. Consultant shall procure and maintain insurance during the term of this Agreement in the amounts and under the terms set forth in Exhibit "B" against claims that may arise from or in connection with this Agreement and performance of the Services. Upon reasonable written notice, Consultant shall comply with any changes in the amounts and terms of insurance as may be required from time-to-time by City's Risk Manager.

13. Acceptance of Final Payment. Consultant's acceptance of final payment will release City from any and all claims and liabilities for compensation under this Agreement.

14. Acceptance of Work. City's acceptance of, or payment to Consultant for, the Services does not release Consultant from its responsibility for the accuracy, completeness, or competency of the Services, nor do the actions constitute an assumption of Consultant's responsibility or liability by City for any defect or error in the Services.

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15. Conflict of Interest. Consultant represents that no City employee or official has a financial interest in Consultant. Consultant shall not offer, encourage, or accept any financial interest in any part of Consultant's business by or from a City employee or official during the term of this Agreement or as a result of being awarded this Agreement. If any of the Services are paid by reimbursement from an agreement between City and a private party, Consultant represents that it has not performed any work for that private party during the 12-month period prior to the execution of this Agreement, and that it shall not negotiate, offer or accept any contract for services from that party during the term of this Agreement.

16. Economic Disclosure. Consultant shall comply with City's local conflict of interest code and the Political Reform Act, and prepare and file an economic disclosure statement if the Services involve making, or participation in making, decisions which may have a material effect on the Consultants' financial interest. While it is Consultant's sole responsibility to evaluate its conflicts of interest, the Consultant nevertheless agrees to prepare and file an economic disclosure statement if requested by City.

17. Non-Exclusive Agreement. This is a non-exclusive agreement. City reserves the right to provide, and to retain other consultants to provide, services that are the same or similar to the Services described in this Agreement.

18. No Assignment. Consultant shall not assign or subcontract any of the Services without City's prior written consent. For the purposes of this section, a change of fifty-percent or more in the ownership or control of Consultant constitutes an assignment.

19. Remedies. All remedies permitted or available under this Agreement, or at law or in equity, are cumulative and alternative, and the invocation of a right or remedy will not be construed to waive or elect a remedy with respect to any other available right or remedy. As a condition precedent to commencing legal action involving a claim or dispute against City arising from this Agreement, the Consultant must present a written claim to City in accordance with Chapter 3.42 of the Livermore Municipal Code.

20. Construction of Language. The terms and conditions in this Agreement have been arrived at through negotiation and each party had a full and fair opportunity to review and revise this Agreement with legal counsel. Any ambiguity in this Agreement will not be resolved against either party as the drafting party. In the event of an inconsistency or conflict between the language in the body of the Agreement and an attachment hereto, the language in the body of the Agreement controls.

21. Entire Agreement; Modification. This Agreement supersedes all other agreements, whether oral or written, between the parties with respect to the Services. Any modification to this Agreement must be in writing and signed by both parties. In the event the original of this Agreement is lost or destroyed, an archival copy maintained by City can be used in place of the original for all purposes with the same effect as if it was the original.

22. Notice. Notices under this Agreement must be delivered to the addresses below by deposit in the United States mail or by overnight delivery service, with postage prepaid and delivery confirmation:

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TO CITY: Attention: City Engineer
Cc: Project Manager
City of Livermore
1052 S Livermore Avenue
Livermore, California 94550

TO CONSULTANT: Attention: Rany Chek, Vice President
Gannett Fleming, Inc.
155 Grand Avenue, Suite 504
Oakland, CA 94612

23. Waiver. Failure to insist upon the strict performance of any term or conditions in this Agreement, no matter how long the failure continues, is not a waiver of the term or condition and does not bar the right to subsequently demand strict performance. To be effective, a waiver must be in writing and signed by the non-breaching party.

24. Severability. If a court of competent jurisdiction determines a provision in this Agreement is invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired in any way.

25. Survival. The terms, conditions, and obligations in Sections 8, 9, 10, and 11 shall survive the completion or termination of this Agreement.

26. Electronic Signatures. By signing this document, you are agreeing that you have reviewed this disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

27. Counterparts. This Agreement may be executed and delivered in one or more counterparts, each of which will be deemed to be an original copy of this Agreement, and all of which, when taken together, will be deemed to constitute one and the same agreement. The facsimile, email, or other electronically delivered signatures of the Parties shall be deemed to constitute original signatures, and facsimile or electronic copies hereof shall be deemed to constitute duplicate originals and shall be valid and effective for all purposes.

****

Signatures and Attachment List on the Next Page

EXHIBIT A

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement, effective on the date first written above.

CONSULTANT: **Dated:**

DocuSigned by:
Rany Chek
228B909B0F05440...

1/11/2023 | 9:37 AM PST

By: Rany Chek
Title: Vice President

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Jara Mazzanti
24[illegible]

Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
492[illegible]

Risk Manager/Analyst

Attachments:

Exhibit A – Scope of Work
Exhibit B – Insurance Requirements

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Exhibit "A" - Scope of Services
Livermore Village Parking Garage Construction Project 5860033/15/22
Construction Management Services

Project Scope of Work:

This Project will be performed in two phases. In general, Phase 1 is for the Trash Facility and Phase 2 is for the Parking Structure.

The Livermore Village Parking Garage Construction Project will be constructed in two phases. Phase **1** consists of constructing a surface lot and trash enclosure east of the garage. Phase 1 work is managed by the City. Gannett Fleming, Inc. will provide full-time Construction Manager for Phase 2, which consists of constructing a 4-level parking garage with around 455 spaces and associated site improvements. Site improvements include building a new pedestrian pathway, additional surface parking, and repairs to Veteran's Way.

Consultant Scope of Services

1. PROJECT COORDINATION

Gannett Fleming, Inc. will provide, but not be limited to, the follow project coordination services:

1.1 Assist City staff in all phases with Project coordination.

1.2 Assist with the establishment, implementation, and modification of Project administrative procedures.

1.3 Coordinate, lead, and document appropriate weekly Project meetings throughout each phase of the Project lifecycle.

1.4 Coordinate any hazardous material survey, reporting and abatements work to manage City compliance with appropriate entities.

2. DOCUMENT CONTROL SERVICES

Gannett Fleming, Inc. will provide, but not be limited to, the following document control services:

2.1 Maintain all Project documentation in an integrated, accessible electronic format.

2.2 Maintain status logs of Project documents such as design activities and status, requests for information, submittals, substitution requests, etc.

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Exhibit "A" - Scope of Services
Livermore Village Parking Garage Construction Project 586003
Construction Management Services

3. CONSTRUCTION MANAGEMENT

3.1 Provide procurement support, management, administration, and oversight of construction contract.

3.2 Perform as the Construction Manager during the entire Project lifecycle. At a minimum, Gannett Fleming, Inc. will provide the following construction management services:

- Enforce the Contractor's project specific Health and Safety Program.
- Review construction documents for constructability and consistency with the Project schedule.
- Review construction work and phasing plans and make recommendations to minimize disruptions.
- Review Contractor's Construction Schedules (baseline, monthly updates, and three-week lookaheads) and notify Client of any discrepancies or areas of concern.
- Oversee construction activities and that they are properly coordinated with all necessary personnel, including City and any other affected parties.
- Review construction quality assurance/quality control plans.
- Manage on-site observation of City provided third party inspection of the progress and quality of the construction work including quality assurance and code compliance oversight.
- Oversee and coordinate that the Construction Contractor has scheduled all formal code inspections with the appropriate City of Livermore and state agencies once a pre- inspection has been performed by the Construction Contractor. Prior to the formal inspection, the pre-inspection shall confirm that all contract and code requirements.
- Coordinate with specialty inspection firm.

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Exhibit "A" - Scope of Services
Livermore Village Parking Garage Construction Project 586003
Construction Management Services

- Monitor environmental inspection for Construction Contractor's compliance with environmental regulations.
- Examine materials and equipment being incorporated into the work to verify that they are supported by approved submittals, handled, stored, and installed properly.
- Manage and coordinate review with design engineer the submission of samples, shop drawings, Operation and Maintenance manuals, and other submittals from Construction Contractor for contract and code compliance.
- Identify problems encountered in accomplishing the construction work and recommend appropriate action to the City in order to resolve problems with a minimum effect on the timely completion of the Project.
- Maintain a log of any Requests for Information and manage responses for approval by City and/or Engineer-of-Record.
- Review Contractors Monthly Progress Payment requests for accuracy and recommend approval.
- Review Construction Contractor reports, as-built drawings, and other construction documentation and verify information is appropriately captured.
- Coordinate job site meetings and prepare meeting minutes.
- Administer the evaluation, prepare independent cost estimates, time impact analysis, and negotiation of change orders, prepare and process change orders for City approval, and maintain a Change Order log.
- Work with City on project Commissioning, as needed.
- Project Closeout to include preparing and overseeing completion of project punch list by construction contractor, as-builts, and final progress payment.

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Exhibit "A" - Scope of Services
Livermore Village Parking Garage Construction Project 586003
Construction Management Services

4. As-Directed Services

4.1 Gannett Fleming, Inc. shall provide as-directed services to the City A budget allowance of $70,000.00 has been included. Any use of this budget allowance shall require written authorization from the City that includes scope of as-directed services and an agreed upon Not-To-Exceed limit. As-Directed services could include the following services:

- Review project plans for completeness and clarity, and for coordination of plans, specifications and cost estimate, and for any omission of scope.
- Review project specifications for completeness of items of work and with corresponding bid items and consistency with the plans. Identify any project components that has to be completed prior to award of construction contract such as third-party utility relocation, right of way acquisition or easement agreements, encroachment permits.
- Review project cost estimate for completeness of bid items and consistency with the plans and specifications; review bid quantity and measurement and payment; identify bid items with final pay quantities, identify items with long lead time or items not available or not readily available in the industry; propose alternatives, etc.
- Review project schedule for sequence of work, coordination of work and identify construction impacts and identify critical path items and provide recommendations on construction durations, etc.
- Technical Reviews:
    - Hydrology/Hydraulic studies and Drainage design
    - Stormwater Pollution Prevention Plan (SWPPP)
    - Hydromodification and Stormwater Treatment (C.3)
    - Structural calculations
    - Geotechnical reports
    - Traffic studies, etc.
- Review of environmental studies and environmental documents, regulatory permits.
- Review of right of way and easements
- Review of ADA compliance
- Perform feasibility studies and cost to benefits analysis
- Prepare conceptual designs and alternatives
- Assist with funding applications

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EXHIBIT A

City of Livermore
Cost of Construction Management Services-LIVERMORE VILLAGE PARKING GARAGE PROJECT &
LIVERMORE VILLAGE TRASH ENCLOSURE

November 28, 2022 (Rev. 4)

Project Schedule	2022	2023												2024											
	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Calendar days	31	31	28	31	30	31	30	31	31	30	31	30	31	31	28	31	30	31	30	31	31	30	31	30	31
Work days	21	21	20	23	21	22	22	20	23	21	21	20	21	21	20	23	21	22	22	20	23	21	21	20	21
Task 1: Pre-Construction																									
Task 2: Construction			228	252	224	232	232	216	240	224	224	216	224	224	216	240	224	136	136	136					
Task 3: Post-Construction																					124				

Estimated NTP (CM Services): February 1, 2023
Estimated Completion: July 31, 2024
18 months

Estimated Person-Hours: 3,948

Position	Name	Actual	Loaded	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Hours	Totals	
Task 1: Pre-Construction																															
Project Manager	Maurice El Hage, PE	$ 128.00	$ 342.76																										0		
Construction Manager/RE	Clint Pittman	$ 80.00	$ 214.22																										0		
Construction Inspector No. 1- (Contingency for Concurrent Operations Coverage)**	Tracy Steverson	$ 85.00	$ 227.61																										0		
Office Engineer/Document Control	Maryanne Martinez	$ 58.00	$ 155.31																										0		
Part Time Scheduler	James Gallego	$ 95.00	$ 254.39																										0		
Elevator Inspector (VTX, a GF Company)	TBD	$ 85.00	$ 227.61																												
As-Directed Services																															
SUBTOTAL: LABOR																														$ -	
Subconsultant:																													0	$ -	
Subconsultant:																														$ -	
SUBTOTAL: SUBCONSULTANTS																														$ -	
SUBTOTAL Task 1: Pre-Construction:																															$ -
Task 2: Construction																															
Resident Engineer/ Construction Inspector	Maurice El Hage, PE	$ 128.00	$ 342.76			8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8						144	$ 49,357.44	
Construction Manager/RE	Clint Pittman	$ 80.00	$ 214.22			160	184	168	176	176	160	184	168	168	160	168	168	160	184	168	80	80	80						2792	$ 598,102.24	
Construction Inspector No. 1- (Contingency for Concurrent Operations Coverage)**	Tracy Steverson	$ 85.00	$ 227.61																										0		
Office Engineer/Document Control	Maryanne Martinez	$ 58.00	$ 155.31			40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40						720	$ 111,823.20	
Part Time Scheduler	James Gallego	$ 95.00	$ 254.39			20	20	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8						168	$ 42,737.52	
Elevator Inspector (VTX, a GF Company)	TBD	$ 85.00	$ 227.61											16			16					16							48	$ 10,925.28	
As-Directed Services																														$ 70,000.00	
SUBTOTAL: LABOR																														$ 882,945.68	
Subconsultant:	0	$ -	$0.00																										0	$ -	
Subconsultant:			$0.00																											$ -	
SUBTOTAL: SUBCONSULTANTS																														$ -	
SUBTOTAL Task 2: Construction:																															$ 882,945.68
Task 3: Post-Construction																															
Resident Engineer/ Construction Inspector	Maurice El Hage, PE	$ 128.00	$ 342.76																					4					4	$ 1,371.04	
Construction Manager/RE	Clint Pittman	$ 80.00	$ 214.22																					80					80	$ 17,137.60	
Construction Inspector No. 1- (Contingency for Concurrent Operations Coverage)**	Tracy Steverson	$ 85.00	$ 227.61																										0		
Office Engineer/Document Control	Maryanne Martinez	$ 58.00	$ 155.31																					40					40	$ 6,212.40	
Part Time Scheduler	James Gallego	$ 95.00	$ 254.39																										0		
Elevator Inspector (VTX, a GF Company)	TBD	$ 85.00																													
As-Directed Services																															
SUBTOTAL: LABOR																														$ 24,721.04	
Subconsultant:	0	$ -	$0.00																										0	$ -	
Subconsultant:			$0.00																											$ -	
SUBTOTAL: SUBCONSULTANTS																														$ -	
SUBTOTAL Task 3: Post-Construction:																															$ 24,721.04
ODCs																															
Vehicles (Each per month)	$957.00					1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					19	$ 18,183.00	
Procore-Document Control System	$500.00					1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1					19	$ 9,500.00	
Overtime Contingency			$ -																										0	$ 6,000.00	
Per Diem/Travel/rental car (for VTX)																														$ 10,650.00	
SUBTOTAL: ODCs																														$ 44,333.00	
SUBTOTAL ODCs:																															$ 44,333.00
TOTAL OF CONTRACT																															$ 952,000

Notes and Assumptions:

* Inspector Rates, if needed, are based on current DIR Prevailing Wage Determination.
** Construction Inspector No. 1 as backup (as-needed). Proposing as Contingency for Complete Project Coverage of Concurrent Contractor Operations.
• Fees are based on estimated 18 month project duration with professional services NTP anticipated December 15, 2022.
• Should the actual schedule require more or less professional services than proposed adjustments to this estimate may be required.
• Above rates are straight-time rates. Overtime, rain, holidays and potential time extensions or delays may result in additional professional services.
- Night work and Overtime will be billed at a pro-rata adjusted rate.
• Overtime billed in accordance with State and Federal Law.
• Wages for inspection subject to Calif. Labor Code Section 1772.
* Denotes employees/classifications that are subject to prevailing wage.
• This estimate is based on specific scope of work assumptions.
• Client will be billed only for hours worked.

Rany Chek

Rany Chek, PE, GSD
Construction Services West - California and Northwest Regional Leader

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EXHIBIT B

INSURANCE REQUIREMENTS

Minimum Scope and Limits of Insurance

Consultant/Contractor shall maintain limits no less than:

1. Commercial General Liability, including operations, products, and completed operations, as applicable:
   $2,000,000 per occurrence/**$4,000,000** aggregate for bodily injury, personal injury, and property damage. If Commercial General Liability or other form of insurance with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability:
   $1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation and Employer's Liability:
   Statutory limits as required by the State of California including **$1,000,000** Employers' Liability per accident, per employee for bodily injury or disease. A waiver of subrogation is required for Workers' Compensation insurance. If Consultant/Contractor is a sole proprietor, then they must sign "Contractor Release of Liability".
4. Professional Liability/Errors and Omissions:
   $5,000,000 per claim. Consultant/Contractor warrants that any retroactive date under this policy shall precede the effective date of this contract and, either continuous coverage will be maintained, or an extended discovery period will be exercised for a period of two years beginning at the time work under this contract is completed.

Deductibles and Self-Insured Retention

All self-insured retentions (SIR) must be disclosed to Risk Management for approval and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide, or be endorsed to provide, that the SIR may be satisfied by either the named insured or the City of Livermore. The City of Livermore reserves the right to obtain a full certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of no less than A: VII and accepted to do business in the State of California, unless otherwise acceptable to the City of Livermore.

Other Insurance Provisions

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City of Livermore, its officers, officials, employees, and designated

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volunteers are to be covered as additional insureds as respects: liability arising out of activities performed by or on behalf of the Consultant/Contractor; or automobiles owned, leased, hired or borrowed by the Consultant/Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City of Livermore, its officers, officials, employees, or volunteers.

2. The limits of insurance required in this agreement may be satisfied by a combination of primary and umbrella or excess insurance. The additional insured coverage under the Consultant's/Contractor's policy shall be primary and non-contributory and will not seek contribution from the City's insurance or self-insurance and shall be at least as broad as ISO Form CG 20 10 04 13. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the City of Livermore before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.
3. Any failure to comply with reporting or other provisions of the policy, including breaches of warranties, shall not affect coverage provided to the City of Livermore, its officers, officials, employees, or volunteers.
4. The Consultant's/Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party before expiration of the policy unless notice is delivered in accordance with policy provisions.
6. It shall be a requirement under this agreement that any available insurance proceeds broader than, or in excess of, the specified minimum insurance coverage requirements and/or limits shall be available to the additional insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named Insured; whichever is greater.
7. Certificate Holder section of the insurance certificate should read: City of Livermore, 1052 S. Livermore Avenue, Livermore, CA 94550

Verification of Coverage

Consultant/Contractor shall furnish certificates of insurance and endorsement(s) effecting coverage to the City of Livermore for approval. The endorsements shall be on forms acceptable to the City of Livermore. All certificates and endorsements are to be received and approved by the City of Livermore before work commences. The City of Livermore reserves the right to require complete and certified copies of all insurance policies required by this Agreement.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.4**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing a supplemental appropriation in the amount of $3,000,000 to Fiscal Year 2023-24 and awarding and authorizing execution of an agreement with Environmental Systems Inc. of Northern California, for replacing HVAC equipment and building controllers in the Central Plant, Police Department, and City Hall, in an amount not-to-exceed $3,094,000 for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30:

1. Authorizing a supplemental appropriation of $1,200,000 in Fund 740 (Facilities Rehabilitation Program) from FY 2022-23 to FY 2023-24,
2. Authorizing a supplemental appropriation of $1,800,000 in Fund 740 (Facilities Rehabilitation Program) for a total of $3,000,000 to FY 2023-24,
3. Awarding a construction contract to Environmental Systems Inc. of Northern California, in an amount not-to-exceed $3,094,000, and authorizing the City Manager to sign the agreement,
4. Rejecting all other bids or proposals, and
5. 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.

SUMMARY

The City Hall HVAC & Central Plant Chiller Replacement Project includes replacing two main chillers and three boilers and associated supporting equipment located in the equipment room at the back of the Police Department (Central Plant). The project also includes replacing Police Department pneumatic controls to digital direct controls, upgrading the existing HVAC control systems and supporting equipment in City Hall to a digital direct controls system, and upgrading controls to include carbon dioxide monitoring in both the Police Department and City Hall.

Five bids were received for the project on December 6, 2022. Staff recommends the City Council award and authorize a construction contract with Environmental Systems Inc. of Northern California, the lowest responsible and responsive bidder, and authorize the City Manager to sign the agreement. Staff also recommends the City Council authorize supplemental appropriations in the total amount of $3,000,000 from Fund 740 (Facilities Rehabilitation Program) to Fiscal Year 2023-24 to coincide with anticipated construction expenditures to fully fund the project.

DISCUSSION

Both the City Hall and Police Department buildings are heated by a system of boilers and pumps and cooled by a cooling tower and chillers known as the Central Plant, located behind the Police Department building. Hot and cool water is pumped through an underground looped pipe system to both buildings, while temperature control is managed by a series of heat exchangers and temperature-controlled thermostats. The heating and cooling system has been in place since the buildings were constructed approximately 25 years ago. Major portions of both systems are at the end of their useful lives and experience periodic failures and excessive maintenance costs. Not only is it costly to continue to support these systems, but it is also becoming increasingly difficult to obtain certain parts to repair them due to the obsolescence of critical parts. Both systems are also past their prime in terms of efficiency and the quality of air that they deliver to building occupants. Current technology utilizes carbon dioxide-controlled monitoring to ensure a healthy mix of fresh air along with temperature control. Cleaner air is important to providing a safe and comfortable working environment for building occupants and can help to reduce the spread of COVID -19 or other airborne illnesses. An updated HVAC system will also result in better internal air quality during fire season and on critical smog alert days.

The consultant for the project (Barry & Wynn Architects) prepared a study of the existing heating and cooling systems for the Police Department and City Hall and concluded that the highest priorities for repairs were to replace the two main chillers and three boilers and associated supporting equipment located in the Central Plant. The contract documents also included upgrades to the Police 911 office and main IT room, upgrading Police Department pneumatic controls to a digital direct control system, upgrading the existing HVAC control systems and supporting equipment in City Hall to a digital direct control system, and upgrading controls to include carbon dioxide monitoring in both the Police Department and City Hall. Completion of the improvements will also allow city staff to have remote monitoring of the HVAC system at both City Hall and the Police Department.

Staff advertised the project on October 25, 2022 and opened bids on December 6, 2022. The City received five bids for the project. The lowest responsible and responsive bid was received from Environmental Systems Inc. of Northern California for $3,094,000. Environmental Systems Inc. of Northern California is based in Santa Clara, CA and has worked on similar projects for the County of Santa Clara, Gavilan Joint Community College District, and Franklin McKinley School District. Staff has checked references for Environmental Systems Inc. of Northern California and has found them satisfactory.

The following is a list of the bids received and the Engineer’s Estimate for the project.

City Hall HVAC & Central Plant Chiller Replacement Project 2018-30 - Bid Results

Contractor	Location	Bid Amount

Environmental Systems Inc. of Northern California	Santa Clara	$3,094,000
Bobo Construction Inc.	Elk Grove	$3,894,000
Overaa & Company	Richmond	$3,896,000
S&H Construction Inc.	Fremont	$4,998,600
Diede Construction	Lodi	$5,862,000
Engineer's Estimate		$4,350,000

In accordance with Livermore Municipal Code Section 2.68.560, Change Order authorization of 10% of the contract value is allowed.

FISCAL AND ADMINISTRATIVE IMPACTS

Funding for this project is included in the FY 2021-23 Capital Improvement Plan budget for the City Hall HVAC & Central Plant Chiller Replacement Project No. 2018-30. As shown in Attachment 2, there is currently $2,500,000 of Fund 740 (Facilities Rehabilitation Program) budgeted for this project in Fiscal Year 2022-23. Staff recommends reducing the budget by $1,200,000 to match estimated expenditures of $1,300,000 in Fiscal Year 2022-23. Staff recommends moving this $1,200,000 to Fiscal Year 2023-24 along with an additional appropriation of $1,800,000 from Fund 740 so that the total budget in Fiscal Year 2023-24 is $3,000,000. Together these proposed budget amounts in Fiscal Years 2022-23 and 2023-24 will fund this $3,094,000 construction agreement and all other project costs such as change order allowances, design, inspection, materials testing, construction management, project management, building controller software and hardware installation and building permit fees. Attachment 2 provides a breakdown on these expenses.

This equipment replacement and upgrade project will decrease annual operation and maintenance costs.

ATTACHMENTS

1. Site Plan
2. Budget Info
3. Resolution
4. Exhibit A - Construction Contract

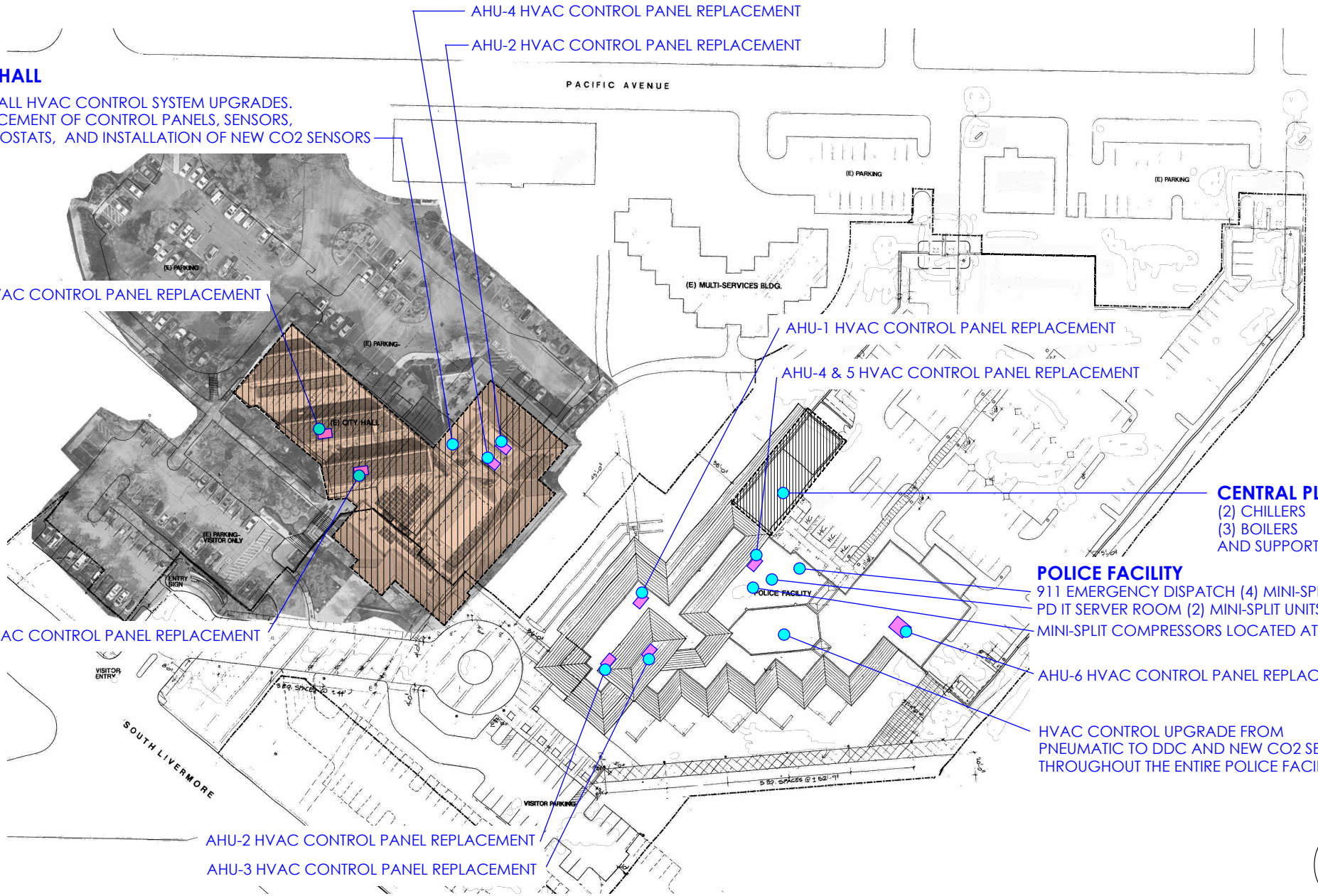
Prepared by: Joel Waxdeck
Assistant City Engineer

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director



CITY OF LIVERMORE
CITY HALL HVAC & CENTRAL PLANT CHILLER REPLACEMENT

OVERALL SITE PLAN

CITY OF LIVERMORE CALIFORNIA

0 10 20 40 80

COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION
City Project No. 2018-30

City Hall HVAC & Cenetral Plant Chiller Replacement Project 2018-30
Budget Information

	Fund	FY 2022-23	FY 2023-24	Total
Existing Budget	740	$2,500,000	$0	$2,500,000
Proposed Budget	740	$1,300,000	$3,000,000	$4,300,000
Adjustment	740	-$1,200,000	$3,000,000	$1,800,000

Budget Items in FY 2022-23 and FY 2023-24	
Construction Contract	$3,094,000
Change Orders 10%	$309,000
Final Design	$80,000
Construction Engineering	$170,000
Inspections	$240,000
Construction Management	$190,000
Siemens Software Installation	$150,000
City Material	$50,000
Building Permit	$10,000
Miscellaneous	$7,000
Total	$4,300,000

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $3,000,000, AWARDING A CONSTRUCTION CONTRACT WITH ENVIRONMENTAL SYSTEMS, INC. OF NORTHERN CALIFORNIA IN AN AMOUNT NOT-TO-EXCEED $3,094,000 FOR THE CITY HALL HVAC & CENTRAL PLANT CHILLER REPLACEMENT PROJECT NO. 2018-30

(City Hall HVAC & Central Plant Chiller Replacement, Project No. 2018-30)

The City Hall HVAC & Central Plant Chiller Replacement Project includes replacing the two main chillers and three boilers and associated supporting equipment located in the Central Plant behind the Police Department building. The project also includes the addition of mini-split units to the Police 911 office and main IT room, upgrading Police Department pneumatic controls to a digital direct controls (DDC) system, upgrading the existing HVAC control systems and supporting equipment in City Hall to a DDC system, and upgrading controls to include CO2 monitoring in both the Police Department and City Hall. Completion of the improvements will also allow city staff to have remote monitoring of the HVAC system at both City Hall and the Police Department.

Five bids for the City Hall HVAC & Central Plant Chiller Replacement Project were received on December 6, 2022.

After a thorough review of all bid submittals by the five bidders, staff recommends the City Council award and authorize a construction contract with Environmental Systems, Inc. of Northern California, which has been determined to be the lowest responsible and responsive bidder, and authorize the City Manager to sign the agreement.

It is recommended that the City Council authorize supplemental appropriations in the amount of $3,000,000 from Fund 740 (Facilities Rehabilitation Program) to Fiscal Year 2023-24 to coincide with anticipated construction expenditures and to fully fund the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Authorizes a supplemental appropriation of $1,200,000 in Fund 740 (Facilities Rehabilitation Program) from Fiscal Year 2022-23 to Fiscal Year 2023-24 for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30.

2. Authorizes a supplemental appropriation of $1,800,000 in Fund 740 (Facilities Rehabilitation Program) to Fiscal Year 2023-24 for the City Hall HVAC & Central Plant Chiller Replacement Project No. 2018-30.

3. Awards a construction contract to Environmental Systems, Inc. of Northern California in an amount not-to-exceed $3,094,000 for the City Hall HVAC & Central Plant Chiller Replacement Project 2018-30, and authorizes the City Manager to sign the agreement, attached hereto as Exhibit A and incorporated by this reference.

4. Rejects all other bids or proposals; and

5. Authorizes 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.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST: APPROVED AS TO FORM:

_____ */s/ Tara Mazzanti*_____
Marie Weber Tara Mazzanti
City Clerk Assistant City Attorney

Exhibit A – Construction Contract with Environmental Systems, Inc. of Northern California

#9057

EXHIBIT A

CONTRACT

This public works contract ("Contract") is entered into by and between the City of Livermore, a California Municipal Corporation ("City") and Environmental Systems, Inc. of Northern California, a California Corporation ("Contractor") for work on the City Hall HVAC & Central Plant Chiller Replacement, City Project No. 2018-30 ("Project").

The Parties Agree as Follows:

1. Award of Contract.

In response to the Notice Inviting Bids, Contractor has submitted a Bid Proposal to perform work on the Project, and on _____, 20___, as part of Resolution No. _____, City authorized award of this Contract to Contractor for the amount of Contractor's bid.

2. Contract Documents.

This Contract consists of all of the written representations and submissions made by Contractor as part of the Bid process and the following numbered and un-numbered component documents, as detailed on the table of contents of this Agreement:

a. Bidding requirements (consisting of the Notice Inviting Bids; Instructions to Bidders; Bid Proposal; Bid Schedule, Subcontractor List, Noncollusion Declaration, Bid Bond, Bidder's Questionnaire, Payment Bond, Performance Bond, Warranty Bond);

b. General Conditions;

c. Special Conditions;

d. Division One Technical Specifications;

e. Appendix;

f. Index of Defined Terms;

g. Project Drawings and Specifications;

h. Bid Addenda, if any;

i. Change Orders, if any;

j. ALB Notice;

k. Notice to Proceed;

l. City Standard Specifications and Details;

m. And the following: No other documents

3. Contractor's Obligations.

Contractor agrees to perform all of the Work required for the Project, as specified in the Contract Documents. Contractor must provide, furnish, and supply all things necessary and incidental for the timely performance and completion of the Work, including all necessary labor, materials, equipment, transportation, and utilities, unless otherwise specified in the Contract Documents. Contractor must use its best efforts to complete the Work in a professional and expeditious manner and to meet or exceed the performance standards required by the Contract Documents.

4. Payment.

As full and complete compensation for Contractor's timely performance and completion of the Work in strict accordance with the terms and conditions of the Contract Documents, City will pay Contractor Three Million Ninety-Four Thousand Dollars ($3,094,000) (the "**Contract Price**"), in accordance with the payment provisions in the General Conditions.

5. Time for Completion.

5.1. Substantial Completion

Contractor must achieve Substantial Completion, as that term is defined in the General Conditions, of the Project Work within 320 Working Days from the commencement date stated in the Notice to Proceed. ("**Substantial Completion Deadline.**"). For this project, the Contractor shall also incorporate 63 number of average anticipated inclement Weather Days into their bid estimate. Contractor shall be solely responsible for the extended overhead and profit for these weather days and shall not be compensated by the City in any way, reference Section 10.3 of the General Conditions and Section 013200-4.3 Contract Schedules for additional weather day information.

5.2. Final Completion

Contractor must achieve Final Completion, as that term is defined in the General Conditions, of the Project Work within 40 Working Days after the date of substantial completion. ("**Final Completion Deadline.**")

5.3. Early Completion.

By signing below, Contractor expressly waives any claim for delayed early completion.

6. Liquidated Damages.

If Contractor fails to meet either the Substantial Completion Deadline or the Final Completion Deadline, City may assess liquidated damages according the provisions in the General Conditions of the Contract Documents in the following amounts for each day of Unexcused Delay, and the Contract Price shall be reduced accordingly.

6.1. Substantial Completion Deadline: Three Thousand Dollars ($3,000) per day.

6.2. Final Completion Deadline: One Thousand Five Hundred ($1,500) per day.

7. Labor Code Compliance.

This Contract is subject to all applicable requirements of Chapter 1 of Part 7 of Division 2 of the California Labor Code, including requirements pertaining to wages, working hours and workers' compensation insurance.

7.1. Prevailing Wages.

This Project is subject to the prevailing wage requirements applicable to the locality in which the Work is to be performed for each craft, classification or type of worker needed to perform the Work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes. The general prevailing wage rates for each craft, classification or type of covered work are available online at http://www.dir.ca.gov/DLSR.

7.2. DIR Registration.

City will not accept a Bid Proposal from or enter into the Contract with a bidder without proof that the bidder and its Subcontractors are registered with the California Department of Industrial Relations to perform public work under Labor Code, Section 1725.5, subject to limited legal exceptions allowed by the Labor Code.

8. Workers' Compensation Certification.

Under Labor Code, Section 1861, by signing this Contract, Contractor certifies as follows: "I am aware of the provisions of Labor Code, Section 3700 which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the Work on this Contract."

The successful bidder previous to the entering of the contract to do the said work shall take out and maintain in full force and effect worker's compensation insurance with an insurance carrier authorized to transact business in the State of California, covering the bidder's full liability for compensation to any persons employed who may be injured in the carrying out of said contract or the dependents thereof. Evidence of such worker's compensation insurance shall be furnished to the City of Livermore by certificate and waiver of subrogation in the City's electronic insurance certificate tracking system (PINS) prior to the commencement of the work and said certificate shall contain a provision that the coverage thereunder will not be canceled until at least thirty (30) days prior written notice has been given to the City.

9. Notice.

Any notice, billing, or payment required by the Contract Documents must be made in writing, and sent to the other party by personal delivery, U.S. Mail, a reliable overnight delivery service, facsimile, or by email as a PDF (or comparable) file. Notice is deemed effective upon delivery unless otherwise specified. Notice for each party must be given as follows:

	City	Contractor
Name	Bob Vinn	Environmental Systems, Inc. of Northern California
Address	1052 South Livermore Avenue	3353 De La Cruz Blvd.
City/state/zip	Livermore, CA 94550	Santa Clara, CA 95054
Phone	(925) 960-4500	(408) 980-1711
Fax		
Attention	City Engineer	Chris Enfantino, President
Email	bgvinn@livermoreca.gov	cenfantino@esite.net
Copy to		

10. General Provisions.

The following items are repeated here as stated as part of Part 2, General Conditions, for emphasis:

10.1. Assignment and Successors.

Contractor may not assign its rights or obligations under this Contract, in part or in whole, without City's written consent. This Contract is binding on Contractor's successors and permitted assigns. A consolidation or merger of Contractor or a change in ownership of 25% or more of Contractor's capital stock constitutes an assignment by Contractor requiring the City's written consent.

10.2. Third Party Beneficiaries.

There are no intended third party beneficiaries to this Contract except as expressly provided in the General Conditions or Special Conditions.

10.3. Governing Law and Venue.

This Contract will be governed by California law and venue will be in the Superior Court of the County in which the Project is located, and no other place.

10.4. Amendment.

No amendment or modification of this Contract will be binding unless it is in a writing duly authorized and signed by the parties to this Contract.

10.5. Integration; Severability.

This Contract and the Contract Documents incorporated herein, including authorized amendments or Change Orders thereto, constitute the final, complete, and exclusive terms of the agreement between City and Contractor. If any provision of the Contract Documents, or portion of a provision, is determined to be illegal, invalid, or unenforceable, the remaining provisions of the Contract Documents will remain in full force and effect.

11. Authorization.

Each individual signing below warrants that he or she is authorized to do so by the party that he or she represents, and that this Contract is legally binding on that party. If Contractor is a corporation, signatures from two officers of the corporation are required under California Corporation Code, Section 313.

The parties agree to this Contract as witnessed by the signatures below:

CITY	CONTRACTOR
City of Livermore, a California Municipal Corporation	Environmental Systems Inc of No CA
s/_____	s/ V. L. E.
Marianna Marysheva, City Manager	Name/Title [print] V.C. Entantino/Pres.
Date: _____	Date: 12/15/22
Approved as to form:	s/ E. L. E.
	Name/Title [print] E.L. Entantino/Corp Sec
_____	Date: 12/15/22
City of Livermore City Attorney	422478
	Contractor's Calif. License Number(s)
	Seal:
	5/31/24
	Expiration Date(s)

END OF DOCUMENT

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.5**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Tina Olson, Administrative Services Director

SUBJECT: Resolution authorizing execution of a purchase order with the Microsoft Store for 250 Microsoft Surface laptops to replace obsolete equipment and migrate City staff to mobile computers in an amount not-to-exceed $650,000.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing execution of a purchase order with the Microsoft Store for the purchase of Microsoft Surface laptops and related accessories (mice, cables, docking station, laptop bag, etc.) in an amount not-to-exceed $650,000.

SUMMARY

City staff computers are 5 – 10 years old and are running an obsolete operating system which cannot be upgraded to the latest Microsoft solution. City staff will migrate to the Microsoft Surface laptops to provide mobile computers and related accessories (mice, cables, docking station, laptop bag, etc.) to all staff. The total cost for this project is not-to-exceed $650,000 to replace 250 staff computers.

DISCUSSION

Current City staff computers are 5 – 10 years old and run on an obsolete operating system. Due to the hardware age, staff cannot upgrade these devices to the latest Microsoft solution. City staff will migrate to the Microsoft Surface mobile platform to provide all staff with a portable computer and peripherals. City staff selected the Microsoft Store to provide the hardware through the National Association of State Procurement Officials (NASPO) agreement.

The NASPO agreement is a competitively bid contract that meets the City's purchasing guidelines. The total cost for this project is not-to-exceed $650,000. This price includes the hardware (laptop, mouse, cables, docking station, laptop bag, etc.) to replace 250 staff computers. This upgrade supports the City Council's Modernization, Training, and Workplace Enhancements priority (from FY 2021-23) by mobilizing the workforce and providing a platform that can run modern operating systems effectively and without the compatibility issues the City has with existing devices.

The Microsoft Surface platform includes lightweight and powerful laptops well integrated into the Microsoft 365 Enterprise Management Platform (M365). The City has invested significant time into building this platform to manage and maintain the City's M365 enterprise environment. This acquisition enhances our return on investment by eliminating the need for additional management tools if working with other hardware vendors.

The Microsoft Store is the direct reseller of Microsoft technology solutions. The City engages with resellers who commit to using the City's preferred purchasing contracts, such as the NASPO agreement. In this case, the vendor provides pricing per the published NASPO state contract price schedule already accepted by the City's purchasing policy. Therefore, staff recommends purchasing Microsoft laptops and related accessories from the Microsoft Store.

FISCAL AND ADMINISTRATIVE IMPACT

The not-to-exceed amount to purchase the City's new Microsoft laptops and related accessories is $650,000. This purchase includes 250 laptops, docking stations, keyboards, and four years of hardware support and warranty coverage. All costs associated with the proposed acquisition will be covered by the City's General Fund and are included in the current Information Technology Division's budget.

There are no ongoing maintenance costs, and the equipment has a life span of 4 – 5 years.

ATTACHMENTS

1. Microsoft Quote USQ-000114481
2. Resolution

Prepared by: Steve Rodriguez
Assistant Administrative Services Director

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

NASPO Quote

USQ-000114481

Microsoft Store

One Microsoft Way
Redmond, WA 98052
USA

EFFECTIVE FROM: 1/26/2023

EFFECTIVE TO: 4/1/2023

Company Name:	City of Livermore
Account Number:	USA-0003248317
Contact Email:	sjrodriguez@cityoflivermore.net
Phone:	925-960-4070
Authorized buyer:	Steve Rodriguez
Customer PO #	

Bill to:	Ship to:
City of Livermore 1052 South Livermore Avenue Livermore, CA 94550 USA	City of Livermore 1052 South Livermore Avenue Livermore, CA 94550 USA

Comments:	Base+DR+BidGrid+Essentials DR/SP Case CAS-539783-G0P6S5 NASPO - MNWNC-119

QTY	PRODUCT NAME	SKU	MSRP	DISCOUNT	UNIT PRICE	LINE TAX	LINE TOTAL
1	Microsoft Surface Studio 2+ WIN 11 Comm. - (i7/32GB/1TB)	SBG-00001	$4,499.99	$180.00	$4,319.9900	$442.80	$4,762.79
1	Microsoft MS Extended Hardware Service Plus Srfc Studio US 3	NRI-00029	$549.00	$27.45	$521.5500	$0.00	$521.55
120	Microsoft Surface Pro 9 WIN 11 Comm. - (i7c/16GB/512GB) Grap	QIY-00017	$1,999.99	$300.00	$1,699.9915	$20,909.87	$224,908.85
120	Microsoft Surface Pro Signature Keyboard - Black - Comm.	8XB-00001	$179.99	$36.00	$143.9920	$1,771.13	$19,050.17
120	MS Complete for Business w/ADH Srfc Pro US/CA 3Y from Purcha	A9W-00005	$249.00	$50.00	$199.0000	$0.00	$23,880.00
100	Microsoft Surface Laptop 5 15" - WIN 11 Comm. - (i7/16GB/51	RIQ-00001	$1,899.99	$285.00	$1,614.9915	$16,553.69	$178,052.84
100	MS Complete for Business Plus w/ADH Srfc Laptop3/4/5 US 3Y f	F9W-00162	$299.00	$14.95	$284.0500	$0.00	$28,405.00
20	Microsoft SrfcPro95GSQ3/16/512 CM Win11 SC EN/XD/ES US Hdwr	RZ1-00001	$1,999.99	$260.00	$1,739.9910	$3,566.99	$38,366.81
20	Microsoft Surface Pro Signature Keyboard - Platinum - Comm.	8XB-00061	$179.99	$36.00	$143.9920	$295.19	$3,175.03
20	MS Complete for Business Plus w/ADH Srfc Pro7+/8/9/X US 3Y f	F9W-00158	$299.00	$60.00	$239.0000	$0.00	$4,780.00

10	Microsoft Surface Laptop Studio (i7/16/512/dCM) Platinum -	ABR-00001	$2,199.99	$275.00	$1,924.9910	$1,973.11	$21,223.02
10	Microsoft® Complete for Bus 2YR on 1YR Mfg Wty SC Warranty n	F9W-00226	$399.00	$19.95	$379.0500	$0.00	$3,790.50
300	Microsoft Surface Dock 2 Comm.	1GK-00001	$259.99	$39.00	$220.9915	$6,795.51	$73,092.96
1	Microsoft Tracking SKU - Surface DR	QL6-00007	$0.00	$0.00	$0.0000	$0.00	$0.00
1	Microsoft Tracking SKU - MN-WSCA-NASPO ValuePoint Agreement	DHF-01766	$0.00	$0.00	$0.0000	$0.00	$0.00
1	Microsoft Tracking SKU - Surface SP	QL6-00008	$0.00	$0.00	$0.0000	$0.00	$0.00
					TOTAL DISCOUNT		**$98,290.86**
					SUBTOTAL		**$571,701.23**
					FEE/CHARGES		**$1,004.00**
					TOTAL TAX		**$52,308.29**
					TOTAL		**$625,013.52**

Microsoft Stores Direct Business Sales Terms – United States
Updated: February 2022

SECTION 1 Quote Scope

This Quote is not a binding offer and is subject to change without notice until such time as a purchase has been completed. A purchase shall be deemed to have been completed when the product, in the quantity agreed to, has shipped and either payment has been made (by cash, credit, or other mutually agreed method) to Microsoft or a purchase order has been accepted by Microsoft. Product prices and availability are subject to change at any time and without notice. If the Quote includes promotional pricing, the Quote expires when the promotion ends. Microsoft may place a limit, at any time and for any reason, on quantities that may be purchased per order, per account, per credit card, per person, per business entity, or per household. Microsoft may also refuse, reject, or cancel any order at any time and for any reason. Microsoft also reserves the right, in its sole discretion, to restrict or prohibit sales to dealers or resellers. This Quote does not apply to and cannot be combined with any other offers or promotions.

This Quote does not include shipping charges. Any shipping charges will be calculated and applied at the time of purchase.

SECTION 2 Microsoft Stores Direct Business Sales Terms

By submitting a purchase order to Microsoft ("Microsoft"), or by making payment to Microsoft for the Device(s), ("Customer" or "you") agree(s) that the following device purchase terms shall apply to the product, device or hardware (the "Device(s)") purchase identified herein ("Agreement"). This Agreement is separate and independent from any other agreement between Microsoft and Customer that involves or may involve the purchase of any software or other products from Microsoft, including but not limited to any volume licensing or other agreement. To the extent such other agreement may apply to Devices or other products covered by this Agreement, and unless otherwise mutually agreed to in writing, its terms supersede any inconsistent or conflicting terms in this Agreement or any resulting agreement between the parties. The Customer's purchase order terms and conditions will not apply to this purchase.

If you are purchasing a Surface Hub or a HoloLens 2 device from the Microsoft Store, please see applicable terms below in Sections 14 and 15, respectively.

If Customer is a federal, state or local government entity (including education), Customer and Microsoft may have entered into separate and independent terms and conditions via requests for proposal, purchasing programs, procurement cooperatives, or otherwise (e.g. NASPO, Texas DIR, CPV). To the extent such other agreement may apply to the Devices or other products covered by, and purchased under, this Agreement, such terms supersede any inconsistent or conflicting terms in this Agreement or any other resulting agreement between the parties.

1. Acceptance. Each Customer purchase order is subject to Microsoft's acceptance and the availability of Devices. Microsoft may decline or cancel any order, or reduce the amount of Devices due to availability, at any time prior to shipping to the Customer. Customer may not cancel any order once Microsoft has notified Customer of Microsoft's acceptance of the purchase order. Microsoft may, in its sole discretion, impose a minimum order requirement to which Customer must agree prior to Microsoft accepting its purchase order.

2. Affiliates and Resale. Customer may make Devices purchased under this Agreement available for use by their Affiliates within a country in which Microsoft makes the same Devices available. Absent Microsoft's written consent, Customer may not, in any circumstance, make Devices purchased under this Agreement available for use by any unrelated third party. Absent Microsoft's written consent, Customer may not, in any circumstance, resell, lease or transfer for any value any Device purchased under this Agreement.

3. Device Restrictions. Customer shall not change, adapt, translate, decompile or reverse engineer any Device, in whole or in part, except and only to the extent expressly permitted by applicable law. Absent Microsoft's written consent, Customer may not, in any circumstance, resell, lease or transfer for any value any Device purchased under this Agreement. Customer shall not use any unauthorized, illegal, counterfeit, or modified hardware or software in connection with any Device or re-package or otherwise combine any Device with any unauthorized or unlicensed third-party product. Customer shall also not cause any Device, in whole or in part, to be governed by an excluded license.

An "excluded license" is any license that requires, as a condition of use, modification or distribution of the Device, that the Device be: (i) disclosed or distributed in source code form; (ii) licensed for the purpose of making derivative works; or (iii) redistributable at no charge.

SECTION 3 Delivery

Unless otherwise agreed in writing by the parties, Microsoft will deliver Devices purchased under this Agreement to the location Customer designates on any applicable order form (DDP, Incoterms 2010, or any updates thereto). Unless otherwise agreed, Microsoft will use ground shipping to ship Devices to Customer.

SECTION 4 Preorders

If a Purchase Order includes any Device(s) that will be released at a future date (a "Preorder"), a Microsoft representative will notify Customer's designated contact person when the Device(s) covered by the Preorder are scheduled to ship. Unless Customer notifies Microsoft within 10 days of receipt of this notification with a request to cancel its Preorder (the "Cancellation Notice"), Microsoft will fulfill the Preorder and invoice Customer upon Device shipment. Microsoft may fulfill the Preorder in whole or in part, and Customer agrees to accept Devices covered by its Preorder in one or multiple shipments, provided that Microsoft will only invoice Customer for units actually shipped.

SECTION 5 Limitation of Liability

The total liability of each party for all claims related to each purchased Device and this Agreement is limited to direct damages up to the amount Customer paid for the purchased Device(s) or the total amount paid under this Agreement, whichever is less. Customer may not recover any other damages, including consequential, incidental, indirect, special, reliance or punitive damages, or lost profits. These limitations apply to all damages related in any way to this Agreement, including anything related to any applicable manufacturer's warranty and claims for breach of contract, breach of warranty, guarantee or condition, strict liability, negligence, reliance or other torts to the extent permitted by applicable law. It also applies even if Microsoft knew or should have known about the possibility of the damages. Some States do not allow limitations on liability as stated above, so some or all of this limitation may not apply to Customer.

SECTION 6 Software Licenses

Software included with, or preloaded on, the Devices ("Included Software") purchased under this Agreement may be subject to separate license terms included with that software ("EULA"). Customer accepts the EULA (1) by signing and/or clicking "Submit" on any Microsoft order form page (if the EULA is attached or available online), (2) by breaking the seal on packaging of a Device that refers to the EULA, (3) by using the Device or (4) by installing, copying or otherwise using the Included Software. If more than one software product is included in the Included Software, e.g., operating system software and a productivity software suite, then each product may have its own EULA. Customer is not authorized to install or use the Included Software unless Customer first agrees to the Included Software's EULA or has a separate license agreement with Microsoft governing use of such Included Software. If Customer does not want to agree to a EULA, Customer may return the Device unused to Microsoft for Page 3 of 8 United States 02/2022 a full refund. Each EULA is not part of this Agreement, but to the extent of any conflict with this Agreement, the EULA will control solely for the Included Software to which it applies.

SECTION 7 Services

Microsoft may be asked to provide training, support or depot (customized device), or other services incidental to the Devices purchased under this Agreement (the "Services"). Unless otherwise stated in this Agreement, the following terms shall apply to the delivery of all such Services:

7.1 Insurance. Microsoft will maintain industry-appropriate insurance coverage at all times when performing Professional Services on Customer's premises under this agreement via commercial insurance, self insurance, a combination of the two or any other similar risk financing alternative. Microsoft will provide Customer with evidence of coverage on request.
7.2 Use of technical information from Services. Microsoft may use any technical information Microsoft derives from providing Services for problem resolution, troubleshooting, product functionality enhancements, fixes, and for Microsoft's knowledge base. Microsoft agrees not to identify Customer or disclose any of Customer's Confidential Information in any item in the knowledge base.
7.3 Microsoft as independent contractor. Microsoft provides Services as an independent contractor and will be responsible for all social security, unemployment, workers' compensation and other withholding taxes for all of Microsoft's employees. Customer and Microsoft each may develop products independently without using the other's Confidential Information.
7.4 In addition to the above, you acknowledge and agree that the Microsoft Customer Support Service Agreement, available at https://support.microsoft.com/en-us/topic/microsoft-customer-support-service-agreement-3b3b6a44-f4ca-7a22-f77b-0b28f99a507a also applies to any Services you receive from Microsoft, as applicable. You agree to comply with the Microsoft Customer Support Agreement and acknowledge that it may be updated from time to time by Microsoft.

SECTION 8 Warranties

The sole warranty Microsoft provides for Devices is the manufacturer's warranty (if any) provided with the Device(s). Microsoft warrants that Services it provides will be performed in a professional and workmanlike manner, consistent with industry standards. If Microsoft fails to meet the warranty and Customer notifies Microsoft within 90 days of the date of performance, then Microsoft will either re-perform the Services or return the price paid for them. To the fullest extent permitted by applicable law, **MICROSOFT PROVIDES NO OTHER WARRANTIES OR CONDITIONS AND DISCLAIMS ANY OTHER EXPRESS, IMPLIED OR STATUTORY WARRANTIES, INCLUDING WARRANTIES OF QUALITY, TITLE, NON-INFRINGEMENT, MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** To the fullest extent permitted by applicable law, Microsoft makes no warranties whatsoever relating to any product or device that is not developed, produced or manufactured by Microsoft or that is distributed under a third-party name, copyright, trademark or trade name, even if such product or device is incorporated within the retail packaging or digital images of a Device. This disclaimer will apply except to the extent not permitted by applicable law.

SECTION 9 Payment Terms for Microsoft's Invoice; Credit Review

Payments to Microsoft must be made in the currency and according to the terms stated on Microsoft's invoice. The terms of any extension of credit under this agreement may be withdrawn by Microsoft upon notice. Microsoft may assess a finance charge on all past due amounts, payable on demand and equal to the lesser of an annual rate of 1% per month or the highest amount allowed by law, applied from the first day the amount is past due until paid in full. Microsoft has no obligation to continue to provide Services if Customer fails to make timely payment. All payment terms are net 30 days from date of invoice.

By accepting the terms of this Agreement, Customer also agrees that Microsoft may obtain a current credit report related to the business entity identified in the credit application and conduct a review of the credit report. Upon request, Microsoft will tell Customer the name and address of each credit reporting agency from which Microsoft obtained a current credit report. Microsoft may also request audited financial statements to verify financial condition. Microsoft may periodically review the credit performance of the Customer. Deterioration in payment history, financial strength, new reports of judgments/liens or bankruptcy could result in adjustments to the credit terms granted to the Customer.

SECTION 10 Returns

Unless as otherwise stated below, Microsoft will accept returns for Devices that meet the return criteria set forth below for 30 days from the date of receipt or download, as applicable. Get up to 60 days for some Surface devices1 . All returns and exchanges must be accompanied by the original documentation, instruction manuals, registration, parts and components (including cables, controllers, and accessories) and the original manufacturer packaging Refunds will equal the amount paid less the original shipping and handling charges, if any. The following

items may not be returned: (i) items that have been personalized or customized; (ii) special order items; (iii) items that have been used, altered or that show wear or damage; (iv) gift cards and Skype cards; and (v) items that are not in resaleable condition. Services that have already been performed, or which are in the process of being performed, may not be returned or refunded.

For software and games, you may only return or exchange opened items during the return period if: (i) you don't agree with the license agreement, or (ii) the media does not work, and (iii) only if you do not make or retain any copies. Opened software and games may only be exchanged for the same product. If we no longer have the same product, we will issue you a Microsoft Store credit.

ALL SALES ARE FINAL for random access memory ("RAM") products and clearance items or those marked with a designation such as "Final Sale" or "Non-Returnable." For promotional items and bundles, and unless otherwise stated in writing, all included products and/or Services must be returned together. If a service included in the promotion and/or bundle has been used (for example a used promotional promo code), the full retail value of the service will be deducted from the refund amount. When a bundle is purchased and only part of the bundle is returned, the bundle discount is void, and the total bundle discount will be deducted from the refund. A restocking fee of ten percent (10%) may be deducted from the refund amount for hardware products.

Microsoft is not responsible for any personal data included on returned or exchanged items. Please ensure that your personal data is removed from all items prior to return or exchange. Notwithstanding the foregoing, nothing in this section will be construed as a waiver of your statutory rights under the law regarding returns, exchanges or withdrawal rights.

1Extended return offer period available with Surface devices purchased from Microsoft Store in select markets. Return process must be started within 60 days after customer received the device. Not available for purchases by reseller customers. Extended return offer period limited to five (5) device returns total per eligible customer. Excludes Surface Hub. Void where prohibited or restricted by law. Microsoft reserves the right to modify or discontinue offers at any time. Other exclusions and limits may apply. Microsoft Store return policy applies to extended returns.

SECTION 11 Compliance with laws, privacy and security

Microsoft and Customer will each comply with all applicable laws and regulations (including applicable security breach notification laws). However, Microsoft is not responsible for compliance with any laws or regulations applicable to Customer or Customer's industry that are not also generally applicable to information technology services providers. Customer consents to the processing of personal data by Microsoft and its agents to facilitate the subject matter of this Agreement.

Customer may choose to provide the personal data of third parties to Microsoft (including Customer's contacts, resellers, distributors, administrators, and employees) as part of this Agreement. Customer will obtain all required consents from third parties under applicable privacy and data protection laws before providing personal data to Microsoft.

Please see the Microsoft Privacy Statement for more information on how Microsoft processes personal data.

SECTION 12 Defense of third-party claims

Microsoft will defend Customer against any claim by an unaffiliated third party that a Device infringes its patent, copyright or trademark, or makes unlawful use of its trade secret. Microsoft will pay any resulting adverse final judgment or approved settlement. This does not apply to claims or awards based on (1) Customer Data; (2) non Microsoft software; (3) modifications to a Device made by Customer or any specifications or material Customer provides; (4) Customer's combination of the Device with (or damages based on the value of) a non-Microsoft product, business process or data; (5) Customer's use of a Microsoft trademark without express, written consent, or Customer's use of a Device after being notified to stop due to a third-party claim; (6) Customer's use or distribution of a Device in violation of this agreement, or (7) Devices provided free of charge.

If Microsoft reasonably believes that a third party claim under this section may bar Customer's use of the Device, Microsoft will seek to obtain the right for Customer to keep using it or modify or replace it with a functional equivalent, in which case Customer must discontinue use of the prior version immediately. If these options are not commercially reasonable, Microsoft may terminate Customer's right to the Device and refund any amounts Customer has paid.

Customer must (1) notify Microsoft of any claim subject to this section, (2) give Microsoft sole control over the defense or settlement, and (3) provide reasonable assistance in the defense of the claim. Out-of-pocket expenses incurred in providing reasonable assistance will be reimbursed. Microsoft must approve any settlement. The remedies provided in this section are the exclusive remedies for the claims described in this section.

SECTION 13 Additional Terms

(a) Non-Microsoft software and technology. Customer is solely responsible for any non-Microsoft software or technology that it installs or uses with the Devices or otherwise in connection with this agreement. Customer will direct and control the installation and use of such software or technology through its actions (including the use of APIs and other technical means). Microsoft is not a party to and is not bound by any terms governing Customer's use of non-Microsoft software or technology. Microsoft will not run or make any copies of such software or technology outside of its relationship with Customer. Customer may not install or use non-Microsoft software or technology in any way that would subject Microsoft's intellectual property or technology to obligations beyond those included in this agreement.
(b) Confidentiality. Each party undertakes that it shall not at any time during this Agreement, and for a period of five years after termination of this Agreement, disclose to any person any (i) nonpublic information that Customer or Microsoft or an Affiliate designates as being confidential; or (ii) nonpublic information which, given the nature of the disclosure or the circumstances surrounding disclosure, the receiving party should treat as confidential (parts (i) and (ii) being "Confidential Information"). However, there is no time limit on disclosure of Confidential Information that contains personal information. The receiving party will not be liable for the disclosure of information which: (A) it already knew without an obligation to maintain the information as confidential; (B) it received from a third party without breach of an obligation of confidentiality owed to the other party; (C) it independently developed; or (D) becomes known through no wrongful act of the

receiving party. Either party may disclose Confidential Information as required by a judicial or other governmental order or request, provided that the receiving party immediately notifies the other party in writing upon its receipt of such order or request and provides Page 6 of 8 United States 02/2022 reasonable assistance if the disclosing party seeks a protective order or its equivalent to limit disclosure of any such Confidential Information.

(c) Publicity. Except as otherwise required by applicable law or as otherwise expressly provided under this Agreement, neither party will issue any press release, publicity, or other disclosure in any form that relates to its relationship with the other party or the terms or existence of this Agreement without the other party's prior written approval.

(d) Applicable law. This Agreement shall be governed and construed in accordance with the laws of the State of Washington. The 1980 United Nations Convention on Contracts for the International Sale of Goods and its related instruments will not apply to this agreement.

(e) U.S. export. Devices are subject to U.S. export jurisdiction. Customer must comply with all applicable international and national laws, including the U.S. Export Administration Regulations, the International Traffic in Arms Regulations, and end-user, end use and destination restrictions by U.S. and other governments related to Microsoft products, services, and technologies. For additional information related to Microsoft compliance with export rules, see http://www.microsoft.com/exporting. Customer must notify Microsoft at cmec@microsoft.com as to any regulatory or legal controls on the use, access or transfer of Customer's software or technology prior to such use, access or transfer to or by Microsoft. Customer will provide sufficient information to permit Microsoft to comply with applicable controls on Customer's software or technology.

(f) Taxes.

(i) If any amounts are to be paid to Microsoft, the amounts owed by Microsoft are exclusive of any taxes. Customer shall pay any applicable value added, goods and services, sales, or like taxes that are owed with respect to any order submitted under this agreement and which are permitted to be collected from Customer by Microsoft under applicable law. Customer shall be responsible for any applicable stamp taxes and for all other taxes that it is legally obligated to pay including any taxes that arise on transactions between Customer and its Affiliates. Microsoft shall be responsible for all taxes based upon its net income or its property ownership.

(ii) For qualified Customers, prices may exclude any sales or use taxes, duties, and other governmental charges (including any value added taxes). Customer will provide Microsoft a valid exemption certificate, and then Microsoft will not collect the taxes covered by such certificate.

(iii) If any taxes are required to be withheld on payments made by Customer to Microsoft, Customer may deduct such taxes from the amount owed Microsoft and pay them to the appropriate taxing authority; provided however, that Customer promptly secures and delivers an official receipt for those withholdings and other documents reasonably requested by Microsoft to claim a foreign tax credit or refund. Customer will make certain that any taxes withheld are minimized to the extent possible under applicable law. Customer remains obligated to pay Microsoft for the amount of tax withheld until Customer provides to Microsoft the official receipt and other documents reasonably requested.

(iv) Customer agrees to receive Tax/VAT invoices electronically.

(g) Use of contractors. Microsoft may use contractors to perform Services, but will be responsible for their performance, subject to the terms of this agreement.

(h) Force Majeure. With the exception of Customer's payment obligations under Section 8(a), neither party will be liable for any failure to perform any obligation under this Agreement to the extent such failure is caused by a force majeure event (including acts of God, natural disasters, war, civil disturbance, action by governmental entity, strike and other causes beyond the party's its reasonable control). The party affected by the force majeure event will provide notice to the other party within a commercially reasonable time and will use its best efforts to resume performance as soon as reasonably possible when the force majeure event concludes.

(i) Assignment. Customer may not assign or otherwise transfer this Agreement or any of its rights or obligations hereunder by contract, merger, operation of law or otherwise, without Microsoft's prior written consent. Any attempted assignment in violation of this Section 13(i) will be null and void. Microsoft may Page 7 of 8 United States 02/2022 immediately terminate this Agreement in the event of an attempted assignment. Microsoft may assign this Agreement to any of its Affiliates without Customer's consent. Subject to the foregoing provisions of this Section 13(i), this Agreement will be binding on and inure to the benefit of the parties and their respective successors and permitted assigns.

(j) No third-party beneficiaries. This agreement does not create any third-party beneficiary rights.

(k) No Partnership or Agency. The parties are independent contractors. This Agreement does not create or constitute a partnership, joint venture, franchise, agency, or contract of employment between Microsoft and Customer.

(l) Notices. All notices and requests under this Agreement will be in writing and delivered via facsimile (receipt confirmed), certified mail or registered post (return receipt requested), or via overnight courier (e.g. FedEx or DHL). Notice will be sent to the addresses by each party's details or to such other addresses as either party may indicate in accordance with this section. Notices will be deemed effective as follows: (i) one (1) business day after the date given if transmitted by Facsimile or email; (ii) three (3) business days after the date of deposit in the mail for certified mail; or (iii) one (1) business day after the date of delivery to an overnight carrier. For purposes of this Agreement, notices must be sent in writing to Microsoft at **Microsoft Corporation,** One Microsoft Way, Redmond, WA, 98052 USA.

(m) Survival. Provisions regarding ownership and license rights, fees, Use Rights, restrictions on use, warranties, limitations of liability, confidentiality, defense of claims by either party, compliance verification, obligations on termination, and the provisions in the section titled "Miscellaneous," will survive termination of the agreement.

(n) Severability. If any provision of this agreement is held to be illegal, invalid, or unenforceable, the remaining provisions will remain in effect and the agreement will be deemed amended to give maximum effect to the eliminated provision.

(o) Waiver. Failure to exercise any right or remedy will not constitute a waiver. Any waiver must be in writing and executed by the waiving party.

(p) Invoicing. (i) Customer agrees to accept email invoices in markets where electronic invoicing is not yet available from Microsoft Store. (ii) Microsoft will work with each Customer to determine their preferred eProcurement system for billing/invoicing. If Microsoft is able to support the Customer's preferred billing/invoicing system, in the event of system or integration issues, Customer must still meet payment deadlines based on the invoice date. Microsoft will not be liable for any breach of Customer data and billing/invoicing information requested by the Customer's preferred eProcurement system for billing/invoicing.

(q) Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes and extinguishes all previous agreements, promises, assurances, warranties, representations and understandings between them, whether written or oral, relating to its subject matter. Each party agrees that it shall have no remedies in respect of any statement, representation, assurance or warranty (whether made innocently or negligently) that is not set out in this Agreement. Each party agrees that it shall have no claim for innocent or negligent misrepresentation based on any statement in this Agreement. Except as specifically permitted in this Agreement, no amendment or modification of any provision of this Agreement will be effective unless it is in a writing that specifically references this Agreement and is duly signed by authorized representatives of both parties.

SECTION 14 HoloLens Terms of Use and Sale

HoloLens Terms of Use and Sale. The following additional terms (Section 14) apply if you are purchasing a HoloLens device.

(a) HoloLens 2 Commercial Terms (for Commercial and Developer versions, including Industrial Editions).

1. Applicable Terms.

i. Microsoft HoloLens 2 is intended for sale to commercial businesses and education entities, and, in the case of the developer edition, to developers. It is not intended for sale to consumers or individuals. By purchasing, you hereby agree not to resell the product. Unless otherwise agreed to in writing, ALL SALES OF HOLOLENS 2 COMMERCIAL AND DEVELOPER DEVICE (INCLUDING INDUSTRIAL EDITIONS) ARE FINAL AND NON-REFUNDABLE, AND HAVE A MANUFACTURER'S LIMITED WARRANTY.
ii. This product is not intended for use by children under the age of 13.
iii. In addition to the terms and conditions set forth in this Agreement, the Microsoft HoloLens 2 Commercial Terms of Use and Sale (the "HoloLens 2 Commercial Store Terms") apply to you if you submit a purchase order for a HoloLens 2. Please visit: https://query.prod.cms.rt.microsoft.com/cms/api/am/binary/RE1YlXi to review the HoloLens 2 Commercial Store Terms.
iv. By purchasing you also agree to the software license here: https://www.microsoft.com/en-us/Useterms/OEM/Windows/10Mobile/UseTerms_OEM_Windows_10Mobile_English.htm.

2. Order of Precedence. In the event of a conflict between the HoloLens 2 Commercial Store Terms and this Agreement the Microsoft Stores Direct Business Sales Terms, and except as set forth in Section 14(b) below, the HoloLens 2 Commercial Store Terms prevail.

(b) Notwithstanding the terms set forth in Sections 14(a) above or in the HoloLens 2 Commercial Store Terms, you agree that, as it pertains to any HoloLens device sold under this Agreement: (i) the HoloLens device is being sold to you by Microsoft Corporation, a U.S. entity; (ii) the applicable limited device warranties set forth in the appendices to the HoloLens 2 Commercial Store Terms (if any) are valid only in the United States and Canada, and to the extent your purchase is for the HoloLens 2 Industrial Edition device, the applicable Warranty Period is extended from one to two years; and (iii) the sale is governed by the law, and is subject to the exclusive jurisdiction, as set forth in Section 13(d) (Applicable Law) above.

SECTION 15 Surface Hub Terms of Sale.

The following additional terms (Section 15) apply if you are purchasing a Surface Hub device.

The Surface Hub is intended for sale to business and education entities. It is not intended for sale to consumers. By purchasing a Surface Hub, you hereby agree not to resell the product. Unless otherwise agreed to in writing, and subject to the standard manufacturer's warranty, **ALL SALES OF A SURFACE HUB DEVICE, INCLUDING ADDITIONAL ACCESSORIES AND SERVICES ARE FINAL AND NON-REFUNDABLE.**

****

[Customer]	[MICROSOFT CORPORATION]
By: _____	By: _____
Printed Name: _____	Printed Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

RETURN POLICY

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE ORDER WITH THE MICROSOFT STORE FOR MICROSOFT SURFACE HARDWARE IN AN AMOUNT NOT-TO-EXCEED $650,000

The City of Livermore's ("City") primary computing platforms in use by staff have reached the end of their useful life and cannot be upgraded to run modern operating systems. City staff will upgrade staff computing devices with lightweight, mobile devices which is an essential component of the City Council's Modernization, Training, and Workplace Enhancements directive by mobilizing the City's workforce and centralizing the management platform into the Microsoft M365 platform.

The City has selected the Microsoft Store to provide the Microsoft Surface hardware and support services, through the National Association of State Procurement Officials (NASPO) statewide agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Authorizes the City Manager to execute a Purchase Order with the Microsoft Store, in an amount not-to-exceed $650,000.

2. Authorizes the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Tara M. Mazzanti
Tara Mazzanti
Assistant City Attorney

RESOLUTION NO. _____

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.6**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing the acceptance for permanent maintenance and release of the security bonds, and execution of a Notice of Completion for the I-Street Garage, Project 2017-15.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the acceptance for permanent maintenance and release of the security bonds for the I-Street Garage Project 2017-15 and authorize the City Manager to sign the Notice of Completion, a copy of which is attached as Exhibit A to the resolution.

SUMMARY

On February 22, 2021, the City Council awarded the contract for construction of the I-Street Garage to Roebbelen Contracting, Inc. The contract was substantially completed on June 24, 2022, and can be accepted for permanent maintenance. The process to release the contractor's bonds can begin.

DISCUSSION

As shown in Attachment 1, the I-Street Garage project involved constructing a three-level parking garage, with 274 spaces, that connects to the northwest corner of the existing Livermore Valley Parking Garage. The I-Street Garage has 7 accessible and 10 electric vehicle parking stalls. As part of the project, parking technology systems were installed in both the new and existing parking garages that allow users to see available spaces via display signs onsite and on a downloadable mobile application "Livermore Parking". New security cameras were also installed in both garages. In addition, the project included replacing and realigning the sewer trunkline under the railroad tracks. A new pedestrian path was constructed that connects the I-Street Garage with the Railroad Avenue/North Livermore Avenue intersection and the trail bridge over North Livermore Avenue. I Street was reconstructed between Railroad Avenue and the entrance to the I-Street Garage. The project was completed in accordance with the contract documents in a manner acceptable to the City Engineer and can now be accepted for permanent maintenance.

At time of award, the contractor provided a faithful performance bond guaranteeing completion of the

project, and that bond must now be released. Six months after the date of the resolution accepting the project, the labor and materials bond guaranteeing the improvements should be reduced to an amount equal to any claims filed and of which notice has been given. The balance of the bond will be released upon the settlement of all claims and obligations for which the security was given. All claims for this project have been settled. The security for the guarantee and warranty of work shall remain in effect for one year from the date of the resolution.

FISCAL AND ADMINISTRATIVE IMPACTS

The original construction contract amount was $13,250,000, plus a 10 percent contingency. The final contract amount is $13,625,407, which is 2.8 percent above the original contract based on final bid item quantities, and 45 change orders. The total value of change orders was $375,407 which consisted primarily of upgrading the specified parking technology system and revising the storm drain system and walkway on the west side of the project due to conflicts. The final bid quantities were as anticipated.

Operations and maintenance costs for the new I Street portion of the garage are estimated at $50,000 per year. Operations and maintenance costs will be funded from the operating budget with Facilities Rehabilitation Program Fees (Fund 740).

ATTACHMENTS

1. Location Map
2. Resolution
3. Exhibit A - Notice of Completion

Prepared by: Mike Stamm
Construction Inspection Manager

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

I STREET GARAGE



IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING ACCEPTANCE FOR PERMANENT MAINTENANCE, RELEASE OF SECURITY BONDS, AND EXECUTION OF A NOTICE OF COMPLETION FOR THE I-STREET GARAGE

(I-Street Garage, Project No. 2017-15)

The City Engineer of the City of Livermore ("City") has filed with the City Clerk a report in writing that all work on the I-Street Garage, Project No. 2017-15 ("Project"), has been completed to City standards. The Project is ready for acceptance by the City of Livermore for routine maintenance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that:

1. The faithful performance bond guaranteeing the Project is hereby released;

2. The labor and materials bond guaranteeing the Project shall, six months after the date of this resolution, be reduced to an amount equal to the amount of all claims filed and of which notice has been given. The balance of the bond shall be released upon the settlement of all such claims and obligations for which the security was given;

3. The security for the guarantee and warranty of work shall remain in effect for one year from the date of this resolution. The contractor is required to reconstruct any deficiencies that occur and to repair or replace defective materials during the maintenance period;

4. The City hereby accepts the improvements; and

5. The City Manager is authorized to sign the Notice of Completion, a copy of which is attached hereto as Exhibit A and incorporated by this reference.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST: APPROVED AS TO FORM:

_____ */s/ Tara Mazzanti*_____
Marie Weber Tara Mazzanti
City Clerk Assistant City Attorney

Exhibit A – Notice of Completion

EXHIBIT A

NOTICE OF COMPLETION

City's Project No. 2017-15 Date: February 14, 2023

Project: I-Street Garage

Contractor: Roebbelen Contracting, Inc.

Contract for Construction of: I-Street Garage
Project or Specified Part Shall Include: All that work set forth in the Bid Schedule(s) on the Bid Forms, as awarded by the City of Livermore pursuant to the Contract Documents for Public Works Project No. 2017-15

Document located at: 1052 S. Livermore Ave., Livermore, CA 94550 Contract Date: February 22, 2021

The work performed under this contract has been inspected by authorized representatives of the City, Contractor, and Engineer, and the Project (or specified part of the Project, as indicated above) is hereby accepted by the City and declared to be substantially completed on the above date.

> Completion of the Work shall be the date of such acceptance of the Work by the City, as provided under California Civil Code Section 3086. Completion shall mean substantial performance of the Contract as such is defined in Black's Law Dictionary, Revised Fourth Edition, West Publishing Company.

A list of all items remaining to be completed or corrected has been sent to the Contractor in the City's letter dated December 8, 2022. All such work shall be completed or corrected to the satisfaction of the City prior to the release of the Contractor's retention and within 30 calendar days following the date of the Notice of Completion, otherwise the Contractor does hereby waive any and all claims to all monies withheld by the City under the Contract to cover the value of such uncompleted or uncorrected items.

ENGINEERING DIVISION
Engineer

By _____
Mike Stamm, Construction Inspection Manager

The Contractor hereby accepts the above Notice of Completion and agrees to complete and correct all of the items as outlined in the City's letter to the Contractor dated 12-8-2022 or waives all rights to any monies withheld therefor.

Roebbelen Contracting, Inc.
Contractor

By _____
Robert McLean, Executive Vice President

The City accepts the project or specified area of the project as substantially completed and will assume full possession of the Project or specified area of the Project at 8:00 am (time), on 2-14-2023 (date). The responsibility for heat, utilities, security, and insurance under the Contract Documents will be assumed by the City after that date. Nature of interest of owner: Fee

I certify (declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner:
City of Livermore
1052 S. Livermore Ave.
Livermore, CA 94550

FOR THE CITY OF LIVERMORE

By _____
Marianna Marysheva, City Manager Date

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.7**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing the approval of a grant application, acceptance of grant funds, and authorizing an agreement with the California Department of Fish and Wildlife for the Livermore Habitat Conservation Plan.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution approving the filing of a grant application and accepting grant funds in the amount of $700,000, authorizing an agreement with the California Department of Fish and Wildlife, and authorizing the City Manager or designee to sign all grant documents for the Livermore Habitat Conservation Plan.

SUMMARY

On January 10, 2022, the City Council adopted a resolution authorizing staff to prepare and submit a US Fish and Wildlife Service Habitat Conservation Planning Assistance grant application. The grant would allow the City to prepare a Habitat Conservation Plan, which is a federal permitting document that defines a comprehensive approach to endangered species permitting. Developing an HCP will provide multiple benefits to the city including comprehensive habitat conservation planning, streamlined permitting for maintenance and capital improvement projects, and potential reduced costs for federal endangered species regulatory compliance and mitigation.

The City was selected and received the Notice of Award of the grant (Attachment 1) on December 21, 2022. The California Department of Fish and Wildlife requires the governing body to certify by resolution and approve the filing of the California Department of Fish and Wildlife approved grant application and accept the grant in the amount of $700,000. The resolution must be submitted to California Department of Fish and Wildlife by February 28, 2023 for them to prepare the agreement. The required local match of $333,000 can be satisfied by staff time spent on this effort over FY 2022-26.

DISCUSSION

The Livermore area includes habitat for several state and federally listed endangered species, such as the Vernal Pool Fairy Shrimp, the California Red-Legged Frog, and the Tiger Salamander within its urban

growth boundary. The proximity of open space, natural streams, and preserves to urban development in Livermore creates a challenge for the City to obtain necessary permits for the construction of capital improvement and maintenance projects within environmentally sensitive areas. These permitting challenges result in project delays, higher project costs, and complex mitigation requirements, making it more difficult for the City to maintain its infrastructure and implement capital improvement projects in a timely and efficient manner.

The City currently approaches regulatory permitting and mitigation for capital improvements on a project-by-project basis and recent changes to federal regulations have made federal permitting more challenging. A Habitat Conservation Plan grant would allow the City to prepare a programmatic Habitat Conservation Plan and obtain federal permitting coverage. Once approved, a Habitat Conservation Plan will typically provide permitting coverage for federally listed species for 30 years and allow the City to implement the types of projects and activities identified in the Habitat Conservation Plan with mitigation incorporated based on the approved plan. It would also give the City increased local control over mitigation, allowing the City to put project mitigation dollars towards local habitat conservation priorities, in alignment with the Open Space Element of the General Plan, and ensure the comprehensive and long-range preservation and management of open space land.

A programmatic Habitat Conservation Plan would provide permitting coverage for federally listed species. However, the following State and Regional project specific permits (with the exception of maintenance projects covered under the City's Stream Maintenance Program), may still be required, depending on the project:

- California Department of Fish and Wildlife (CDFW) – 1600 Land and Streambed Alteration Agreement
- CDFW – California Endangered Species Ace (CESA) – Incidental Take Permit
- Regional Water Quality Control Board (RWQCB) – 401 Water Quality Certification and Wetlands Program (Dredge & Fill Agreement)
- United States Army Corps of Engineers (USACE) – 404 Certification under the Clean Water Act

On January 10, 2022, the City Council authorized staff to submit an application for a state planning assistance grant to prepare a Habitat Conservation Plan. On December 21, 2022, the California Department of Fish and Wildlife sent the City a Notice of Award of $700,000 in Federal Cooperative Endangered Species Conservation Funds (Non-Traditional Section 6), indicating they selected the Livermore Habitat Conservation Plan as one of the projects to award grant funds. According to the procedures established by the California Department of Fish and Wildlife, the grantee is required to certify by resolution the approval to apply for and accept grant funds and provide authorization to enter into an agreement with the California Department of Fish and Wildlife to implement the Non-Traditional Section 6 (FY 2022) Livermore Habitat Conservation Plan.

Environmental Determination
Authorization of the City Manager to accept the grant funds and sign all documents related to the grant and the Habitat Conservation Plan is not a project under the California Environmental Quality Act pursuant to the Public Resources Code, Chapter 2.5, section 21065. The preparation of the Habitat Conservation Plan will not cause a direct physical change in the environment, or reasonably foreseeable indirect change in the environment. No lease, permit, certificate, or entitlement is being issued at this time.

Programmatic Environmental Compliance Review pursuant to California Environmental Quality Act, National Environmental Policy Act and National Historic Preservation Act will be performed in the development phase of the Habitat Conservation Plan.

FISCAL AND ADMINISTRATIVE IMPACTS

The City will utilize the $700,000 of Cooperative Endangered Species Conservation Funds (Non-Traditional Section 6) to develop a Livermore Habitat Conservation Plan concurrent with the update of the City of Livermore General Plan and Open Space Element. The required local match is $333,000 and can be satisfied as staff time over FY 2022-26.

In addition, federal grants have additional audit and compliance requirements. The estimated cost for the grant compliance requirements will be approximately $35,000 to $50,000 over the grant period of three years.

ATTACHMENTS

1. Award Letter Application
2. Resolution

Prepared by: Mallika Ramachandran
Assistant City Engineer

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

ATTACHMENT 1
NOTICE OF AWARD

1. DATE ISSUED *MM/DD/YYYY* 12/21/2022	**1a. SUPERSEDES AWARD NOTICE dated** except that any additions or restrictions previously imposed remain in effect unless specifically rescinded
2. CFDA NO. 15.615 - Cooperative Endangered Species Conservation Fund	
3. ASSISTANCE TYPE Project Grant	
4. GRANT NO. F23AP00326-00 **Originating MCA #**	**5. TYPE OF AWARD** Other
4a. FAIN F23AP00326	**5a. ACTION TYPE** New
6. PROJECT PERIOD *MM/DD/YYYY* **From** 02/28/2023	*MM/DD/YYYY* **Through** 02/27/2026
7. BUDGET PERIOD *MM/DD/YYYY* **From** 02/28/2023	*MM/DD/YYYY* **Through** 02/27/2026

AUTHORIZATION (Legislation/Regulations)

Endangered Species Act—Cooperation with States (16 U.S.C. §1535)

8. TITLE OF PROJECT (OR PROGRAM)

Non-Traditional Section 6 (FY 2022)Livermore Habitat Conservation Plan

9a. GRANTEE NAME AND ADDRESS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE
1416 9th St Fl 12
Sacramento, CA, 95814-5515

9b. GRANTEE PROJECT DIRECTOR

Ms. Leslie Messchaert207812
1416 9th St FL 12
Sacramento, CA, 95814-5515
Phone: (916) 445-4658

10a. GRANTEE AUTHORIZING OFFICIAL

Mrs. Nicole Viehman
715 P Street -16th Floor
SACRAMENTO, CA, 95814-6400
Phone: 916-207-3987

10b. FEDERAL PROJECT OFFICER

Ms. Becky Miller
2800 COTTAGE WAY, W-1729
SACRAMENTO, CA, 95825
Phone: 916-978-6185

ALL AMOUNTS ARE SHOWN IN USD

11. APPROVED BUDGET (Excludes Direct Assistance)

I Financial Assistance from the Federal Awarding Agency Only

II Total project costs including grant funds and all other financial participation — II

a.	Salaries and Wages	$ 0.00
b.	Fringe Benefits	$ 0.00
c.	Total Personnel Costs	$ 0.00
d.	Equipment	$ 0.00
e.	Supplies	$ 0.00
f.	Travel	$ 0.00
g.	Construction	$ 0.00
h.	Other	$ 937,000.00
i.	Contractual	$ 0.00
j.	TOTAL DIRECT COSTS	$ 937,000.00
k.	INDIRECT COSTS	$ 0.00
l.	**TOTAL APPROVED BUDGET**	$ 937,000.00
m.	Federal Share	$ 700,000.00
n.	Non-Federal Share	$ 237,000.00

12. AWARD COMPUTATION

a. Amount of Federal Financial Assistance (from item 11m)	$ 700,000.00
b. Less Unobligated Balance From Prior Budget Periods	$ 0.00
c. Less Cumulative Prior Award(s) This Budget Period	$ 0.00
d. **AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION**	$ 700,000.00
13. Total Federal Funds Awarded to Date for Project Period	$ 700,000.00

14. RECOMMENDED FUTURE SUPPORT

(Subject to the availability of funds and satisfactory progress of the project):

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2	$	d. 5	$
b. 3	$	e. 6	$
c. 4	$	f. 7	$

15. PROGRAM INCOME SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES:

a. DEDUCTION
b. ADDITIONAL COSTS
c. MATCHING
d. OTHER RESEARCH (Add / Deduct Option)
e. OTHER *(See REMARKS)*

b

16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, THE FEDERAL AWARDING AGENCY ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

a. The grant program legislation
b. The grant program regulations.
c. This award notice including terms and conditions, if any, noted below under REMARKS.
d. Federal administrative requirements, cost principles and audit requirements applicable to this grant.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.

REMARKS (Other Terms and Conditions Attached - ● Yes ○ No)

GRANTS MANAGEMENT OFFICIAL:

Larry Riley, WSFR Manager
2800 COTTAGE WAY, W-1729
SACRAMENTO, CA, 95825
Phone: 916-978-6182

17. VENDOR CODE 0070057965 | **18a. UEI** UVKGJ6U1SEG3 | **18b. DUNS** 808322358 | **19. CONG. DIST.** 06

LINE#	FINANCIAL ACCT	AMT OF FIN ASST	START DATE	END DATE	TAS ACCT	PO LINE DESCRIPTION
1	0051030583-00010	$700,000.00	02/28/2023	02/27/2026	5143	HCP Planning - CA

Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
02/28/2023	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Annual	12/29/2024
10/01/2024	09/30/2025	Annual	12/29/2025
10/01/2025	02/27/2026	Final	06/27/2026

Performance Progress Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
02/28/2023	09/30/2023	Annual	12/29/2023
10/01/2023	09/30/2024	Annual	12/29/2024
10/01/2024	09/30/2025	Annual	12/29/2025
10/01/2025	02/27/2026	Final	06/27/2026

SCOPE OF WORK

1. **Project Description**

The Service hereby incorporates the recipient's application submitted to and approved by the Service into these award terms and conditions.

*This award titled **"Non-Traditional Section 6 (FY 2022) Livermore Habitat Conservation Plan(G2298115)"** is based on Service approval of your organization's proposal, hereby incorporated by reference into this award.*

Terms and Conditions

1. **U.S. Fish and Wildlife Service**

General Award Terms and Conditions

Recipients of U.S. Fish and Wildlife Service (Service) grant and cooperative agreement awards (hereafter referred to as 'awards') are subject to the terms and conditions incorporated into their Notice of Award either by direct citation or by reference to Federal regulations; program legislation or regulation; and special award terms and conditions. Award terms and conditions are applicable unless and until the USFWS removes or revises them in written notice to the recipient. The Service will make such changes by issuing a written notice that describes the change and provides the effective date.

Recipients indicate their acceptance of an award by starting work, drawing down funds, or accepting the award via electronic means. Recipient acceptance of an award carries with it the responsibility to be aware of and comply with all terms and conditions applicable to the award. Recipients are responsible for ensuring that their subrecipients and contractors are aware of and comply with applicable award statutes, regulations, and terms and conditions. Recipient failure to comply with award terms and conditions can result in the Service taking one or more of the remedies and actions described in Title 2 of the Code of Federal Regulations (CFR) §§200.339—343.

A PDF of these terms and conditions with embedded links to all regulations is available on the Service's website at: https://www.fws.gov/media/fws-financial-assistance-award-terms-and-conditions-2020-12-31. See also the Department of the Interior's General Award Terms and Conditions on their website at: https://www.doi.gov/grants/doi-standard-terms-and-conditions.

Administrative Requirements, Cost Principles, and Audit Requirements

These requirements and cost principles are applicable to all awards except those to individuals receiving the award separate from any business or organization they may own or operate. Foreign public entities and foreign organizations must comply with special considerations and requirements specific to their entity type, unless otherwise stated in this section. Foreign public entities must comply with those for states.

2 CFR Part 200, Subparts A—D, as supplemented by 2 CFR Part 1402

Foreign public entities must follow payment procedures in 2 CFR §200.305(b). For foreign public entities and foreign organizations, the requirements in 2 CFR §§200.321—323 do not apply.

Appendix XII to 2 CFR Part 200—Recipient Integrity and Performance Matters

Applicable to awards with a total Federal share of more than $500,000 except for awards of any amount to foreign public entities.

2 CFR Part 200, Subpart E—Cost Principles

Applicable to all domestic and foreign non-Federal entities except non-profit organizations identified in Appendix VIII to 2 CFR Part 200.

48 CFR Subpart 31.2—Contracts with Commercial Organizations

Applicable to non-profit organizations identified in Appendix VIII to 2 CFR Part 200 and for-profit organizations.

Indirect Cost Proposals

Requirements for development and submission of indirect cost rate proposals are contained in Appendix III (Institutions of Higher Education), Appendix IV (Nonprofit organizations), and Appendix VII (States, local government agencies, and Indian tribes) to 2 CFR Part 200. See also the DOI negotiated indirect cost rate deviation policies at 2 CFR §1402.414. For-profit entities should contact the DOI National Business Center, Office of Indirect Cost Rate Services at: https://ibc.doi.gov/ICS/icrna.

2 CFR Part 200, Subpart F—Audit Requirements

Applicable to U.S. states, local governments, Indian tribes, institutions of higher education, and nonprofit organizations. Not applicable to foreign public entities, foreign organizations, or for-profit entities.

Statutory and National Policy Requirements

These requirements are applicable to all awards, including those to individuals, for-profits, foreign public entities, and foreign organizations, unless otherwise stated in this section.

Appendix A to 2 CFR Part 25—Universal Identifier and System for Award Management

Not applicable to individuals or any entity exempted by the awarding bureau or office prior to award per 2 CFR §25.110(c)(2) and bureau or office policy.

Appendix A to 2 CFR Part 170—Award term for reporting subaward and executive compensation

Not applicable to individuals. See 2 CFR 170 for other exceptions.

2 CFR §175.15—Award Term for Trafficking in Persons

Applicable to private entities as defined in 2 CFR §175.25(d), states, local governments, and Indian tribes. Applicable to foreign public entities if funding could be provided to a private entity as a subrecipient under the award.

2 CFR Part 1400—Nonprocurement Debarment and Suspension

All recipients must ensure they do not enter into any covered transaction with an excluded or disqualified participant or principal. See also 2 CFR Part 180—OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement). 2 CFR §180.215 defines nonprocurement transactions that are not covered transactions.

2 CFR Part 1401—Requirements for Drug-Free Workplace (Financial Assistance)

Not applicable to foreign public entities or foreign organizations.

43 CFR Part 18—New Restrictions on Lobbying

Recipients are prohibited from using any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, or an officer or employee of a Member of the U.S. Congress in connection with the award.

41 U.S.C. §4712—Whistleblower Protection for Contractor and Grantee Employees

41 U.S.C. §6306—Prohibition on Members of Congress Making contracts with Federal Government

Mandatory Disclosures

Failure to make required disclosures may result in any of the remedies for noncompliance described in 2 CFR §200.339, including suspension or debarment (see also 2 CFR Part 180).

Conflicts of interest: Per 2 CFR §1402.112, non-Federal entities and their employees must take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements. In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the provisions in 2 CFR §200.318 apply. Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR §200.112. Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Service Project Officer identified in their notice of award in writing of any conflicts of interest that may arise during the life of the award, including those that reported by subrecipients. The Service will examine each disclosure to determine whether a significant potential conflict exists and, if it does, work with the applicant or recipient to develop an appropriate resolution. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award.

Lobbying: If the Federal share of the award is more than $100,000, recipients must disclose making or agreeing to make any payment using non-appropriated funds for lobbying in connection with the award. To make such disclosures, recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form to the USFWS. This form is available at: https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html. For more information on when additional submission of this form is required, see 43 CFR, Subpart 18.100. These restrictions are not applicable to such expenditures by Indian tribe,

tribal organization, or any other Indian organization that is specifically permitted by other Federal law.

Other Mandatory Disclosures: Recipients and subrecipients must disclose, in a timely manner, in writing to the Service Project Officer identified in their notice of award or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities subject to the 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM.

National Policy Encouragements

Executive Order 13043—Increasing Seat Belt Use in the United States

Non-Federal entities are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. Individuals are encouraged to use seat belts while driving in connection with award activities.

E. O. 13513—Federal Leadership on Reducing Text Messaging While Driving

Non-Federal entities are encouraged to adopt and enforce policies that ban text messaging while driving, including conducting initiatives of the type described in section 3(a) of the order. Individuals are encouraged to not text message while driving in connection with award activities.

AWARD CONDITIONS

1. **Pre-Award Costs**

   The Service approves the proposed expenditure of pre-award in-kind matching funds starting from the Director's Memorandum award date of September 29, 2022. The pre-award funds associated with Task 0 shall not exceed $20,000.

2. **WSFR Cost Accounting**

   Cost accounting is at the Grant/project/subaccount level.

3. **WSFR ES Match**

   The Federal share of the total project expenditures cannot exceed 74.7 percent. Recipient is eligible to request Federal obligated funds up to but not in excess of an amount equal to 74.7 percent of the total project expenditures dependent on the job.

4. **Indirect Cost Restrictions**

   The Service conditionally approves the proposed indirect costs on the final approved budget incorporated into this award. The Recipient is prohibited from charging indirect costs to this award until the Recipient provides a copy of their approved negotiated indirect cost rate agreement to the Service Project Officer identified on this notice of award. The Recipient must submit their indirect cost rate proposal to their cognizant agency for indirect costs within 90 calendar days past the award period of performance start date. In the event the recipient does not establish an approved rate by the award period of performance end date, the recipient must contact the Service Project Officer identified on this notice of award to discuss the situation and determine what budget revisions may be required. If the recipient submitted their rate agreement in a timely manner but the cognizant agency delayed processing it, the recipient should provide relevant details to the Service Project Officer.

5. **Other Program- or Project-Specific Terms and Conditions**

Per the requirements of the 2022 Notice of Funding Opportunity (NOFO) and the commitment in the grant narrative, this grant award is limited to a three-year Period of Performance and will not be extended for additional time.

2 CFR 200.407 Prior written approval (prior approval).

Under any given Federal award, the reasonableness and allocability of certain items of costs may be difficult to determine. In order to avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, the non-Federal entity may seek the prior written approval of the cognizant agency for indirect costs or the Federal awarding agency in advance of the incurrence of special or unusual costs. Prior written approval should include the timeframe or scope of the agreement. The absence of prior written approval on any element of cost will not, in itself, affect the reasonableness or allocability of that element, unless prior approval is specifically required for allowability as described under certain circumstances in the following sections of this part:

(a) §200.201 Use of grant agreements (including fixed amount awards), cooperative agreements, and contracts, paragraph (b)(5); ***Changes to principle investigator, project leader, project partner, or scope of efforts.***

SPECIAL TERMS AND REQUIREMENTS

1. **Individuals Hiring Contractors**

The Recipient has an obligation to protect themselves from potential liability when hiring any contractor to perform work activities approved under this award on property owned by the Recipient by checking references and ensuring that any contractor hired is licensed, bonded, and has valid employee insurance coverage for events of injury or bodily harm. In accordance with 2 CFR 180, for any contract expected to total $25,000 or more the Recipient must confirm that the contractor is not suspended or debarred from receiving Federal funds. The Recipient does this by: 1) checking SAM Exclusions, 2) collecting a certification from the contractor; or 3) adding a clause or condition to the contract. To check SAM Exclusions, go to www.SAM.gov. Search for entities by their UEI number. Search for principal participants by their names. Search for contractors by their business names. If an exclusion is found that prohibits the entity from receiving Federal award funds, the Recipient is prohibited from entering into a subaward with that entity.

2. **Individuals Issuing Subawards**

In accordance with 2 CFR 180, before issuing any subaward of any amount the Recipient must confirm that the subrecipient and principals or the contractor are/is not suspended or debarred from receiving Federal funds. The Recipient does this by: 1) checking SAM Exclusions, 2) collecting a certification from the subrecipient; or 3) adding a clause or condition to the subaward. To check SAM Exclusions, go to www.SAM.gov. Search for entities by their UEI number. Search for principal participants by their names. Search for contractors by their business names. If an exclusion is found that prohibits the entity from receiving Federal award funds, the Recipient is prohibited from entering into a subaward with that entity.

2 CFR § 200.331 Subrecipient and contractor determinations.

2 CFR § 200.332 - Requirements for pass-through entities.

PAYMENTS

1. **Domestic Recipients Enrolled in Treasury's ASAP System**

The recipient will request payments under this award in the U.S. Treasury's Automated Standard Application for Payment (ASAP) system. When requesting payment in ASAP, your Payment Requestor will be required to enter an Account ID. The number assigned to this award is the partial Account ID in ASAP. When entering the Account ID in ASAP, the Payment Requestor should enter the award number identified in the notice of award, followed by a percent sign (%). Refer to the ASAP.gov Help menu for detailed instructions on requesting payments in ASAP.

BUDGET AND PROGRAM REVISIONS

1. **WSFR Budget and Program Revisions**

The recipient is permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved project. However, certain types of post-award changes in budgets and projects shall require the prior written approval of the Service. Refer to **2 CFR 200.308** for additional information on the types of changes that require prior written approval.

REPORT

1. **WSFR Interim Financial Reports**

The recipient is required to submit interim financial reports on an annual basis directly in GrantSolutions. The recipient must follow the financial reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "Federal Financial Report" form. See also our instructional video on "Completing the Federal Financial Report (SF-425)".

2. **WSFR Interim Performance Reports**

The recipient is required to submit interim performance reports on an annual basis directly in GrantSolutions. The recipient must follow the performance reporting period end dates and due dates provided in GrantSolutions. The interim reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>FPR.

3. **Final Reports**

The recipient must liquidate all obligations incurred under the award and submit a *final* financial report in GrantSolutions no later than 120 calendar days after the award period of performance end date. The GrantSolutions financial report data entry fields are the same as those on the SF-425, "Federal Financial Report" form. See also our instructional video on "Completing the Federal Financial Report (SF-425)".

The recipient must submit a *final* performance report no later than 120 calendar days after the award period of performance end date. Performance reports must contain: 1) a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work; 2) a description of reasons why established goals were not met, if appropriate; and 3) any other pertinent information relevant to the project results. Please include the Service award number on all reports.

The recipient must follow the final Federal Financial Report and the final Performance Report reporting period end dates and due

dates provided in GrantSolutions. The final reporting due dates are available by signing in to GrantSolutions and selecting the menu for Reports>Federal Financial Report or Reports>FPR.

4. **Reporting Due Date Extensions**

Reporting due dates may be extended for an award upon request to the Service Project Officer identified in the notice of award. The request should be sent by selecting the award in GrantSolutions and selecting send message. The message must include the type of report to be extended, the requested revised due date, and a justification for the extension. The Service may approve an additional extension if justified by a catastrophe that significantly impairs the award Recipient's operations. The recipient must submit reporting due date extension requests through GrantSolutions to the Service Project Officer identified in their notice of award before the original due date. The Service Project Officer will respond to the recipient after approval or denial of the extension request.

5. **Significant Developments Reports**

See 2 CFR §200.329(e). Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, recipients are required to notify the Service in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

AWARD ATTACHMENTS

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE F23AP00326-00

1. SF 424 - AFA
2. Budget
3. Project Narr
4. Attachments

OMB Number: 4040-0004

S6NT CA 22 HCP Livermore Habitat

Expiration Date: 12/31/2022

Application for Federal Assistance SF-424 Version 04

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
○ Preapplication	◉ New	
◉ Application	○ Continuation	* Other (Specify)
○ Changed/Corrected Application	○ Revision	

* 3. Date Received:	4. Applicant Identifier:
07/13/2022 msp	

5a. Federal Entity Identifier:	* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:	07/13/2022	7. State Application Identifier:	G2298115

8. APPLICANT INFORMATION:

* a. Legal Name:	California Department of Fish and Wildlife

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. UEI:
941697567	UVKGJ6U1SEG3

d. Address:

* Street1:	715 P ST
Street2:	
* City:	SACRAMENTO
County:	
* State:	California
Province:	
* Country:	UNITED STATES
* Zip / Postal Code:	95814

e. Organizational Unit:

Department Name:	Federal Assistance Section
Division Name:	

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:		* First Name:	Leslie
Middle Name:			
* Last Name:	Messchaert		
Suffix:			

Title:	Grant Administrator
Organizational Affiliation:	
* Telephone Number:	916-206-5146
Fax Number:	
* Email:	leslie.messchaert@wildlife.ca.gov

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424 Version 04

9. Type of Applicant 1: Select Applicant Type:

State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

DOI-US Fish and Wildlife Service

11. Catalog of Federal Domestic Assistance Number:

15.615

CFDA Title:

Cooperative Endangered Species Conservation Fund

*** 12. Funding Opportunity Number:**

F22AS00262

* Title:

F22AS00262 - Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance Grants

13. Competition Identification Number:

F22AS00262

Title:

F22AS00262 - Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance Grants

14. Areas Affected by Project (Cities, Counties, States, etc.):

*** 15. Descriptive Title of Applicant's Project:**

Non-Traditional Section 6 (FY 2022) Livermore Habitat Conservation Plan

Attach supporting documents as specified in agency instructions.

OMB Number: 4040-0004
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424 Version 04

16. Congressional Districts Of:

* a. Applicant: CA 06 * b. Program/Project: CA ALL

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date: 08/16/2022 * b. End Date: 08/16/2025

18. Estimated Funding ($):

* a. Federal	700000
* b. Applicant	0
* c. State	237000
* d. Local	0
* e. Other	0
* f. Program Income	0
* g. TOTAL	937000

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

(●) a. This application was made available to the State under the Executive Order 12372 Process for review on 07/13/2022.

( ) b. Program is subject to E.O. 12372 but has not been selected by the State for review.

( ) c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

( ) Yes (●) No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

(●) **** I AGREE**

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name: Nicole

Middle Name:

* Last Name: Viehman

Suffix:

* Title: Staff Services Manager I

* Telephone Number: 916-207-3987 Fax Number:

* Email: nicole.viehman@wildlife.ca.gov

* Signature of Authorized Representative: Ms. Nikita Dudley207812 * Date Signed: 07/13/2022

NOTE: Cells highlighted blue are locked and cannot be edited. Third party expenses should be included within the external contract.

NON-TRADITIONAL SECTION 6
Livermore Habitat Conservation Plan
3600XXXX/Project ID - NEW

				2022-23	2023-24	2024-25	TOTAL
PERSONAL SERVICES	**POSITION NUMBER**	**CNO**	**INCUMBENT**	**AMOUNT**	**AMOUNT**	**AMOUNT**	**AMOUNT**
Permanent Staff							
Position Title	565-019-xxxx-xxx	xxxxx	Name	$0	$0	$0	$0
Position Title	565-019-xxxx-xxx	xxxxx	Name	$0	$0	$0	$0
Position Title	565-019-xxxx-xxx	xxxxx	Name	$0	$0	$0	$0
				$0	**$0**	**$0**	**$0**
Permanent Intermittent Staff							
Position Title	565-019-xxxx-xxx	xxxxx	Name	$0	$0	$0	$0
Position Title	565-019-xxxx-xxx	xxxxx	Name	$0	$0	$0	$0
				$0	**$0**	**$0**	**$0**
Temporary Help (Sci Aides)				**$0**	**$0**	**$0**	**$0**
TOTAL PERSONAL SERVICES				**$0**	**$0**	**$0**	**$0**
OPERATING EXPENSES							
General Expenses				$0	$0	$0	$0
Minor Equipment (Equipment **under** $5K per item)				$0	$0	$0	$0
Travel/Training				$0	$0	$0	$0
C&PS - Interdepartmental				$0	$0	$0	$0
C&PS - External				$85,500	$234,500	$380,000	$700,000
Task 1. Project Management and Administration				$24,500	$24,500	$21,000	$70,000
Task 2. Strategic Planning and Determining Scope of HCP				$39,000	$78,000	$13,000	$130,000
Task 3. Develop Public Draft HCP				$22,000	$132,000	$66,000	$220,000
Task 4. Public Draft CEQA and NEPA Documents and Scoping				$0	$0	$280,000	$280,000
Waste Removal				$0	$0	$0	$0
Electricity				$0	$0	$0	$0
Water				$0	$0	$0	$0
Utilities				$0	$0	$0	$0
Major Equipment (Equipment **over** $5K per item)				$0	$0	$0	$0
Capital Expenditures				$0	$0	$0	$0
Gas/Diesel Fuel				$0	$0	$0	$0
Vehicle/Equipment Maintenance & Repair				$0	$0	$0	$0
Vehicle/Equipment Parts & Supplies				$0	$0	$0	$0
TOTAL OPERATING EXPENSES				**$85,500**	**$234,500**	**$380,000**	**$700,000**
TOTAL OE&E/PERSONAL SERVICES				**$85,500**	**$234,500**	**$380,000**	**$700,000**
***INDIRECT COST RATE** (less overhead for Major Equipment, Contracts and PI)				**$0**	**$0**	**$0**	**$0**
*Approved FY 22/23 ICRP. The FY 23/24 proposed ICRP will be submitted to the U.S. Departm				*12.96%*	*12.96%*	*12.96%*	
TOTAL FEDERAL SHARE				**$85,500**	**$234,500**	**$380,000**	**$700,000**
Federal Share (74.71%)				$85,500	$234,500	$380,000	$700,000
State Share (25.29%) (Third Party: City of Livermore)				$28,948	$79,395	$128,657	$237,000

***NOTE: Cells highlighted blue are locked and cannot be edited. Third party expenses should be included within the external contract.**

NON-TRADITIONAL SECTION 6
Livermore Habitat Conservation Plan
3600XXXX/Project ID - NEW

PERSONAL SERVICES	POSITION NUMBER	CNO	PY	INCUMBENT	ANNUAL SALARY	GRANT SALARY	BENEFITS	MSA Increase %	2022-23 AMOUNT
Permanent Staff									
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
			0.0				**Total Permanent Staff Salaries**		**$0**
Permanent Intermittent Staff			**Hours**		**$/Hr.**				
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
							Total Permanent Intermittent Salaries		**$0**
Temporary Help (Sci Aides)	N/A	N/A	#DIV/0!		*$0*	*$0*	*56.341%*	*0.00%*	**$0**
TOTAL PERSONAL SERVICES					**$0**	**$0**	**$0**	**$0**	**$0**
OPERATING EXPENSES									
General Expenses									$0
Minor Equipment Equipment **under** $5K per item									$0
Travel/Training									$0
C&PS - Interdepartmental									$0
C&PS - External									$85,500
Task 1. Project Management and Administration									$24,500
Task 2. Strategic Planning and Determining Scope of HCP									$39,000
Task 3. Develop Public Draft HCP									$22,000
Task 4. Public Draft CEQA and NEPA Documents and Scoping									$0
Waste Removal									$0
Electricity									$0
Water									$0
Utilities									$0
Major Equipment Equipment **over** $5K per item									$0
Capital Expenditures									$0
Gas/Diesel Fuel									$0
Vehicle/Equipment Maintenance & Repair									$0
Vehicle/Equipment Parts & Supplies									$0
TOTAL OPERATING EXPENSES									**$85,500**
TOTAL OE&E/PERSONAL SERVICES									**$85,500**
***INDIRECT COST RATE** (less overhead for Major Equipment, Contracts and PI)								*12.96%*	**$0**
*Approved FY 22/23 ICRP. The FY 23/24 proposed ICRP will be submitted to the U.S. Department of the Interior and is subject to change.									
TOTAL FEDERAL SHARE									**$85,500**
Federal Share (74.71%)									$85,500
State Share (25.29%) (Third Party: City of Livermore)									$28,948

*NOTE: Cells highlighted in light blue are locked and cannot be edited. Third party expenses should be included within the external contract.

NON-TRADITIONAL SECTION 6
Livermore Habitat Conservation Plan
3600XXXX/Project ID - NEW

PERSONAL SERVICES	POSITION NUMBER	CNO	PY	INCUMBENT	ANNUAL SALARY	GRANT SALARY	BENEFITS	MSA Increase %	2023-24 AMOUNT
Permanent Staff									
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
			0.0			**Total Permanent Staff Salaries**			**$0**
Permanent Intermittent Staff			**Hours**		**$/Hr.**				
Position Title	565-019-xxxx-xxx	xxxxx	0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
						Total Permanent Intermittent Salaries			**$0**
Temporary Help (Sci Aides)	N/A	N/A	#DIV/0!		*$0*	*$0*	*56.341%*	*0.00%*	**$0**
TOTAL PERSONAL SERVICES					**$0**	**$0**	**$0**	**$0**	**$0**
OPERATING EXPENSES									
General Expenses									$0
Minor Equipment Equipment **under** $5K per item									$0
Travel/Training									$0
C&PS - Interdepartmental									$0
C&PS - External									$234,500
Task 1. Project Management and Administration									$24,500
Task 2. Strategic Planning and Determining Scope of HCP									$78,000
Task 3. Develop Public Draft HCP									$132,000
Task 4. Public Draft CEQA and NEPA Documents and Scoping									$0
Waste Removal									$0
Electricity									$0
Water									$0
Utilities									$0
Major Equipment Equipment **over** $5K per item									$0
Capital Expenditures									$0
Gas/Diesel Fuel									$0
Vehicle/Equipment Maintenance & Repair									$0
Vehicle/Equipment Parts & Supplies									$0
TOTAL OPERATING EXPENSES									**$234,500**
TOTAL OE&E/PERSONAL SERVICES									**$234,500**
***INDIRECT COST RATE** (less overhead for Major Equipment, Contracts and PI)								*12.96%*	**$0**
*Approved FY 22/23 ICRP. The FY 23/24 proposed ICRP will be submitted to the U.S. Department of the Interior and is subject to change.									
TOTAL FEDERAL SHARE									**$234,500**
Federal Share (74.71%)									$234,500
State Share (25.29%) (Third Party: City of Livermore)									$79,395

*NOTE: Cells highlighted in light blue are locked and cannot be edited. Third party expenses should be included within the external contract.

NON-TRADITIONAL SECTION 6
Livermore Habitat Conservation Plan
3600XXXX/Project ID - NEW

PERSONAL SERVICES	POSITION NUMBER	CNO	PY	INCUMBENT	ANNUAL SALARY	GRANT SALARY	BENEFITS	MSA Increase %	2024-25 AMOUNT
Permanent Staff									
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0.0	Name	*$0*	*$0*	*0.000%*	*0.00%*	$0
			0.0			**Total Permanent Staff Salaries**			**$0**
Permanent Intermittent Staff			**Hours**		**$/Hr.**				
Position Title	565-019-xxxx-xxx	xxxxx	0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
Position Title	565-019-xxxx-xxx	xxxxx	0	Name	*$0*	*$0*	*0.00%*	*0.00%*	$0
						Total Permanent Intermittent Salaries			**$0**
Temporary Help (Sci Aides)	N/A	N/A	#DIV/0!		*$0*	*$0*	*56.341%*	*0.00%*	**$0**
TOTAL PERSONAL SERVICES					**$0**	**$0**	**$0**	**$0**	**$0**
OPERATING EXPENSES									
General Expenses									$0
Minor Equipment Equipment **under** $5K per item									$0
Travel/Training									$0
C&PS - Interdepartmental									$0
C&PS - External									$380,000
Task 1. Project Management and Administration									$21,000
Task 2. Strategic Planning and Determining Scope of HCP									$13,000
Task 3. Develop Public Draft HCP									$66,000
Task 4. Public Draft CEQA and NEPA Documents and Scoping									$280,000
Waste Removal									$0
Electricity									$0
Water									$0
Utilities									$0
Major Equipment Equipment **over** $5K per item									$0
Capital Expenditures									$0
Gas/Diesel Fuel									$0
Vehicle/Equipment Maintenance & Repair									$0
Vehicle/Equipment Parts & Supplies									$0
TOTAL OPERATING EXPENSES									**$380,000**
TOTAL OE&E/PERSONAL SERVICES									**$380,000**
***INDIRECT COST RATE** (less overhead for Major Equipment, Contracts and PI)								*12.96%*	**$0**
*Approved FY 22/23 ICRP. The FY 23/24 proposed ICRP will be submitted to the U.S. Department of the Interior and is subject to change.									
TOTAL FEDERAL SHARE									**$380,000**
Federal Share (74.71%)									$380,000
State Share (25.29%) (Third Party: City of Livermore)									$128,657

Endangered Species Act
Nontraditional Section 6 Grant Program
Conservation Planning Assistance
Habitat Conservation Plans
FY2022

Project Narrative

PROJECT TITLE: Livermore Habitat Conservation Plan

PROJECT CONTACTS:

California Department of Fish & Wildlife:
Marcia Grefsrud
(707) 644-2812
Marcia.Grefsrud@wildlife.ca.gov

U.S. Fish & Wildlife Service:
Stephanie Levins
(916) 414-6578
stephanie_levins@fws.gov

Ryan Olah
(916) 414-6623
ryan_olah@fws.gov

Local:
Mallika Ramachandran
City of Livermore
(925) 960-4511
mramachandran@livermoreca.gov

PROJECT COST:

Federal Share:	$700,000
Non-Federal Share:	$237,000
Total Cost:	$937,000
Non-Federal Share Percentage:	25.29%

** Please note the performance period of this grant is TBD and will be determined once the preliminary awards are announced.

ABSTRACT SUMMARY: The City of Livermore (City) is located in a unique setting in the eastern San Francisco Bay Area where open space, working lands, and urban development meet. These lands include regionally recognized areas that have been designated as Priority Conservation Areas in Alameda County. This part of the Bay Area

supports habitats of several listed and at-risk plant and wildlife species that are found within and surrounding Livermore City limits.

To address the uniqueness of the habitats within and surrounding the City, this grant will support the development of a City-wide Livermore Habitat Conservation Plan (HCP). The purpose of the Livermore HCP is to establish an efficient and effective approach for the City to maintain existing infrastructure and develop new infrastructure while maintaining regulatory compliance and implementing a thoughtful and comprehensive conservation approach for the area. The Livermore HCP is not anticipated to include coverage for development projects.

Activities under this grant include strategic planning to determine the scope of the Livermore HCP, engage with stakeholders, and determine the conservation strategy. The City anticipates the development of the HCP documents to occur over a three-year period, in a process that will include the writing of an HCP Public Draft, National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) documents, public outreach meetings, and preparing responses to public comments. The City has participated in numerous conservation planning and species mapping efforts in recent years, including the development of the City's Stream Maintenance Program (SMP), the East Alameda County Conservation Strategy (EACCS), and the East Bay Regional Conservation Investment Strategy (RCIS) that have established a basis of technical knowledge to build upon and incorporate into the HCP development process. The City will coordinate with potential stakeholders with collective interest in the plan implementation including Alameda County, Zone 7 Water Agency, Alameda County Resource Conservation District, East Bay Regional Park District, the County of Alameda, and Livermore Area Recreation and Parks District.

The development and implementation of the Livermore HCP is anticipated to significantly streamline the City's routine maintenance and capital improvement program (CIP) projects, allowing the City to carry out critical infrastructure projects, such as stream maintenance and road widening, while conserving important habitat and protecting listed and at-risk species, such as California tiger salamander, California red-legged frog, palmate-bracted bird's beak, and northwestern and southwestern pond turtle in Livermore and the surrounding area. The City anticipates developing an integrated plan that facilitates compliance with other Federal and State regulations to develop the most efficient and comprehensive possible program.

STATEMENT OF NEED: This proposal requests $700,000 in federal grant funds from the Fiscal Year 2022 Cooperative Endangered Species Conservation Fund (Section 6 of the Endangered Species Act) Nontraditional Conservation Planning Assistance Program. This funding will support the planning phase of the Livermore HCP in Northern California.

The proposed project is aligned with the purpose of the Conservation Planning Assistance Grants Program, supporting development and planning activities of the Livermore HCP including document preparation, public engagement, habitat assessments, and aquatic resource inventories. The ultimate outcome of the effort initiated with funds from this grant is issuance of an incidental take permit (ITP) by United States Fish and Wildlife Service

(USFWS). Issuance of an ITP is a federal action that requires compliance with NEPA. Similarly, the City must adopt the HCP and sign the ITP before the HCP may be implemented. These actions are discretionary and require the City to comply with CEQA. The standard approach for HCP development in California is to develop the NEPA and CEQA documents concurrently (and sometimes as a combined document). Therefore, the proposed project would also support preparation of environmental compliance review documents under NEPA and CEQA, enabling both documents (or a combined document, a decision that will be made with input from USFWS once the scope of the HCP is determined) to be released for public review concurrently.

Livermore is located in a unique setting within the greater Livermore-Amador Valley where open space, working lands, and urban development merge, creating a desirable place for San Francisco Bay Area residents to live, work, and recreate. The area also supports habitats for several listed and at-risk plants and wildlife. The proximity of suitable habitats and open space to urban development creates an annual need for the City to obtain both state and federal species take permits for operation, maintenance and development of public facilities including flood control channels and other basic infrastructure. This process is both time consuming for the City and inefficient for species conservation, typically addressed in yearly cycles as needed, instead of through a comprehensive and long-term conservation vision.

Until recently, the City has been successful in obtaining federal authorization for take of listed species on a project-by-project basis through an Incidental Take Statement (ITS) and Biological Opinion from the USFWS. This process has occurred through a Section 7 consultation with the U.S. Army Corps of Engineers (USACE) for each project or for a collection of projects proposed under the annual work plan for the City's SMP. However, due to recent changes in how USACE regulates jurisdictional waters under the Clean Water Act (CWA), the USACE has advised the City that the City will not be able to use this approach for all maintenance and infrastructure needs into the future. In addition, the City has encountered Endangered Species Act (ESA) compliance needs that are clearly outside of jurisdictional waters and lack a federal nexus. As such, the City desires to pursue an ESA Section 10 permit by preparing the City-wide programmatic Livermore HCP to address listed species compliance needs in a comprehensive and thoughtful approach to both permitting and conservation. Without a programmatic HCP, the City will be forced to continue procuring piecemeal permits that do not utilize a comprehensive approach to mitigation and conservation. In the absence of a species and habitat focused conservation plan, mitigation and conservation is occurring on a project-by-project basis. A programmatic HCP will enable the City to identify conservation priorities and implement an intentional conservation strategy that will make the City's conservation approach more impactful and effective to support larger scale species conservation efforts. As described below, Livermore is a high-priority conservation area for several special-status species, including palmate-bracted bird's beak, California tiger salamander, and California red-legged frog. The City is simultaneously beginning a general plan update process. A programmatic HCP will enable the City to appropriately prioritize conservation through the general plan process and other planning efforts and take a comprehensive conservation approach rather than piecemeal project-by-project conservation efforts.

PURPOSE: The purpose of the Livermore HCP is to establish an efficient and effective approach for the City to meet its operation and maintenance obligations while maintaining regulatory compliance, supporting covered species conservation, and improving aquatic resource management within the Livermore HCP plan area.

This opportunity will help to support the Administration's priorities of the Build Back Better framework by facilitating the City's building and maintenance of critical infrastructure, including flood protection and basic services for the community, in a timely and cost-effective manner while minimizing impacts on Livermore's biological resources. The Livermore HCP supports the America the Beautiful initiative by identifying conservation priorities in the Livermore area and developing a comprehensive conservation approach. The Livermore HCP will also address climate change mitigation through the protection and restoration of carbon-sequestering habitats.

OBJECTIVES: The following table summarizes the proposed tasks to be accomplished during the period of performance pursuant to the stated need. These objectives include all work required to initiate HCP development through release of the public draft.

Table 1. Objectives of the Grant Organized by Task

Task Summary	Outcome	Deliverable(s)	Timetable
0. Preliminary Administrative Preparation (Pre-Award Match)	Develop Consultant Request for Proposal (RFP) and prepare consultant contract; preparation and other administrative tasks to facilitate progress on Task 1 commencing as soon as the fully executed payable grant agreement is in place.	Preliminary documents to support grant: • Preparation of consultant RFP • Preparation of City grant-tracking system • City staff reports/memos to Livermore City Council • Memo summarizing preliminary stakeholder outreach	Notification of federal grant award to executed payable grant (Pre-Award Match)
1. Project Management and Administration	Management of all tasks and coordination with California Department of Fish and Wildlife (CDFW) and USFWS	Invoicing, reporting, grant management, and coordination with project team	Entire payable grant
2.Strategic Planning and Determining Scope of HCP	Technical memorandums identifying the approach to analyses (e.g., proposed criteria for approach) and recommendations for establishing the fundamental aspects of the HCP. This task may include field work to confirm approach.	Memos may include, but are not limited to: • Stakeholder roles in HCP • Permit area • Covered activities • Covered species • Take mechanisms, method of take analysis • Conservation strategy framework and implementation • Permit term	Upon receipt of executed payable grant agreement through Year 1 of the payable grant
3. Develop Public Draft HCP	Preparation of an Administrative Draft HCP and a Public Draft HCP Document. Formal submittal of the Livermore HCP Public Draft.	The following chapters of the HCP document: • Ch 1. Introduction • Ch 2. Physical and Biological Resources • Ch 3. Land Use and Covered Activities • Ch 4. Impact Assessment and Level of Take • Ch 5. Conservation Strategy • Ch 6. Conditions on Covered Activities • Ch 7. Monitoring and Adaptive Management	Year 2 of the payable grant

Task Summary	Outcome	Deliverable(s)	Timetable
		• Ch 8. Plan Implementation • Ch 9. Costs and Funding • Ch 10. Assurances • Ch 11. Alternatives to Take • Ch 12. List of Preparers • Ch 13. Literature Cited • Appendices	
4. Public Draft CEQA and NEPA Documents and Scoping	Confirm approach (i.e., type of CEQA and NEPA documents developed, schedule) Preparation of draft NEPA and CEQA environmental documents. Hold at least 2 public scoping meetings and other outreach as needed	Draft NEPA and CEQA environmental documents with the following anticipated document structure: • Executive Summary • Ch 1. Introduction • Ch 2. Proposed Action and Alternatives • Ch 3. Affected Environment • Ch 4. Environmental Consequences • Ch 5. Other Required NEPA and CEQA Analysis • Ch 6. Consultation and Coordination • Ch 7. Report Authors and Preparers • Appendices Materials to support public outreach, such as: • PowerPoint presentation, poster boards, handouts, sign-up sheets, comment cards and other miscellaneous meeting materials designed to explain the intent and purpose for preparing NEPA and CEQA environmental documents for the Livermore HCP	Year 3 of the payable grant

METHODS/APPROACH: Implementation of all tasks will be overseen by the City and in collaboration with USFWS and CDFW. All tasks will require travel for field work and in-person meetings.

Task 0. Preliminary Administrative Preparation – Pre-Award Match

This task will consist of City preparation for grant implementation after the City is notified of the federal grant award but prior to the execution of the payable grant agreement with CDFW. This task will include the preparation of an RFP to hire consultant assistance to develop the HCP and environmental documents, consultant agreement preparation and other administrative tasks to facilitate progress on Task 1 commencing as soon as the payable grant agreement with CDFW is in place. Additional preparation that may fall under this task includes preliminary stakeholder outreach and engagement with City staff and local governing bodies.

Task 1 – Project Management and Administration

This task will consist of project management and administration to coordinate with CDFW and USFWS. Project management will include management of all tasks presented in this scope including meetings, coordination with the project team, and preparation and submittal of deliverables.

Task 2. Strategic Planning and Determining Scope of HCP

The City will confirm the scope of the Livermore HCP as part of the first task proposed for this grant. The City will develop a series of memos to help guide discussion with USFWS and CDFW about the content of the Livermore HCP. Memos may include, but are not limited to, the role of stakeholders in HCP implementation and coverage, the permit area, covered activities, method of take analysis and take assessment, conservation strategy, and implementation. Completion of these memos may include field work, but focused species surveys are not proposed as the distribution of suitable species habitats is well known within the City and surrounding areas. The mapping and modeling done as part of the EACCS and the RCIS have already documented suitable habitats, and species distribution is well informed through the implementation of the Stream Maintenance Program.

The Livermore HCP will be designed as an integrated plan to support streamlined permitting for other regulations including the federal CWA and state ESA and Porter-Cologne Water Quality Control Act. At a minimum, the City intends to engage CDFW as a partner in HCP development to ensure that the requirements of the HCP are consistent with California Endangered Species Act (CESA) permitting requirements to facilitate future Section 2081 Incidental Take Permit requirements and ensure conservation and mitigation for state listed species meets state requirements.

Regardless of the final scope of the Livermore HCP, this strategic planning work will rely upon previously completed technical studies relevant to this area. Specifically, the process will build upon, update, and refine the technical studies completed as part of the East Alameda County Conservation Strategy, East Bay Regional Conservation Investment Strategies effort, and the City of Livermore SMP, including land cover data,

habitat models, and occurrence data. The City will also review, and integrate as appropriate, the conservation goals of the East Bay Regional Conservation Investment Strategy, the Plan Bay Area Priority Conservation Area goals to support the states 30x30 Initiative and other regional conservation planning efforts

Other potential approaches for integrating the facilitation of regulatory compliance with State statues are discussed in the "Magnitude of HCP Impact: Regulatory Streamlining" section below. These approaches will be evaluated in the strategic planning phase.

Task 3. Develop Public Draft HCP
This task first includes the development of an Administrative Draft HCP for USFWS and CDFW review. The next step will be to respond to comments on the Draft HCP from USFWS and CDFW, and to develop the Public Draft HCP. The Public Draft HCP will be made available for public review and comment through the same public review process as required for the Public Draft NEPA and CEQA documents as a formal submittal of the Livermore HCP Public Draft.

Task 4. Public Draft CEQA and NEPA documents and Scoping
This task includes working with USFWS to determine the approach NEPA documentation. The City will select an approach to CEQA that compliments the NEPA approach, although it is assumed the HCP CEQA document will be separate from the NEPA document. Once the approach is determined, including the appropriate type of document and schedule, the City will work with USFWS to initiate NEPA document development and conduct applicable scoping. Once the type of document determined and associated scoping is conducted, the City and USFWS will oversee development of the Public Draft CEQA and NEPA documents, respectively. This task includes holding public meetings as required by NEPA and CEQA regulations. The Public Draft NEPA and CEQA documents will be made available for public review and comment. USFWS will publish a notice of availability (NOA) in the Federal Register.

This task includes the preparation of a PowerPoint presentation designed to explain the intent and purpose for preparing NEPA and CEQA environmental documents for the Livermore HCP to local officials, local agencies, and general public. The task includes poster boards, preparing handouts, sign-up sheets, comment cards and other miscellaneous meeting materials. The task also includes conducting at least two public meetings to solicit public input on the scope of the proposed NEPA and CEQA documentation and Livermore HCP and share the draft Livermore HCP when it is released. Two meetings is the minimum required to comply with NEPA and CEQA public process requirements. A third meeting will be held if determined necessary as a result of the public engagement process.

PROJECT (GRANT) TIMETABLE/MILESTONES:
Task 0. Preliminary Administrative Preparation (Pre-Award Match)This task will consist of City preparation for the project after federal grant award is announced, but prior to the execution of the payable grant with CDFW. Deliverables and timetable are discussed in the Methods/Approach section and Table 1, above.

Task 1 – Project Management and Administration
This task will consist of project management and administration to coordinate with CDFW and USFWS to manage all tasks presented in this scope including meetings, coordinate with the project team, and preparation and submittal of deliverables. This task will be ongoing during the length of the payable grant.

Task 2. Strategic Planning and Determining Scope of HCP: Strategic planning efforts will commence upon the City receiving the fully executed payable grant with CDFW and will continue through Year 1 of the payable grant. As discussed above, the City will build on the work already completed during development of the East Alameda County Conservation Strategy and SMP, as well as the data that has been collected over the last several years during implementation of the SMP.

Task 3. Develop Public Draft HCP: As the City completes various aspects of Task 2, it will begin to develop the administrative draft of the Livermore HCP document and seek review from the regulatory agencies. Since so much existing information is available from which to draw, the City anticipates concluding Public Draft development by the end of Year 2 of the payable grant. This task also includes formal submittal of the Livermore HCP Public Draft.

Task 4. Public Draft CEQA and NEPA documents and Scoping: Scoping is anticipated to occur at the beginning of Year 3 of the payable grant . Public Draft CEQA and NEPA documents are anticipated to be released for public review by the middle of Year 3 of the payable grant. This task will conclude with submittal of a complete section 10(a)(1)(B) permit application.

Applicant Commitments: Milestones and Period of Performance (PoP): The City commits to submit a complete section 10(a)(1)(B) permit application by the end of the three-year period of performance. The City therefore does not want to retain the ability to request an extension.

DESCRIPTION OF ENTITIES UNDERTAKING THE PROJECT: The City of Livermore is the subrecipient of this grant proposal. The City will hire one or more consultant(s) to support implementation of the project. In addition, the City will engage other partners and/or stakeholders as described below.

The City currently expects to be the sole HCP permittee and has conducted outreach to potential local stakeholders as part of the preparation process for this grant.

Stakeholders in the Livermore HCP planning process are anticipated to include, at a minimum, those listed in the table below.

Table 2. Stakeholder and Partners for City of Livermore HCP

Entity	Role	Contribution (cash or in-kind)
City of Livermore	HCP Permittee; responsible for preparation of public draft HCP and CEQA documents	City of Livermore Senior Civil Engineers will spend approximately 712 hours at a salary of $201 per hour including benefits, City of Livermore Assistant Civil Engineers will spend approximately 285 hours at a salary of $154 per hour including benefits, and City of Livermore Senior Planners will spend approximately 306 hours at a salary of $164 per hour including benefits to support the Habitat Conservation Plan process. The specific job duties which support the HCP include planning, preparing and reviewing studies and documents for the HCP, conducting outreach to possible HCP partners, coordinating and participating in public outreach and stakeholder activities, as well as oversight and management of the entire project. In total, the City of Livermore plans on donating approximately $237,000 for development of a Livermore HCP.
County of Alameda	Potential recipient of a certificate of inclusion; support implementation of the HCP	HCP review and feedback
Zone 7 Water Agency	Potential recipient of a certificate of inclusion, support implementation of the HCP	HCP review and feedback
Alameda County Resource Conservation District	Potential to support implementation of the HCP	HCP review and feedback
Livermore Area Recreation and Parks District	Potential recipient of a certificate of inclusion; support implementation of the HCP	HCP review and feedback
East Bay Regional Park District	Potential to support implementation of the HCP	HCP review and feedback

Coordination with USFWS Field Office: The City has been coordinating with the Sacramento USFWS Field Office regarding this effort since 2021 and has annual coordination with them in support of the Stream Maintenance Program. The local Field Office is aware and supportive of the City's intent to pursue an Incidental Take Permit under Section 10(a)(1)(B) through the HCP process. See Attachment 1 for correspondence.

ANTICIPATED OUTCOMES/ EXPECTED BENEFITS: Similar to how the East Alameda County Conservation Strategy currently works, the City anticipates that CDFW will be involved in the development of the Livermore HCP and that the Livermore HCP will address state listed species permitting and mitigation needs in addition to federal requirements. As such, the HCP is expected to establish an efficient and effective mechanism for the City to meet its operation and maintenance obligations while maintaining regulatory compliance with the ESA, California ESA, and CWA requirements. The Livermore HCP is anticipated to allow greater local control over conservation in the Livermore area, and result in an integrated and comprehensive approach to species conservation. The Livermore HCP is also expected to provide covered species conservation and improved aquatic resource management within the Livermore HCP plan area, which includes conservation areas of importance, including botanical priority areas for the East Bay and critical breeding habitat for covered and at-risk species. The City anticipates that the HCP will be developed to support the implementation of a forthcoming General Plan update that may include increased emphasis on protecting open space north of the City.

Previous Section 6 Nontraditional Awards: The City of Livermore partnered with CDFW to apply for and was awarded a Non-Traditional HCP Planning Assistance Grant in the early 2000s (roughly 2001). However, the City did not ultimately accept the subgrant or pursue an HCP as the City was not able to secure the support of all the proposed partners to proceed as proposed. Instead of proceeding with the HCP, the City worked with the supportive partners to develop an East Alameda County Conservation Strategy. This effort resulted in a Section 7 Programmatic Biological Opinion and a regional strategy that is the basis for project implementation and conservation in the region. This strategy goes a long way in streamlining projects; however, there is still a need for a City-wide HCP for projects that cannot be permitted under Section 7. None of the proposed work has been conducted using funding under a previous Section 6 grant.

MAGNITUDE OF SPECIES BENEFITS: HCP PLAN AREA CONSERVATION: The City will determine the final list of covered species for the Livermore HCP as part of this grant. Species that the City is considering covering under a Citywide Livermore HCP include those listed in Table 3. The magnitude of the benefit is based on the potential for protection, preservation, restoration and/or enhancement of covered species habitat within the plan area during the Livermore HCP term. The amount (in acreage) of species benefits will be defined during the HCP planning process.

Table 3. Federally Covered Species Proposed under the City of Livermore HCP

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Plants			
Palmate-bracted bird's beak *Cordylanthus palmatus* Federal Status: Endangered	The Livermore HCP has the potential to support preservation of the Springtown Alkali Sink which includes 1 of 29 known localities for the species and is the only extant population in the Livermore Valley. Per the USFWS 5-Year Review, the Springtown Alkali Sink is perhaps one of the most important sites to be protected given the severity of the threats at the site, as well as its geographic location in the Livermore Valley. The 5-Year Review identifies protection of 75% or more of the population at Springtown Alkali Sink and 75% or more of the occupied area and upland habitat for pollinators within 300 meters of the population margins is secured and protected. Restoration actions within suitable habitat will be considered if lands can also be preserved.	**High** HCP plan area includes location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the only extant population in the Livermore Valley. Palmate bracted birds beak is found the Springtown Alkali Sink which provides saline-alkali soils and upland pollinator habitat required for the species. The HCP will directly address three management goals as identified within the USFWS Recovery Plan and the 5-Year Review (1) Protection of occupied habitat in the Springtown Alkali Sink (2) Support implementation and update of the 1998 management plan and (3) Population estimates to document viability The Livermore HCP would support conservation goals identified in the Recovery Plan, the 5-Year Review (USFWS 2009a), East Alameda County Conservation Strategy (ICF International 2010), East Bay Regional Conservation Investment Strategy (ICF International 2019), and support goals for the East Bay California Native Plant Society's Springtown Botanical Priority Protection Area (Bartosh et al. 2010).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			There are known populations of palmate-bracted birds beak on privately owned lands within the Springtown Alkali sink that could be protected under this plan.
Invertebrates			
Vernal pool fairy shrimp *Branchinecta lynchi* Federal Status: Threatened	The HCP has the potential to include preservation of essential vernal pool habitat including acquisition and protection of parcels in the Altamont Hills Core Areas (Livermore) identified in the Vernal Pool Recovery Plan. Preservation of documented longhorn fairy shrimp habitat would meet the Recovery Plan conservation goals and objectives including fee title purchase or conservation easement.	**Low/Medium** HCP plan directly addresses one management action	Implementation of the HCP will result in the potential for protection of vernal pool habitats within the Plan Area. The HCP will directly address the management actions identified in the Recovery Plan goals if preservation occurs within occupied habitat. The extent of occupied habitat within the Plan Area is unknown, although it is relatively small as a percentage of this species range (USFWS 2005). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Longhorn fairy shrimp *Branchinecta longiantenna* Federal Status: Endangered	The HCP has the potential to include preservation of essential vernal pool habitat including acquisition and protection of parcels in the Altamont Hills Core Areas (Livermore) identified in the Vernal Pool Recovery Plan. Preservation of documented longhorn fairy shrimp habitat would meet the Recovery Plan conservation goals and objectives including fee title purchase or conservation easement.	**Low/Medium** HCP plan directly addresses one management action	Implementation of the HCP will result in the potential for protection of vernal pool habitats within the Plan Area. The HCP will directly address the management actions identified in the Recovery Plan goals if preservation occurs within occupied habitat. The extent of occupied habitat within the Plan Area is unknown, although conservation would contribute significantly as this species range is relatively small (USFWS 2005). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
Western bumble bee *Bombus occidentalis occidentali* Federal Status: At-Risk	Protection and management of suitable grassland habitat. Restoration and enhancement activities could be evaluated where appropriate.	**Low** HCP plan area includes the location for one critical life cycle functions	The HCP will protect and manage suitable grassland habitat. Occupancy of the species is unknown and a small percentage of this species' historic range occurs within the Plan Area (The Xerces Society et al. 2018).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Monarch butterfly *Danaus plexippus plexippus* Federal Status: Candidate (Listing warranted but precluded in 2020)	Protection and management of suitable habitat where host plants are found. Restoration and enhancement activities could be evaluated where appropriate.	**Low** HCP plan area includes the location for one critical life cycle functions	The HCP will protect and manage suitable grassland habitat. Occupancy of the species is unknown and a small percentage of this species' historic range occurs within the Plan Area (Jepsen et al. 2015)
Amphibians			
California tiger salamander *Ambystoma californiense* Federal Status: Threatened	The Livermore HCP will preserve high quality occupied breeding and upland habitat for dispersal and refuge within the Plan Area. The Plan Area is within the Central Valley Distinct Population Segment, part of the Central Valley Recovery Unit and within the Concord/Livermore Management Unit. This HCP would continue to support preservation opportunities in the North Livermore, Doolan Canyon and Springtown areas in the Arroyo Las Positas Watershed and within the Arroyo del Valle and Arroyo Mocho watersheds. Enhancement activities within these areas could also support continued persistence of the species and the metapopulation dynamics.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding (livestock ponds), feeding and sheltering (small mammal burrows within a matrix of grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the USFWS Recovery Plan including: (1) Protection of occupied habitat to maintain current distribution of the species (2) Development of adaptive management and monitoring plans in protected habitats

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			(3) Monitoring trends in population health and habitat loss in the HCP plan area Implementation of the Livermore HCP will result in protection of occupied habitats and continue to work towards the Central Valley Recovery Unit and Concord/Livermore Management Unit goals for delisting (USFWS 2017). Within this Management Unit, the target acreages for protected habitat have been met but the other delisting criteria must be met for the management unit to be considered recovered. The majority of the protected lands within the Management Unit are outside of the Plan Area and the efforts for protection and enhancement would support both local and regional connections between key habitat areas and existing protected areas.
Foothill yellow-legged frog *Rana boylii* Federal Status: At-Risk Central Coast Distinct	The HCP plan area is within the Central Coast Distinct Population segment (DPS). The Livermore HCP has the potential for protection and management of suitable stream habitats and associated uplands especially within the Arroyo Mocho watershed within the Central Coast DPS. Restoration and enhancement activities could be evaluated where appropriate.	**Medium** HCP plan area includes the location for all critical life cycle functions but magnitude of the benefit is	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (rocky cobble stream habitat in the Arroyo Mocho). The Livermore HCP has the potential to protect and manage suitable stream habitat within the CDFW CESA Endangered Western/Central Coast Clade

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Population Segment Proposed for Listing December 2021		ancillary to other covered species protection.	(CDFW 2019) where a small percentage of suitable habitat is protected. The magnitude of the benefit is medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
California red-legged frog *Rana draytonii* Federal Status: Threatened	The Livermore HCP will preserve occupied breeding and upland habitat for dispersal and refuge within the Plan Area and support restoration of natural communities that have been degraded or lost over time where possible. The Plan Area is within the South and East San Francisco Bay Recovery Unit, and the East San Francisco Bay Core Recovery Area. This HCP would continue to support preservation opportunities in the North Livermore, Doolan Canyon and Springtown areas in the Arroyo Las Positas Watershed and within the Arroyo del Valle and Arroyo Mocho watersheds. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species and the metapopulation dynamics.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple conservation needs as identified within the USFWS Recovery Plan for the East San Francisco Bay Core Area including: (1) Protect existing populations, (2) Avoid and reduce impacts of urbanization (3) Protect habitat buffers from nearby urbanization The South and East Bay Recovery Unit is considered to have a high potential for recovery status if recovery actions are implemented (USFWS 2002a). The high potential for recovery status it based on

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			many existing populations, many areas of high habitat suitability, low to high levels of threats. The Livermore HCP will support existing regional planning goals including the City's General Plan, East Alameda County Conservation Strategy and East Bay Regional Conservation Investment Strategy. Preservation of suitable habitats within the East San Francisco Bay Core Recovery Area will contribute towards federal recovery program goals.
Western spadefoot toad *Spea hammondii* Federal Status: At-Risk	Potential for protection and management of suitable stream habitats and associated uplands, especially within the Arroyo Seco watershed. Restoration and enhancement activities could be evaluated where appropriate.	**Low/Medium** HCP plan area includes the location for all critical life cycle functions but magnitude of the benefit is ancillary to other covered species protection.	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (grassland and riparian habitat). The Livermore HCP will protect and manage suitable grassland and riparian habitat. The species was observed in the Arroyo Seco at Sandia Labs in the 1980s, although current occupancy of the species is unknown (CNDDB 2021, #404). A small percentage of this species' historic range occurs within the Plan Area (Thomson et al. 2016). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			ancillary to protection of habitats for other covered species.
Reptiles			
Northwestern pond turtle *Actinemys marmorata* Federal Status: At-Risk	Protection and management of suitable and occupied habitat. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the current Western Pond Turtle Range-wide Management Strategy including: (1) Secure long term conservation (2) Ameliorate and manage threats (3) Contribute to distribution and abundance surveys The Livermore HCP will protect and manage aquatic habitat and adjacent upland habitat which will provide direct benefits towards the Western Pond Turtle Range-wide Management Strategy within the species' range (ICF International 2010, Thomson et al. 2016).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Southwestern pond turtle *Actinemys pallida* Federal Status: At-Risk	Protection and management of suitable and occupied habitat. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the current Western Pond Turtle Range-wide Management Strategy including: (1) Secure long term conservation (2) Ameliorate and manage threats (3) Contribute to distribution and abundance surveys The Livermore HCP will protect and manage aquatic habitat and adjacent upland habitat which will provide direct benefits towards the Western Pond Turtle Range-wide Management Strategy within this species range (ICF International 2010, Thomson et al. 2016). Alameda County is within the northern most part of this species range (WPTRCC 2020).
Alameda whipsnake *Masticophis lateralis euryxanthus*	The Livermore HCP has the potential to preserve core and dispersal habitat for Alameda whipsnakes within and adjacent to Recovery Units 4 and 5. Preservation of suitable habitat in the Arroyo Las Positas watershed adjacent to Los Vaqueros	**Medium** HCP plan area includes the location for all critical	The Livermore HCP will create opportunities to protect land within Recovery Units 4 and 5 which will contribute towards some protections for populations, contribute to recovery, or help preclude the need to list, but other

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Federal Status: Threatened	Watershed Lands in Recovery Unit 4 and in South Livermore in the Arroyo Mocho and Arroyo del Valle watersheds near Recovery Unit 5 could support recovery plan goals of ensuring long-term protection of identified lands in Recovery Units, and protection in perpetuity of strategically situated focus areas.	life cycle functions but magnitude of the benefit is ancillary to other covered species protection.	actions are still necessary to achieve these goals (USWFS 2002b). The magnitude of the benefit is medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
Mammals			
Little brown bat *Myotis lucifigus* Federal Status: At-Risk	The Livermore HCP has the potential to preserve riparian habitats for which the little brown bat uses for roosting. Preservation of lands with structures could also benefit the species as they use buildings and attics as day, night and maternity roost sites.	**Medium** HCP plan area includes the location for two critical life cycle functions	The HCP plan area includes the location for two critical life cycle functions of the species – feeding and sheltering (streams and riparian tree habitat). Implementation will result in preservation of suitable riparian habitats which provide important foraging habitat and tree bark/hollow roost sites (CDFW 2005, Johnson et al 2019).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
San Joaquin kit fox *Vulpes macrotis mutica* Federal Status: Endangered	In the Plan Area preservation of suitable breeding and upland habitat. Within those areas, coordinate efforts to produce suitable habitat that creates connectivity with the S1-Alameda, Contra Costa, San Joaquin Satellite Recovery Area could be of benefit.	**Low**	Implementation of the Livermore HCP will result in the potential for protection of suitable grassland habitats within the Plan Area (USFWS 1998, USFWS 2008). Coordinated efforts could prioritize connectivity and wildlife crossings. The Species Status Assessment completed in 2020 provided an analysis on the current condition of San Joaquin kit foxes across geographic units. The “Livermore” units current conditions is “very low” and suggests that the population has a low probability of persistence (high extirpation risk). This species is included since it is a currently federally listed species for which habitat impacts may require federal permitting unless the listing status changes during the Livermore HCP term.

* *Actinemys marmorata* is currently listed as an At-Risk species by the Service, however, the Service is currently evaluating both *A. marmorata* and *A. pallida* for potential listing under the ESA (R. Olah, personal communication). Both species occur in Alameda County (WPTRCC 2020) and are therefore both included in the table to be evaluated under the HCP.

MAGNITUDE OF HCP IMPACT: REGULATORY STREAMLINING: The Livermore HCP will be essential to the City continuing to implement its necessary operations and maintenance activities while meeting regulatory requirements. The primary goal of the Livermore HCP is to pursue an ESA Section 10(a)(1)(B) permit by preparing a City-wide programmatic HCP to address listed species compliance needs through a comprehensive and thoughtful approach to both permitting and conservation. This would streamline the City's current permitting process for both routine maintenance and CIP projects, allowing the City to carry out projects that impact listed and at-risk species without writing an annual Biological Analysis and permitting process, while achieving higher quality conservation. For CIP projects, the City anticipates the Livermore HCP will significantly reduce the time delays in project implementation due to permitting needs, saving 12 months on average for projects requiring a project-level HCP. Over a 30-year HCP term, the City estimates saving approximately $6 million through regulatory streamlining due to reduced staff effort and consultant costs, as well as establishing a more efficient mitigation approach. Simultaneously, the City will benefit from reduced project delays and an improved ability to proactively maintain infrastructure and carry out projects that benefit the public.

The Livermore HCP development process will capitalize on the opportunity to streamline regulatory processes for related regulations at the state and federal level. The City currently expends significant annual resources to meet regulatory requirements for its Stream Maintenance Program and CIP projects. The Livermore HCP can be designed as an integrated plan to support streamlined permitting for other regulations including the federal CWA and state ESA and Porter-Cologne Water Quality Control Act. At a minimum, the City intends to engage CDFW as a partner in HCP development to ensure that the requirements of the HCP are consistent with CESA permitting requirements to facilitate future CESA permits, similar to how the current East Alameda County Conservation Strategy works. To address aquatic resource permitting, the HCP could be designed as a Watershed Plan to support the California Regional Water Quality Control Board (RWQCB) CWA 401 Water Quality certification and Waste Discharge Requirement needs and could be used to support a Regional General Permit to address CWA Section 404 compliance. For all of these programs, a standardized suite of best management practices and mitigation measures could be developed to address species habitat as well as aquatic resource protection, restoration, and enhancement. The City will explore various mitigation options, including advance mitigation based on regional conservation priorities as established by the recently approved East Bay Regional Conservation Investment Strategy.

LOCATION/MAPS: The City will determine the Livermore HCP plan area as part of the strategic planning conducted under this grant. The City expects that the Plan Area will include the current city limits, which encompasses approximately 17,000 acres, and portions of the surrounding watersheds within Alameda County that overlap city limits. Figure 1 provides a map of the City limits, the City's General Plan Planning Area, and surrounding watersheds within a regional context.

The lands in the greater Livermore area are typified by steep to rolling hills declining in slope as they progress toward the Livermore Valley they surround. The Livermore Valley is a moderately sloped to relatively flat valley that drains west ultimately into Alameda Creek and into San Francisco Bay. Elevation of the area ranges from approximately 300 to 600 feet above mean sea level. The greater Livermore Area supports 188 predominant land cover types, which were identified based on the East Alameda County Conservation Strategy (ICF International 2010) vegetation community and land cover data in combination with more focused ground-truthing where mapping conflicts were identified. Within the Plan Area, natural land cover types include alkali meadow and scalds, California annual grassland, mixed riparian forest and woodland, mixed willow riparian scrub, mixed evergreen forest/oak woodland, sycamore alluvial woodland, valley sink scrub, alkali wetland, perennial freshwater marsh, seasonal wetland, pond, and riverine stream and non-natural land cover types include vineyard, cropland, ruderal land, golf course/urban park, urban-suburban, and rural residential.

INFORMATION TO SUPPORT ENVIRONMENTAL COMPLIANCE REVIEW REQUIREMENTS:

- **ESA:** The purpose of this grant is to support development of an HCP compliant with ESA Section 10(a)(1)(b). The HCP has not yet been initiated so detailed conservation measures are not yet identified. However, as required by the ESA and other California species protection laws, the City anticipates that the HCP will include conditions on covered activities that are designed to avoid or minimize take. It is expected that these conditions on covered activities (also called avoidance and minimization measures) will be consistent with those included in the East Alameda County Conservation Strategy Biological Opinion. The work proposed under this project does not, in and of itself, require ESA compliance. No impacts anticipated.
- **NEPA:** NEPA is required for issuance of the ESA incidental take permit and work to complete NEPA is proposed. The work proposed under this project does not, in and of itself, require NEPA compliance. No impacts are anticipated.
- **National Historic Preservation Act (NHPA):** No impacts anticipated.
- **Bald and Golden Eagle Protection Act:** No impacts anticipated.

BUDGET NARRATIVE: Please see the attached 2022–2025 Multi-Year Budget for details on project cost. Partial funding for the project is practicable; however, if the project is not fully funded, additional funding would need to be identified and allocated causing completion of the HCP development and its attendant benefits to be delayed. See the task summary table, below, for a breakdown of project costs over the grant period.

General Expenses ($0): This project does not include any general expenses.

Minor Equipment ($0): This project does not require any minor equipment.

Major Equipment ($0): This project does not require any major equipment.

Travel/Training ($0): This project does not require any travel/training.

External Contracts ($700,000): An external contract will be extended to the City (the subrecipient), and the City will subcontract to one or more consultants. The external contract with the City will include time for the City's consultants. The external contract will also include miscellaneous direct costs associated with printing, mailing/shipping, meeting supplies, travel expenses, and other minor expenses as incurred.

Useful life ($0): This project does not include any capital improvements.

Program Income ($0): This project will not generate any Program Income revenue.

Match Description ($237,000): The sub-grantee (City of Livermore) will be providing third party match as staff support in the amount of $237,000 during the duration of the grant This constitutes a 25.29% in-kind match (see Attachment 2).

CONFLICT OF INTEREST DISCLOSURE: There are no conflicts of interest in this proposal.

UNIFORM AUDIT REPORTING STATEMENT: CDFW submitted a Single Audit Report to the California Department of Finance (DOF) for the most recently closed Fiscal Year. DOF compiles and submits a single Audit Report on behalf of the State of California. The report is available on the DOF website, located here: https://dof.ca.gov/programs/osae/california-single-audit-and-state-leadership-accountability-reports/

DISCLOSURE OF LOBBYING ACTIVITIES: No conflict.

OVERLAP OR DUPLICATION OF EFFORT STATEMENT: There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regard to activities, costs, or time commitment of key personnel. The City understands that if at any time the City receives funding from another source that is duplicative of the funding that is being requested from the U.S. Fish and Wildlife Service in this application, the City will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this funding opportunity in writing.

INDIRECT COST STATEMENT: CDFW is a U.S. State government entity receiving more than $35 million in direct Federal funding each year. The indirect cost rate proposals are submitted to the U.S. Department of the Interior. Currently, the approved FY22/23 rate is 12.96%. The future FY rate will be submitted for approval and is subject to change.

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California Department of Fish and Wildlife (CDFW). 2005. Little Brown Bat (*Myotis lucifigus*) Life History Account. California Wildlife Habitat Relationships Systems, California Interagency Wildlife Task Group

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Johnston, Dave S., Kim Briones, and Christopher Pincetich. 2019. California Bat Mitigation: A guide to developing feasible and effective solutions. H. T. Harvey & Associates, 298 University Ave., Bldg D, Los Gatos, CA., California Department of Transportation, Office of Biological Studies, 1120 N St, Sacramento, CA. Task Order 7, Agreement No. 43A0355.

Orloff, S., F. Hall, and L. Spiegel. 1986. Distribution and Habitat Requirements of the San Joaquin Kit Fox in the Northern Extreme of Their Range. Transactions of the Western Sect of the Wildlife Society 22:60–70.

Thomson, R., A. Wright and H.B. Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. University of California Press, Oakland, CA.

U.S. Fish and Wildlife Service (USFWS). 1998. Recovery Plan for Upland Species of the San Joaquin Valley, California. Region 1, Portland, OR.

USFWS. 2002a. Recovery Plan for the California Red-Legged Frog (*Rana aurora draytonii*). Region 1, Portland, OR.

USFWS. 2002b. Draft Recovery Plan for Chaparral and Scrub Community Species East of San Francisco Bay, California. Region 1, Portland, OR.

USFWS. 2004. Endangered and threatened wildlife and plants; determination of threatened status for the California tiger Salamander; and special rule exemption for existing routine Ranching Activities; Final Rule. Federal Register 69: 47212. Department of Agriculture.

USFWS. 2005. Recovery Plan for Vernal Pool Ecosystems of California and Oregon. Portland, Oregon. xxvi + 606 pages.

USFWS. 2006. Endangered and threatened wildlife and plants: determination of critical habitat for the California red-legged frog. 71 FR 19243-19346.

USFWS. 2009a. Palmate-bracted bird's-beak (*Cordylanthus palmatus* = *Chloropyron palmatum*) 5-Year Review: Summary and Evaluation.

USFWS. 2017. Recovery Plan for the Central California Distinct Population Segment of the California Tiger Salamander (*Ambystoma californiense*). U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, California. v + 69pp.

USFWS. 2020b. Species Status Assessment for the San Joaquin kit fox (*Vulpes macrotis mutica*) Version 1.0. August 2020, U.S. Fish and Wildlife Service

Western Pond Turtle Range-wide Conservation Coalition (WPTRCC). 2020. Western Pond Turtle Range-wide Management Strategy. 24 pp.

Xerces Society for Invertebrate Conservation, Defenders of Wildlife, Center for Food Safety. 2018. A Petition to the State of California Fish and Game Commission to List the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*) and western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act.

PREPARED BY:
California Department of Fish and Wildlife and
City of Livermore

DATE: 6/21/2022

Upload #7

Applicant:	California Department of Fish and Wildlife
Application Number:	FWS-ES2022004420
Project Title:	Non-Traditional Section 6 (FY 2022) Livermore Habitat Conservation Plan
Status:	Submitted
Document Title:	SF424 B

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance Grants	15.615	$	$	$ 700,000.00	$ 237,000.00	$ 937,000.00
2.						
3.						
4.						
5. Totals		$	$	$ 700,000.00	$ 237,000.00	$ 937,000.00

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SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY (1)	(2)	(3)	(4)	Total (5)
	2022 Non-Traditional Section 6 Livermore Habitat Conservation Plan				
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	700,000.00				700,000.00
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	700,000.00				$ 700,000.00
j. Indirect Charges	0.00				$ 0.00
k. TOTALS (sum of 6i and 6j)	$ 700,000.00	$	$	$	$ 700,000.00
7. Program Income	$	$	$	$	$

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTAL (sum of lines 8-11)	$	$	$	$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$ 85,500.00	$ 21,375.00	$ 21,375.00	$ 21,375.00	$ 21,375.00
14. Non-Federal	$ 28,948.00	7,237.00	7,237.00	7,237.00	7,237.00
15. TOTAL (sum of lines 13 and 14)	$ 114,448.00	$ 28,612.00	$ 28,612.00	$ 28,612.00	$ 28,612.00

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b)First	(c) Second	(d) Third	(e) Fourth
16.	$ 234,500.00	$ 380,000.00	$	$
17.				
18.				
19.				
20. TOTAL (sum of lines 16 - 19)	$ 234,500.00	$ 380,000.00	$	$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges: $700,000.00

22. Indirect Charges: $0

23. Remarks: ICRP for FY 2022/23 was approved at 12.96%. The FY 2023/24 proposed ICRP will be submitted to the U.S. Department of the Interior and is subject to change.

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ATTACHMENT 1

Re: [EXTERNAL] City of Livermore Nontraditional Section 6 Conservation Planning Grant Application

Olah, Ryan <ryan_olah@fws.gov>

Thu 5/19/2022 1:02 PM

To: Megan Verner-Crist <mverner-crist@LivermoreCA.gov>

Cc: Pam Lung <pglung@livermoreca.gov>;Mallika Ramachandran <mramachandran@LivermoreCA.gov>;Levins, Stephanie A <stephanie_levins@fws.gov>

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Megan,

Thanks for your email. You can work with Stephanie Levins as the local contact for the grant. You can also include me in those discussions/reviews as well.

As for notification about the intent to obtain an ITP through the HCP process, I think this email exchange works for the Service. We are now aware of the City of Livermore wanting to obtain an ITP through Section 10 of the ESA-that sounds like a good idea to me.

Let me know if you have any other questions or want to discuss any of this further. Thanks.

Ryan

~~~~~~~~~~~~~~~~~~~~~~~~~~~~

Ryan Olah

Coast Bay Division Supervisor
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way
Sacramento, CA 95825
(916) 414-6623
https://www.fws.gov/sacramento/

From: Megan Verner-Crist <mverner-crist@LivermoreCA.gov>
Sent: Wednesday, May 18, 2022 3:55 PM
To: Olah, Ryan <ryan_olah@fws.gov>
Cc: Pam Lung <pglung@livermoreca.gov>; Mallika Ramachandran <mramachandran@LivermoreCA.gov>; Levins, Stephanie A <stephanie_levins@fws.gov>
Subject: [EXTERNAL] City of Livermore Nontraditional Section 6 Conservation Planning Grant Application

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ATTACHMENT 1

Hi Ryan,

I hope you are well. We are reaching out to you to coordinate on the City of Livermore's upcoming application for the Nontraditional Section 6 Conservation Planning Grant this year. The City is applying to support the writing of a City-Wide Habitat Conservation Plan that will support the Stream Maintenance Program and other Capital Improvement Projects. We coordinated with Joseph Terry a bit on this in 2021 but ended up not applying last cycle.

As we work through the grant process with CDFW we are wondering who at USFWS would be our primary point of contact on this grant? As part of the grant application process, we want to make sure you are aware that we intend to pursue an Incidental Take Permit under Section 10(a)(1)(B) through the HCP process.

The grant application asks us to document our communication with the local Service Field Office to demonstrate that the Field Office is aware of our intention to pursue an ITP. How would you suggest we document this? Does using this email correspondence work, or would you prefer a more formal letter?

Let me know if you have any questions or want to discuss anything with us. We plan to send you a version of the grant application for review next week.

Thanks,
Megan

LIVERMORE
CALIFORNIA

May 24, 2022

Marcia Grefsrud
California Department of Fish and Wildlife
Environmental Scientist, Bay Delta Region
2825 Cordelia Road, Suite 100,
Fairfield, CA 94534

Dear Ms. Grefsrud,

Please accept this letter which estimates that the City of Livermore will be providing staff support in the amount of $237,000 for the three (3) federal fiscal years of 2022 through 2025 for the Non-Traditional Section 6 Grant Program for Habitat Conservation Plan (HCP) Planning Assistance. This is a 25.29% match.

We estimate City of Livermore Senior Civil Engineers will spend approximately 712 hours at a salary of $201 per hour including benefits, City of Livermore Assistant Civil Engineers will spend approximately 285 hours at a salary of $154 per hour including benefits, and City of Livermore Senior Planners will spend approximately 306 hours at a salary of $164 per hour including benefits to support the Habitat Conservation Plan process. The specific job duties which support the HCP include planning, preparing and reviewing studies and documents for the HCP, conducting outreach to possible HCP partners, coordinating and participating in public outreach and stakeholder activities, as well as oversight and management of the entire project.

In total, the City of Livermore plans on donating approximately **$237,000** for development of a Livermore HCP.

I certify that the funds that will be used to pay for the above salaries do not include any federal funds and are not being claimed by our agency as a match or contribution to any federal program or agreement. I also certify that facts of these assurances are of my own personal knowledge and that I am duly authorized by my agency to make this certification.

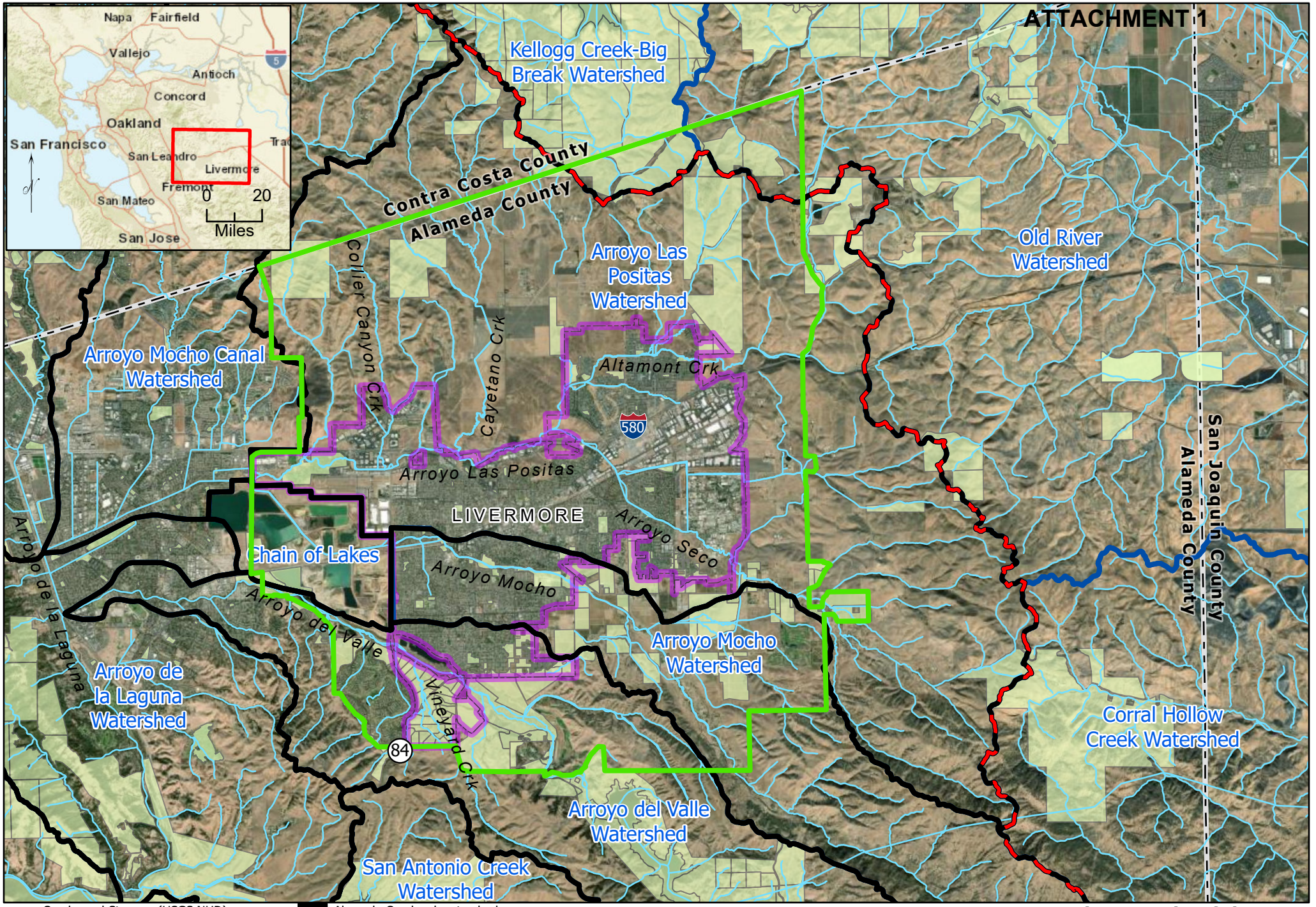
If you have any questions, please contact me at (925) 960-4511 or mramachandran@cityoflivermoreca.gov.

Sincerely,

Mallika Ramachandran

Mallika Ramachandran
Assistant City Engineer
Engineering Division, Community Development Department
(925) 960-4516

cc:
Mallika Ramachandran, City of Livermore, Community Development Department
Joel Waxdeck, City of Livermore, Community Development Department
Edward Reyes, City of Livermore, Community Development Department
Steve Stewart, City of Livermore, Community Development Department
Andy Ross, City of Livermore, Community Development Department
Pamela Lung, City of Livermore, Community Development Department



Creeks and Streams (USGS NHD)
Livermore City Limits
COL General Plan Area
Protected Land (Multiple Sources)
Alameda Creek subwatersheds
Watershed Boundaries (USGS HUC-10)
San Francisco Bay Watershed (USGS HUC-6)

0 2 4 Miles

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Figure 1 - City of Livermore Streams and Watersheds

Livermore, CA
January 2126

ATTACHMENT 1

CERTIFICATION of NON-FEDERAL CONTRIBUTIONS (ESTIMATE)

THIRD PARTY MATCH

Federal Grant #	**FAS Grant #** (Assigned by FAS)	**Federal Project#** (Assigned by ASB)	**Grant Term** (Start Date - End Date)
	G2298115		Upon approval

Federal Agency	**Federal Grant Program**
United States Fish and Wildlife Service	Cooperative Endangered Species Conservation Fund: Conservation Planning Assistance

Federal Grant Title

Livermore Habitat Conservation Plan

Total Grant Value (with all match sources)	**Federal Share**	**Match %**	**State Share**	**Match %**	*State share must correspond with summary below*
$937,000	$700,000	74.71%	$237,000.00	25.29%	

Project Reporting Structure	**Project's Project ID**	**Project Title**

SUMMARY OF DONATED MATERIALS - Value of donated materials, goods and services must be provided on official business letterhead- signed and dated. (Documentation must be maintained with Project Lead and in GMB project file).

Date	Sponsor/Donor	Brief Description	Total Value
FY22-25	City of Livermore	Staff support - Task 0	$20,000
FY22	City of Livermore	Staff support - Task 1	$24,000
FY22-23	City of Livermore	Staff support - Task 2	$74,000
FY22-23	City of Livermore	Staff support - Task 3	$85,000
FY23-25	City of Livermore	Staff support - Task 4	$34,000
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
			$0.00
		Total value of Donated Materials contributed to Federal Project =	**$237,000**

TOTAL VALUE OF THIRD PARTY NON-FEDERAL CONTRIBUTIONS = $237,000

Certification: I certify that to the best of my knowledge that this Certification of Nonfederal Contributions is correct, has no federal nexus, and is directly related to the objectives of the project. I also certify that support documents are available in the project's file.

Printed Name	**Project Lead Signature**	**Contact Email or Phone**	**Date**
Marcia Grefsrud	DocuSigned by: Marcia Grefsrud 08BD06B53D35495...	marcia.grefsrud@wildlife.ca.gov	7/1/2022

Endangered Species Act
Nontraditional Section 6 Grant Program
Conservation Planning Assistance
Habitat Conservation Plans
FY2022

Project Narrative

PROJECT TITLE: Livermore Habitat Conservation Plan

PROJECT CONTACTS:

California Department of Fish & Wildlife:
Marcia Grefsrud
(707) 644-2812
Marcia.Grefsrud@wildlife.ca.gov

U.S. Fish & Wildlife Service:
Stephanie Levins
(916) 414-6578
stephanie_levins@fws.gov

Ryan Olah
(916) 414-6623
ryan_olah@fws.gov

Local:
Mallika Ramachandran
City of Livermore
(925) 960-4511
mramachandran@livermoreca.gov

PROJECT COST:

Federal Share:	$700,000
Non-Federal Share:	$237,000
Total Cost:	$937,000
Non-Federal Share Percentage:	25.29%

** Please note the performance period of this grant is TBD and will be determined once the preliminary awards are announced.

ABSTRACT SUMMARY: The City of Livermore (City) is located in a unique setting in the eastern San Francisco Bay Area where open space, working lands, and urban development meet. These lands include regionally recognized areas that have been designated as Priority Conservation Areas in Alameda County. This part of the Bay Area

supports habitats of several listed and at-risk plant and wildlife species that are found within and surrounding Livermore City limits.

To address the uniqueness of the habitats within and surrounding the City, this grant will support the development of a City-wide Livermore Habitat Conservation Plan (HCP). The purpose of the Livermore HCP is to establish an efficient and effective approach for the City to maintain existing infrastructure and develop new infrastructure while maintaining regulatory compliance and implementing a thoughtful and comprehensive conservation approach for the area. The Livermore HCP is not anticipated to include coverage for development projects.

Activities under this grant include strategic planning to determine the scope of the Livermore HCP, engage with stakeholders, and determine the conservation strategy. The City anticipates the development of the HCP documents to occur over a three-year period, in a process that will include the writing of an HCP Public Draft, National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) documents, public outreach meetings, and preparing responses to public comments. The City has participated in numerous conservation planning and species mapping efforts in recent years, including the development of the City's Stream Maintenance Program (SMP), the East Alameda County Conservation Strategy (EACCS), and the East Bay Regional Conservation Investment Strategy (RCIS) that have established a basis of technical knowledge to build upon and incorporate into the HCP development process. The City will coordinate with potential stakeholders with collective interest in the plan implementation including Alameda County, Zone 7 Water Agency, Alameda County Resource Conservation District, East Bay Regional Park District, the County of Alameda, and Livermore Area Recreation and Parks District.

The development and implementation of the Livermore HCP is anticipated to significantly streamline the City's routine maintenance and capital improvement program (CIP) projects, allowing the City to carry out critical infrastructure projects, such as stream maintenance and road widening, while conserving important habitat and protecting listed and at-risk species, such as California tiger salamander, California red-legged frog, palmate-bracted bird's beak, and northwestern and southwestern pond turtle in Livermore and the surrounding area. The City anticipates developing an integrated plan that facilitates compliance with other Federal and State regulations to develop the most efficient and comprehensive possible program.

STATEMENT OF NEED: This proposal requests $700,000 in federal grant funds from the Fiscal Year 2022 Cooperative Endangered Species Conservation Fund (Section 6 of the Endangered Species Act) Nontraditional Conservation Planning Assistance Program. This funding will support the planning phase of the Livermore HCP in Northern California.

The proposed project is aligned with the purpose of the Conservation Planning Assistance Grants Program, supporting development and planning activities of the Livermore HCP including document preparation, public engagement, habitat assessments, and aquatic resource inventories. The ultimate outcome of the effort initiated with funds from this grant is issuance of an incidental take permit (ITP) by United States Fish and Wildlife Service

(USFWS). Issuance of an ITP is a federal action that requires compliance with NEPA. Similarly, the City must adopt the HCP and sign the ITP before the HCP may be implemented. These actions are discretionary and require the City to comply with CEQA. The standard approach for HCP development in California is to develop the NEPA and CEQA documents concurrently (and sometimes as a combined document). Therefore, the proposed project would also support preparation of environmental compliance review documents under NEPA and CEQA, enabling both documents (or a combined document, a decision that will be made with input from USFWS once the scope of the HCP is determined) to be released for public review concurrently.

Livermore is located in a unique setting within the greater Livermore-Amador Valley where open space, working lands, and urban development merge, creating a desirable place for San Francisco Bay Area residents to live, work, and recreate. The area also supports habitats for several listed and at-risk plants and wildlife. The proximity of suitable habitats and open space to urban development creates an annual need for the City to obtain both state and federal species take permits for operation, maintenance and development of public facilities including flood control channels and other basic infrastructure. This process is both time consuming for the City and inefficient for species conservation, typically addressed in yearly cycles as needed, instead of through a comprehensive and long-term conservation vision.

Until recently, the City has been successful in obtaining federal authorization for take of listed species on a project-by-project basis through an Incidental Take Statement (ITS) and Biological Opinion from the USFWS. This process has occurred through a Section 7 consultation with the U.S. Army Corps of Engineers (USACE) for each project or for a collection of projects proposed under the annual work plan for the City's SMP. However, due to recent changes in how USACE regulates jurisdictional waters under the Clean Water Act (CWA), the USACE has advised the City that the City will not be able to use this approach for all maintenance and infrastructure needs into the future. In addition, the City has encountered Endangered Species Act (ESA) compliance needs that are clearly outside of jurisdictional waters and lack a federal nexus. As such, the City desires to pursue an ESA Section 10 permit by preparing the City-wide programmatic Livermore HCP to address listed species compliance needs in a comprehensive and thoughtful approach to both permitting and conservation. Without a programmatic HCP, the City will be forced to continue procuring piecemeal permits that do not utilize a comprehensive approach to mitigation and conservation. In the absence of a species and habitat focused conservation plan, mitigation and conservation is occurring on a project-by-project basis. A programmatic HCP will enable the City to identify conservation priorities and implement an intentional conservation strategy that will make the City's conservation approach more impactful and effective to support larger scale species conservation efforts. As described below, Livermore is a high-priority conservation area for several special-status species, including palmate-bracted bird's beak, California tiger salamander, and California red-legged frog. The City is simultaneously beginning a general plan update process. A programmatic HCP will enable the City to appropriately prioritize conservation through the general plan process and other planning efforts and take a comprehensive conservation approach rather than piecemeal project-by-project conservation efforts.

PURPOSE: The purpose of the Livermore HCP is to establish an efficient and effective approach for the City to meet its operation and maintenance obligations while maintaining regulatory compliance, supporting covered species conservation, and improving aquatic resource management within the Livermore HCP plan area.

This opportunity will help to support the Administration's priorities of the Build Back Better framework by facilitating the City's building and maintenance of critical infrastructure, including flood protection and basic services for the community, in a timely and cost-effective manner while minimizing impacts on Livermore's biological resources. The Livermore HCP supports the America the Beautiful initiative by identifying conservation priorities in the Livermore area and developing a comprehensive conservation approach. The Livermore HCP will also address climate change mitigation through the protection and restoration of carbon-sequestering habitats.

OBJECTIVES: The following table summarizes the proposed tasks to be accomplished during the period of performance pursuant to the stated need. These objectives include all work required to initiate HCP development through release of the public draft.

Table 1. Objectives of the Grant Organized by Task

Task Summary	Outcome	Deliverable(s)	Timetable
0. Preliminary Administrative Preparation (Pre-Award Match)	Develop Consultant Request for Proposal (RFP) and prepare consultant contract; preparation and other administrative tasks to facilitate progress on Task 1 commencing as soon as the fully executed payable grant agreement is in place.	Preliminary documents to support grant: • Preparation of consultant RFP • Preparation of City grant-tracking system • City staff reports/memos to Livermore City Council • Memo summarizing preliminary stakeholder outreach	Notification of federal grant award to executed payable grant (Pre-Award Match)
1. Project Management and Administration	Management of all tasks and coordination with California Department of Fish and Wildlife (CDFW) and USFWS	Invoicing, reporting, grant management, and coordination with project team	Entire payable grant
2.Strategic Planning and Determining Scope of HCP	Technical memorandums identifying the approach to analyses (e.g., proposed criteria for approach) and recommendations for establishing the fundamental aspects of the HCP. This task may include field work to confirm approach.	Memos may include, but are not limited to: • Stakeholder roles in HCP • Permit area • Covered activities • Covered species • Take mechanisms, method of take analysis • Conservation strategy framework and implementation • Permit term	Upon receipt of executed payable grant agreement through Year 1 of the payable grant
3. Develop Public Draft HCP	Preparation of an Administrative Draft HCP and a Public Draft HCP Document. Formal submittal of the Livermore HCP Public Draft.	The following chapters of the HCP document: • Ch 1. Introduction • Ch 2. Physical and Biological Resources • Ch 3. Land Use and Covered Activities • Ch 4. Impact Assessment and Level of Take • Ch 5. Conservation Strategy • Ch 6. Conditions on Covered Activities • Ch 7. Monitoring and Adaptive Management	Year 2 of the payable grant

Task Summary	Outcome	Deliverable(s)	Timetable
		• Ch 8. Plan Implementation • Ch 9. Costs and Funding • Ch 10. Assurances • Ch 11. Alternatives to Take • Ch 12. List of Preparers • Ch 13. Literature Cited • Appendices	
4. Public Draft CEQA and NEPA Documents and Scoping	Confirm approach (i.e., type of CEQA and NEPA documents developed, schedule) Preparation of draft NEPA and CEQA environmental documents. Hold at least 2 public scoping meetings and other outreach as needed	Draft NEPA and CEQA environmental documents with the following anticipated document structure: • Executive Summary • Ch 1. Introduction • Ch 2. Proposed Action and Alternatives • Ch 3. Affected Environment • Ch 4. Environmental Consequences • Ch 5. Other Required NEPA and CEQA Analysis • Ch 6. Consultation and Coordination • Ch 7. Report Authors and Preparers • Appendices Materials to support public outreach, such as: • PowerPoint presentation, poster boards, handouts, sign-up sheets, comment cards and other miscellaneous meeting materials designed to explain the intent and purpose for preparing NEPA and CEQA environmental documents for the Livermore HCP	Year 3 of the payable grant

METHODS/APPROACH: Implementation of all tasks will be overseen by the City and in collaboration with USFWS and CDFW. All tasks will require travel for field work and in-person meetings.

Task 0. Preliminary Administrative Preparation – Pre-Award Match
This task will consist of City preparation for grant implementation after the City is notified of the federal grant award but prior to the execution of the payable grant agreement with CDFW. This task will include the preparation of an RFP to hire consultant assistance to develop the HCP and environmental documents, consultant agreement preparation and other administrative tasks to facilitate progress on Task 1 commencing as soon as the payable grant agreement with CDFW is in place. Additional preparation that may fall under this task includes preliminary stakeholder outreach and engagement with City staff and local governing bodies.

Task 1 – Project Management and Administration
This task will consist of project management and administration to coordinate with CDFW and USFWS. Project management will include management of all tasks presented in this scope including meetings, coordination with the project team, and preparation and submittal of deliverables.

Task 2. Strategic Planning and Determining Scope of HCP
The City will confirm the scope of the Livermore HCP as part of the first task proposed for this grant. The City will develop a series of memos to help guide discussion with USFWS and CDFW about the content of the Livermore HCP. Memos may include, but are not limited to, the role of stakeholders in HCP implementation and coverage, the permit area, covered activities, method of take analysis and take assessment, conservation strategy, and implementation. Completion of these memos may include field work, but focused species surveys are not proposed as the distribution of suitable species habitats is well known within the City and surrounding areas. The mapping and modeling done as part of the EACCS and the RCIS have already documented suitable habitats, and species distribution is well informed through the implementation of the Stream Maintenance Program.

The Livermore HCP will be designed as an integrated plan to support streamlined permitting for other regulations including the federal CWA and state ESA and Porter-Cologne Water Quality Control Act. At a minimum, the City intends to engage CDFW as a partner in HCP development to ensure that the requirements of the HCP are consistent with California Endangered Species Act (CESA) permitting requirements to facilitate future Section 2081 Incidental Take Permit requirements and ensure conservation and mitigation for state listed species meets state requirements.

Regardless of the final scope of the Livermore HCP, this strategic planning work will rely upon previously completed technical studies relevant to this area. Specifically, the process will build upon, update, and refine the technical studies completed as part of the East Alameda County Conservation Strategy, East Bay Regional Conservation Investment Strategies effort, and the City of Livermore SMP, including land cover data,

habitat models, and occurrence data. The City will also review, and integrate as appropriate, the conservation goals of the East Bay Regional Conservation Investment Strategy, the Plan Bay Area Priority Conservation Area goals to support the states 30x30 Initiative and other regional conservation planning efforts

Other potential approaches for integrating the facilitation of regulatory compliance with State statues are discussed in the "Magnitude of HCP Impact: Regulatory Streamlining" section below. These approaches will be evaluated in the strategic planning phase.

Task 3. Develop Public Draft HCP
This task first includes the development of an Administrative Draft HCP for USFWS and CDFW review. The next step will be to respond to comments on the Draft HCP from USFWS and CDFW, and to develop the Public Draft HCP. The Public Draft HCP will be made available for public review and comment through the same public review process as required for the Public Draft NEPA and CEQA documents as a formal submittal of the Livermore HCP Public Draft.

Task 4. Public Draft CEQA and NEPA documents and Scoping
This task includes working with USFWS to determine the approach NEPA documentation. The City will select an approach to CEQA that compliments the NEPA approach, although it is assumed the HCP CEQA document will be separate from the NEPA document. Once the approach is determined, including the appropriate type of document and schedule, the City will work with USFWS to initiate NEPA document development and conduct applicable scoping. Once the type of document determined and associated scoping is conducted, the City and USFWS will oversee development of the Public Draft CEQA and NEPA documents, respectively. This task includes holding public meetings as required by NEPA and CEQA regulations. The Public Draft NEPA and CEQA documents will be made available for public review and comment. USFWS will publish a notice of availability (NOA) in the Federal Register.

This task includes the preparation of a PowerPoint presentation designed to explain the intent and purpose for preparing NEPA and CEQA environmental documents for the Livermore HCP to local officials, local agencies, and general public. The task includes poster boards, preparing handouts, sign-up sheets, comment cards and other miscellaneous meeting materials. The task also includes conducting at least two public meetings to solicit public input on the scope of the proposed NEPA and CEQA documentation and Livermore HCP and share the draft Livermore HCP when it is released. Two meetings is the minimum required to comply with NEPA and CEQA public process requirements. A third meeting will be held if determined necessary as a result of the public engagement process.

PROJECT (GRANT) TIMETABLE/MILESTONES:
Task 0. Preliminary Administrative Preparation (Pre-Award Match)This task will consist of City preparation for the project after federal grant award is announced, but prior to the execution of the payable grant with CDFW. Deliverables and timetable are discussed in the Methods/Approach section and Table 1, above.

Task 1 – Project Management and Administration
This task will consist of project management and administration to coordinate with CDFW and USFWS to manage all tasks presented in this scope including meetings, coordinate with the project team, and preparation and submittal of deliverables. This task will be ongoing during the length of the payable grant.

Task 2. Strategic Planning and Determining Scope of HCP: Strategic planning efforts will commence upon the City receiving the fully executed payable grant with CDFW and will continue through Year 1 of the payable grant. As discussed above, the City will build on the work already completed during development of the East Alameda County Conservation Strategy and SMP, as well as the data that has been collected over the last several years during implementation of the SMP.

Task 3. Develop Public Draft HCP: As the City completes various aspects of Task 2, it will begin to develop the administrative draft of the Livermore HCP document and seek review from the regulatory agencies. Since so much existing information is available from which to draw, the City anticipates concluding Public Draft development by the end of Year 2 of the payable grant. This task also includes formal submittal of the Livermore HCP Public Draft.

Task 4. Public Draft CEQA and NEPA documents and Scoping: Scoping is anticipated to occur at the beginning of Year 3 of the payable grant . Public Draft CEQA and NEPA documents are anticipated to be released for public review by the middle of Year 3 of the payable grant. This task will conclude with submittal of a complete section 10(a)(1)(B) permit application.

Applicant Commitments: Milestones and Period of Performance (PoP): The City commits to submit a complete section 10(a)(1)(B) permit application by the end of the three-year period of performance. The City therefore does not want to retain the ability to request an extension.

DESCRIPTION OF ENTITIES UNDERTAKING THE PROJECT: The City of Livermore is the subrecipient of this grant proposal. The City will hire one or more consultant(s) to support implementation of the project. In addition, the City will engage other partners and/or stakeholders as described below.

The City currently expects to be the sole HCP permittee and has conducted outreach to potential local stakeholders as part of the preparation process for this grant.

Stakeholders in the Livermore HCP planning process are anticipated to include, at a minimum, those listed in the table below.

Table 2. Stakeholder and Partners for City of Livermore HCP

Entity	Role	Contribution (cash or in-kind)
City of Livermore	HCP Permittee; responsible for preparation of public draft HCP and CEQA documents	City of Livermore Senior Civil Engineers will spend approximately 712 hours at a salary of $201 per hour including benefits, City of Livermore Assistant Civil Engineers will spend approximately 285 hours at a salary of $154 per hour including benefits, and City of Livermore Senior Planners will spend approximately 306 hours at a salary of $164 per hour including benefits to support the Habitat Conservation Plan process. The specific job duties which support the HCP include planning, preparing and reviewing studies and documents for the HCP, conducting outreach to possible HCP partners, coordinating and participating in public outreach and stakeholder activities, as well as oversight and management of the entire project. In total, the City of Livermore plans on donating approximately $237,000 for development of a Livermore HCP.
County of Alameda	Potential recipient of a certificate of inclusion; support implementation of the HCP	HCP review and feedback
Zone 7 Water Agency	Potential recipient of a certificate of inclusion, support implementation of the HCP	HCP review and feedback
Alameda County Resource Conservation District	Potential to support implementation of the HCP	HCP review and feedback
Livermore Area Recreation and Parks District	Potential recipient of a certificate of inclusion; support implementation of the HCP	HCP review and feedback
East Bay Regional Park District	Potential to support implementation of the HCP	HCP review and feedback

Coordination with USFWS Field Office: The City has been coordinating with the Sacramento USFWS Field Office regarding this effort since 2021 and has annual coordination with them in support of the Stream Maintenance Program. The local Field Office is aware and supportive of the City's intent to pursue an Incidental Take Permit under Section 10(a)(1)(B) through the HCP process. See Attachment 1 for correspondence.

ANTICIPATED OUTCOMES/ EXPECTED BENEFITS: Similar to how the East Alameda County Conservation Strategy currently works, the City anticipates that CDFW will be involved in the development of the Livermore HCP and that the Livermore HCP will address state listed species permitting and mitigation needs in addition to federal requirements. As such, the HCP is expected to establish an efficient and effective mechanism for the City to meet its operation and maintenance obligations while maintaining regulatory compliance with the ESA, California ESA, and CWA requirements. The Livermore HCP is anticipated to allow greater local control over conservation in the Livermore area, and result in an integrated and comprehensive approach to species conservation. The Livermore HCP is also expected to provide covered species conservation and improved aquatic resource management within the Livermore HCP plan area, which includes conservation areas of importance, including botanical priority areas for the East Bay and critical breeding habitat for covered and at-risk species. The City anticipates that the HCP will be developed to support the implementation of a forthcoming General Plan update that may include increased emphasis on protecting open space north of the City.

Previous Section 6 Nontraditional Awards: The City of Livermore partnered with CDFW to apply for and was awarded a Non-Traditional HCP Planning Assistance Grant in the early 2000s (roughly 2001). However, the City did not ultimately accept the subgrant or pursue an HCP as the City was not able to secure the support of all the proposed partners to proceed as proposed. Instead of proceeding with the HCP, the City worked with the supportive partners to develop an East Alameda County Conservation Strategy. This effort resulted in a Section 7 Programmatic Biological Opinion and a regional strategy that is the basis for project implementation and conservation in the region. This strategy goes a long way in streamlining projects; however, there is still a need for a City-wide HCP for projects that cannot be permitted under Section 7. None of the proposed work has been conducted using funding under a previous Section 6 grant.

MAGNITUDE OF SPECIES BENEFITS: HCP PLAN AREA CONSERVATION: The City will determine the final list of covered species for the Livermore HCP as part of this grant. Species that the City is considering covering under a Citywide Livermore HCP include those listed in Table 3. The magnitude of the benefit is based on the potential for protection, preservation, restoration and/or enhancement of covered species habitat within the plan area during the Livermore HCP term. The amount (in acreage) of species benefits will be defined during the HCP planning process.

Table 3. Federally Covered Species Proposed under the City of Livermore HCP

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Plants			
Palmate-bracted bird's beak *Cordylanthus palmatus* Federal Status: Endangered	The Livermore HCP has the potential to support preservation of the Springtown Alkali Sink which includes 1 of 29 known localities for the species and is the only extant population in the Livermore Valley. Per the USFWS 5-Year Review, the Springtown Alkali Sink is perhaps one of the most important sites to be protected given the severity of the threats at the site, as well as its geographic location in the Livermore Valley. The 5-Year Review identifies protection of 75% or more of the population at Springtown Alkali Sink and 75% or more of the occupied area and upland habitat for pollinators within 300 meters of the population margins is secured and protected. Restoration actions within suitable habitat will be considered if lands can also be preserved.	**High** HCP plan area includes location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the only extant population in the Livermore Valley. Palmate bracted birds beak is found the Springtown Alkali Sink which provides saline-alkali soils and upland pollinator habitat required for the species. The HCP will directly address three management goals as identified within the USFWS Recovery Plan and the 5-Year Review (1) Protection of occupied habitat in the Springtown Alkali Sink (2) Support implementation and update of the 1998 management plan and (3) Population estimates to document viability The Livermore HCP would support conservation goals identified in the Recovery Plan, the 5-Year Review (USFWS 2009a), East Alameda County Conservation Strategy (ICF International 2010), East Bay Regional Conservation Investment Strategy (ICF International 2019), and support goals for the East Bay California Native Plant Society's Springtown Botanical Priority Protection Area (Bartosh et al. 2010).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			There are known populations of palmate-bracted birds beak on privately owned lands within the Springtown Alkali sink that could be protected under this plan.
Invertebrates			
Vernal pool fairy shrimp *Branchinecta lynchi* Federal Status: Threatened	The HCP has the potential to include preservation of essential vernal pool habitat including acquisition and protection of parcels in the Altamont Hills Core Areas (Livermore) identified in the Vernal Pool Recovery Plan. Preservation of documented longhorn fairy shrimp habitat would meet the Recovery Plan conservation goals and objectives including fee title purchase or conservation easement.	**Low/Medium** HCP plan directly addresses one management action	Implementation of the HCP will result in the potential for protection of vernal pool habitats within the Plan Area. The HCP will directly address the management actions identified in the Recovery Plan goals if preservation occurs within occupied habitat. The extent of occupied habitat within the Plan Area is unknown, although it is relatively small as a percentage of this species range (USFWS 2005). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Longhorn fairy shrimp *Branchinecta longiantenna* Federal Status: Endangered	The HCP has the potential to include preservation of essential vernal pool habitat including acquisition and protection of parcels in the Altamont Hills Core Areas (Livermore) identified in the Vernal Pool Recovery Plan. Preservation of documented longhorn fairy shrimp habitat would meet the Recovery Plan conservation goals and objectives including fee title purchase or conservation easement.	**Low/Medium** HCP plan directly addresses one management action	Implementation of the HCP will result in the potential for protection of vernal pool habitats within the Plan Area. The HCP will directly address the management actions identified in the Recovery Plan goals if preservation occurs within occupied habitat. The extent of occupied habitat within the Plan Area is unknown, although conservation would contribute significantly as this species range is relatively small (USFWS 2005). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
Western bumble bee *Bombus occidentalis occidentali* Federal Status: At-Risk	Protection and management of suitable grassland habitat. Restoration and enhancement activities could be evaluated where appropriate.	**Low** HCP plan area includes the location for one critical life cycle functions	The HCP will protect and manage suitable grassland habitat. Occupancy of the species is unknown and a small percentage of this species' historic range occurs within the Plan Area (The Xerces Society et al. 2018).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Monarch butterfly *Danaus plexippus plexippus* Federal Status: Candidate (Listing warranted but precluded in 2020)	Protection and management of suitable habitat where host plants are found. Restoration and enhancement activities could be evaluated where appropriate.	**Low** HCP plan area includes the location for one critical life cycle functions	The HCP will protect and manage suitable grassland habitat. Occupancy of the species is unknown and a small percentage of this species' historic range occurs within the Plan Area (Jepsen et al. 2015)
Amphibians			
California tiger salamander *Ambystoma californiense* Federal Status: Threatened	The Livermore HCP will preserve high quality occupied breeding and upland habitat for dispersal and refuge within the Plan Area. The Plan Area is within the Central Valley Distinct Population Segment, part of the Central Valley Recovery Unit and within the Concord/Livermore Management Unit. This HCP would continue to support preservation opportunities in the North Livermore, Doolan Canyon and Springtown areas in the Arroyo Las Positas Watershed and within the Arroyo del Valle and Arroyo Mocho watersheds. Enhancement activities within these areas could also support continued persistence of the species and the metapopulation dynamics.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding (livestock ponds), feeding and sheltering (small mammal burrows within a matrix of grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the USFWS Recovery Plan including: (1) Protection of occupied habitat to maintain current distribution of the species (2) Development of adaptive management and monitoring plans in protected habitats

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			(3) Monitoring trends in population health and habitat loss in the HCP plan area Implementation of the Livermore HCP will result in protection of occupied habitats and continue to work towards the Central Valley Recovery Unit and Concord/Livermore Management Unit goals for delisting (USFWS 2017). Within this Management Unit, the target acreages for protected habitat have been met but the other delisting criteria must be met for the management unit to be considered recovered. The majority of the protected lands within the Management Unit are outside of the Plan Area and the efforts for protection and enhancement would support both local and regional connections between key habitat areas and existing protected areas.
Foothill yellow-legged frog *Rana boylii* Federal Status: At-Risk Central Coast Distinct	The HCP plan area is within the Central Coast Distinct Population segment (DPS). The Livermore HCP has the potential for protection and management of suitable stream habitats and associated uplands especially within the Arroyo Mocho watershed within the Central Coast DPS. Restoration and enhancement activities could be evaluated where appropriate.	**Medium** HCP plan area includes the location for all critical life cycle functions but magnitude of the benefit is	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (rocky cobble stream habitat in the Arroyo Mocho). The Livermore HCP has the potential to protect and manage suitable stream habitat within the CDFW CESA Endangered Western/Central Coast Clade

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Population Segment Proposed for Listing December 2021		ancillary to other covered species protection.	(CDFW 2019) where a small percentage of suitable habitat is protected. The magnitude of the benefit is medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
California red-legged frog *Rana draytonii* Federal Status: Threatened	The Livermore HCP will preserve occupied breeding and upland habitat for dispersal and refuge within the Plan Area and support restoration of natural communities that have been degraded or lost over time where possible. The Plan Area is within the South and East San Francisco Bay Recovery Unit, and the East San Francisco Bay Core Recovery Area. This HCP would continue to support preservation opportunities in the North Livermore, Doolan Canyon and Springtown areas in the Arroyo Las Positas Watershed and within the Arroyo del Valle and Arroyo Mocho watersheds. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species and the metapopulation dynamics.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple conservation needs as identified within the USFWS Recovery Plan for the East San Francisco Bay Core Area including: (1) Protect existing populations, (2) Avoid and reduce impacts of urbanization (3) Protect habitat buffers from nearby urbanization The South and East Bay Recovery Unit is considered to have a high potential for recovery status if recovery actions are implemented (USFWS 2002a). The high potential for recovery status it based on

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			many existing populations, many areas of high habitat suitability, low to high levels of threats. The Livermore HCP will support existing regional planning goals including the City's General Plan, East Alameda County Conservation Strategy and East Bay Regional Conservation Investment Strategy. Preservation of suitable habitats within the East San Francisco Bay Core Recovery Area will contribute towards federal recovery program goals.
Western spadefoot toad *Spea hammondii* Federal Status: At-Risk	Potential for protection and management of suitable stream habitats and associated uplands, especially within the Arroyo Seco watershed. Restoration and enhancement activities could be evaluated where appropriate.	**Low/Medium** HCP plan area includes the location for all critical life cycle functions but magnitude of the benefit is ancillary to other covered species protection.	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (grassland and riparian habitat). The Livermore HCP will protect and manage suitable grassland and riparian habitat. The species was observed in the Arroyo Seco at Sandia Labs in the 1980s, although current occupancy of the species is unknown (CNDDB 2021, #404). A small percentage of this species' historic range occurs within the Plan Area (Thomson et al. 2016). The magnitude of the benefit is low/medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
			ancillary to protection of habitats for other covered species.
Reptiles			
Northwestern pond turtle *Actinemys marmorata* Federal Status: At-Risk	Protection and management of suitable and occupied habitat. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the current Western Pond Turtle Range-wide Management Strategy including: (1) Secure long term conservation (2) Ameliorate and manage threats (3) Contribute to distribution and abundance surveys The Livermore HCP will protect and manage aquatic habitat and adjacent upland habitat which will provide direct benefits towards the Western Pond Turtle Range-wide Management Strategy within the species' range (ICF International 2010, Thomson et al. 2016).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Southwestern pond turtle *Actinemys pallida* Federal Status: At-Risk	Protection and management of suitable and occupied habitat. Enhancement and restoration activities within these areas including within City owned streams and channels could also support continued persistence of the species.	**High** HCP plan area includes the location for all critical life cycle functions and HCP will directly address more than one management action	The HCP plan area includes the location for all critical life cycle functions of the species – breeding, feeding and sheltering (livestock ponds, wetlands, streams, grazed upland grassland habitat). The HCP will directly address multiple management goals as identified within the current Western Pond Turtle Range-wide Management Strategy including: (1) Secure long term conservation (2) Ameliorate and manage threats (3) Contribute to distribution and abundance surveys The Livermore HCP will protect and manage aquatic habitat and adjacent upland habitat which will provide direct benefits towards the Western Pond Turtle Range-wide Management Strategy within this species range (ICF International 2010, Thomson et al. 2016). Alameda County is within the northern most part of this species range (WPTRCC 2020).
Alameda whipsnake *Masticophis lateralis euryxanthus*	The Livermore HCP has the potential to preserve core and dispersal habitat for Alameda whipsnakes within and adjacent to Recovery Units 4 and 5. Preservation of suitable habitat in the Arroyo Las Positas watershed adjacent to Los Vaqueros	**Medium** HCP plan area includes the location for all critical	The Livermore HCP will create opportunities to protect land within Recovery Units 4 and 5 which will contribute towards some protections for populations, contribute to recovery, or help preclude the need to list, but other

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
Federal Status: Threatened	Watershed Lands in Recovery Unit 4 and in South Livermore in the Arroyo Mocho and Arroyo del Valle watersheds near Recovery Unit 5 could support recovery plan goals of ensuring long-term protection of identified lands in Recovery Units, and protection in perpetuity of strategically situated focus areas.	life cycle functions but magnitude of the benefit is ancillary to other covered species protection.	actions are still necessary to achieve these goals (USWFS 2002b). The magnitude of the benefit is medium as the species is not anticipated to be highly impacted as part of the HCP therefore benefits will be ancillary to protection of habitats for other covered species.
Mammals			
Little brown bat *Myotis lucifigus* Federal Status: At-Risk	The Livermore HCP has the potential to preserve riparian habitats for which the little brown bat uses for roosting. Preservation of lands with structures could also benefit the species as they use buildings and attics as day, night and maternity roost sites.	**Medium** HCP plan area includes the location for two critical life cycle functions	The HCP plan area includes the location for two critical life cycle functions of the species – feeding and sheltering (streams and riparian tree habitat). Implementation will result in preservation of suitable riparian habitats which provide important foraging habitat and tree bark/hollow roost sites (CDFW 2005, Johnson et al 2019).

Covered Species	Expected Benefits	Magnitude of Benefit	Benefits (with sources)
San Joaquin kit fox *Vulpes macrotis mutica* Federal Status: Endangered	In the Plan Area preservation of suitable breeding and upland habitat. Within those areas, coordinate efforts to produce suitable habitat that creates connectivity with the S1-Alameda, Contra Costa, San Joaquin Satellite Recovery Area could be of benefit.	**Low**	Implementation of the Livermore HCP will result in the potential for protection of suitable grassland habitats within the Plan Area (USFWS 1998, USFWS 2008). Coordinated efforts could prioritize connectivity and wildlife crossings. The Species Status Assessment completed in 2020 provided an analysis on the current condition of San Joaquin kit foxes across geographic units. The “Livermore” units current conditions is “very low” and suggests that the population has a low probability of persistence (high extirpation risk). This species is included since it is a currently federally listed species for which habitat impacts may require federal permitting unless the listing status changes during the Livermore HCP term.

* *Actinemys marmorata* is currently listed as an At-Risk species by the Service, however, the Service is currently evaluating both *A. marmorata* and *A. pallida* for potential listing under the ESA (R. Olah, personal communication). Both species occur in Alameda County (WPTRCC 2020) and are therefore both included in the table to be evaluated under the HCP.

MAGNITUDE OF HCP IMPACT: REGULATORY STREAMLINING: The Livermore HCP will be essential to the City continuing to implement its necessary operations and maintenance activities while meeting regulatory requirements. The primary goal of the Livermore HCP is to pursue an ESA Section 10(a)(1)(B) permit by preparing a City-wide programmatic HCP to address listed species compliance needs through a comprehensive and thoughtful approach to both permitting and conservation. This would streamline the City's current permitting process for both routine maintenance and CIP projects, allowing the City to carry out projects that impact listed and at-risk species without writing an annual Biological Analysis and permitting process, while achieving higher quality conservation. For CIP projects, the City anticipates the Livermore HCP will significantly reduce the time delays in project implementation due to permitting needs, saving 12 months on average for projects requiring a project-level HCP. Over a 30-year HCP term, the City estimates saving approximately $6 million through regulatory streamlining due to reduced staff effort and consultant costs, as well as establishing a more efficient mitigation approach. Simultaneously, the City will benefit from reduced project delays and an improved ability to proactively maintain infrastructure and carry out projects that benefit the public.

The Livermore HCP development process will capitalize on the opportunity to streamline regulatory processes for related regulations at the state and federal level. The City currently expends significant annual resources to meet regulatory requirements for its Stream Maintenance Program and CIP projects. The Livermore HCP can be designed as an integrated plan to support streamlined permitting for other regulations including the federal CWA and state ESA and Porter-Cologne Water Quality Control Act. At a minimum, the City intends to engage CDFW as a partner in HCP development to ensure that the requirements of the HCP are consistent with CESA permitting requirements to facilitate future CESA permits, similar to how the current East Alameda County Conservation Strategy works. To address aquatic resource permitting, the HCP could be designed as a Watershed Plan to support the California Regional Water Quality Control Board (RWQCB) CWA 401 Water Quality certification and Waste Discharge Requirement needs and could be used to support a Regional General Permit to address CWA Section 404 compliance. For all of these programs, a standardized suite of best management practices and mitigation measures could be developed to address species habitat as well as aquatic resource protection, restoration, and enhancement. The City will explore various mitigation options, including advance mitigation based on regional conservation priorities as established by the recently approved East Bay Regional Conservation Investment Strategy.

LOCATION/MAPS: The City will determine the Livermore HCP plan area as part of the strategic planning conducted under this grant. The City expects that the Plan Area will include the current city limits, which encompasses approximately 17,000 acres, and portions of the surrounding watersheds within Alameda County that overlap city limits. Figure 1 provides a map of the City limits, the City's General Plan Planning Area, and surrounding watersheds within a regional context.

The lands in the greater Livermore area are typified by steep to rolling hills declining in slope as they progress toward the Livermore Valley they surround. The Livermore Valley is a moderately sloped to relatively flat valley that drains west ultimately into Alameda Creek and into San Francisco Bay. Elevation of the area ranges from approximately 300 to 600 feet above mean sea level. The greater Livermore Area supports 188 predominant land cover types, which were identified based on the East Alameda County Conservation Strategy (ICF International 2010) vegetation community and land cover data in combination with more focused ground-truthing where mapping conflicts were identified. Within the Plan Area, natural land cover types include alkali meadow and scalds, California annual grassland, mixed riparian forest and woodland, mixed willow riparian scrub, mixed evergreen forest/oak woodland, sycamore alluvial woodland, valley sink scrub, alkali wetland, perennial freshwater marsh, seasonal wetland, pond, and riverine stream and non-natural land cover types include vineyard, cropland, ruderal land, golf course/urban park, urban-suburban, and rural residential.

INFORMATION TO SUPPORT ENVIRONMENTAL COMPLIANCE REVIEW REQUIREMENTS:

- **ESA:** The purpose of this grant is to support development of an HCP compliant with ESA Section 10(a)(1)(b). The HCP has not yet been initiated so detailed conservation measures are not yet identified. However, as required by the ESA and other California species protection laws, the City anticipates that the HCP will include conditions on covered activities that are designed to avoid or minimize take. It is expected that these conditions on covered activities (also called avoidance and minimization measures) will be consistent with those included in the East Alameda County Conservation Strategy Biological Opinion. The work proposed under this project does not, in and of itself, require ESA compliance. No impacts anticipated.
- **NEPA:** NEPA is required for issuance of the ESA incidental take permit and work to complete NEPA is proposed. The work proposed under this project does not, in and of itself, require NEPA compliance. No impacts are anticipated.
- **National Historic Preservation Act (NHPA):** No impacts anticipated.
- **Bald and Golden Eagle Protection Act:** No impacts anticipated.

BUDGET NARRATIVE: Please see the attached 2022–2025 Multi-Year Budget for details on project cost. Partial funding for the project is practicable; however, if the project is not fully funded, additional funding would need to be identified and allocated causing completion of the HCP development and its attendant benefits to be delayed. See the task summary table, below, for a breakdown of project costs over the grant period.

General Expenses ($0): This project does not include any general expenses.

Minor Equipment ($0): This project does not require any minor equipment.

Major Equipment ($0): This project does not require any major equipment.

Travel/Training ($0): This project does not require any travel/training.

External Contracts ($700,000): An external contract will be extended to the City (the subrecipient), and the City will subcontract to one or more consultants. The external contract with the City will include time for the City's consultants. The external contract will also include miscellaneous direct costs associated with printing, mailing/shipping, meeting supplies, travel expenses, and other minor expenses as incurred.

Useful life ($0): This project does not include any capital improvements.

Program Income ($0): This project will not generate any Program Income revenue.

Match Description ($237,000): The sub-grantee (City of Livermore) will be providing third party match as staff support in the amount of $237,000 during the duration of the grant This constitutes a 25.29% in-kind match (see Attachment 2).

CONFLICT OF INTEREST DISCLOSURE: There are no conflicts of interest in this proposal.

UNIFORM AUDIT REPORTING STATEMENT: CDFW submitted a Single Audit Report to the California Department of Finance (DOF) for the most recently closed Fiscal Year. DOF compiles and submits a single Audit Report on behalf of the State of California. The report is available on the DOF website, located here: https://dof.ca.gov/programs/osae/california-single-audit-and-state-leadership-accountability-reports/

DISCLOSURE OF LOBBYING ACTIVITIES: No conflict.

OVERLAP OR DUPLICATION OF EFFORT STATEMENT: There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regard to activities, costs, or time commitment of key personnel. The City understands that if at any time the City receives funding from another source that is duplicative of the funding that is being requested from the U.S. Fish and Wildlife Service in this application, the City will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this funding opportunity in writing.

INDIRECT COST STATEMENT: CDFW is a U.S. State government entity receiving more than $35 million in direct Federal funding each year. The indirect cost rate proposals are submitted to the U.S. Department of the Interior. Currently, the approved FY22/23 rate is 12.96%. The future FY rate will be submitted for approval and is subject to change.

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USFWS. 2006. Endangered and threatened wildlife and plants: determination of critical habitat for the California red-legged frog. 71 FR 19243-19346.

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USFWS. 2020b. Species Status Assessment for the San Joaquin kit fox (*Vulpes macrotis mutica*) Version 1.0. August 2020, U.S. Fish and Wildlife Service

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PREPARED BY:
California Department of Fish and Wildlife and
City of Livermore

DATE: 6/21/2022

Upload #7

Applicant:	California Department of Fish and Wildlife
Application Number:	FWS-ES2022004420
Project Title:	Non-Traditional Section 6 (FY 2022) Livermore Habitat Conservation Plan
Status:	Submitted
Document Title:	SF424 B

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

RESOLUTION NO: 2023

A RESOLUTION APPROVING THE FILING OF A GRANT APPLICATION AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW), AUTHORIZING EXECUTION OF A FUTURE AGREEMENT TO PREPARE THE NON-TRADITIONAL SECTION 6 (FY 2022) LIVERMORE HABITAT CONSERVATION PLAN (PROJECT) AND AUTHORIZING THE CITY MANAGER TO SIGN ALL GRANT DOCUMENTS

WHEREAS, certain grant funds are made available annually on a competitive basis by the CDFW for COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND (NON-TRADITIONAL SECTION 6) PROGRAM (Grant Program) highest priority implementation tasks; and

WHEREAS, the grants are awarded pursuant to guidelines established by the CDFW for determination of project eligibility for funds; and

WHEREAS, said guidelines established by the CDFW require the CITY OF LIVERMORE (Grantee) to certify by resolution the approval to apply for, and accept grant funds, and provide authorization to enter into an agreement with the CDFW to implement the Project.

NOW, THEREFORE, BE IT RESOLVED that the Grantee approves the filing of the grant application and accepts the grants funds from the CDFW in the amount of $700,000 and provides authorization to enter into an agreement with the CDFW to implement the Project.

IT IS FURTHER RESOLVED that the Grantee appoints the CITY MANAGER or designee as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, and payment requests, which may be necessary for the completion of the Project. The CITY MANAGER is authorized to take necessary and appropriate actions in order to carry out the purpose and intent of this resolution, including signing a future agreement and approving minor changes to the agreement upon approval by the CDFW.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023**,** by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Assistant City Attorney

RESOLUTION NO. _____

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.8**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Jeramy Young, Police Chief

SUBJECT: Resolution authorizing an increase of an existing 0.5 full-time equivalent (FTE) Horizons' Family Therapist to a 0.75 FTE Family Therapist to provide school-based counseling in designated schools within the Livermore Valley Joint Unified School District (LVJUSD) and funded by LVJUSD.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing an increase of an existing 0.5 full-time equivalent (FTE) Horizons' Family Therapist to a 0.75 FTE Family Therapist to provide school-based counseling in designated schools within the Livermore Valley Joint Unified School District (LVJUSD) and funded by LVJUSD.

SUMMARY

On October 1, 2022, Horizons Family Counseling was awarded $120,000 this fiscal year and $120,000 next fiscal year (total $240,000) from the Livermore Valley Joint Unified School District (LVJUSD) to provide school-based counseling in designated schools within LVJUSD. These funds allow an expansion of mental health related services to six elementary schools, two middle schools, and one high school.

In order to provide these services, additional clinical support is required. There is currently a 0.5 FTE Family Therapist that staff would like to increase to a 0.75 FTE. The expansion of hours for an existing Family Therapist is beneficial for families and students within LVJUSD by receiving accessible mental health services at no cost to the family. These services would also allow students to receive quality and consistent treatment that may not be available to them outside of school. Horizons Family Counseling would facilitate additional support for school staff due to the high need children and teenagers are demonstrating over the past few years.

DISCUSSION

One of the services provided by Horizons Family Counseling, a division within the Police Department, is mental health services to support and strengthen youth and their families. Mental health is an important

part of an individual's well-being and impacts how a person operates psychologically, emotionally, and socially among others. It is critical for youth to receive mental health support due to these years being highly focused on development. Awareness, prevention, and early intervention are key to helping an individual be successful in many aspects of their lives.

For over 20 years, LVJUSD and Horizons have been working together to build strong and resilient youth. LVJUSD has received $90,000 from the Federal American Rescue Plan Act/Mental Health Student Services Act, which allows youth to access mental health services in locations that are easily accessible to students and their families such as schools. In addition, LVJUSD has received $30,000 from the Student Behavioral Health Incentive Program to support school-based counseling services. Horizons Family Counseling has been chosen by LVJUSD, as a sub-recipient of these grants, to receive $120,000 annually for the next two years to provide school-based counseling services for Livermore youth.

FISCAL AND ADMINISTRATIVE IMPACTS

Increasing the existing 0.5 FTE Family Therapist to a 0.75 FTE will be funded entirely by the LVJUSD annual award of $120,000 and would cause no increase to the City's general fund budget. The additional hours added to this position are dedicated to school-based counseling services. This will continue to be a "limited duration" position.

ATTACHMENTS

1. Resolution
2. Exhibit A - Family Therapist job classification

Prepared by: Asceneth Paez-Arroyo
Youth and Family Services Manager - Clinical

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING AN INCREASE OF AN EXISTING 0.5 FULL-TIME EQUIVALENT (FTE) FAMILY THERAPIST TO A 0.75 FTE FAMILY THERAPIST FOR HORIZONS FAMILY COUNSELING

Horizons Family Counseling, a division of the Livermore Police Department, has been awarded $240,000 in grant funds from the Livermore Valley Joint Unified School District (LVJUSD) to provide school-based counseling at designated LVJUSD schools.

Due to the increased level of need amongst Livermore students over the past few years, LVJUSD wants to increase its collaboration with Horizons Family Counseling to offer equitable and accessible mental health services for Livermore families. Approval of an increase of existing 0.5 FTE Family Therapist to a 0.75 FTE Family Therapist enables Horizons Family Counseling to expand its services to those individuals that may or may not be able to receive mental health related services outside of school. The current job description for the Family Therapist position is attached to this resolution as Exhibit A.

Approval for an increase of an existing 0.5 FTE Family Therapist to a 0.75 FTE Family Therapist would not increase the general fund contribution to the budget. The additional cost of this position would cost no more than $94,000 per year paid by the funds received by LVJUSD, and it will continue as a limited duration position.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that it hereby authorizes the increase of an existing 0.5 FTE Family Therapist to a 0.75 FTE Family Therapist.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 13, 2023, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Jason Alcala
Jason Alcala
City Attorney

Exhibit A - Family Therapist Job Description

RESOLUTION NO. _____

EXHIBIT A

Family Therapist

LIVERMORE

Class Code: 950

Bargaining Unit: Association of Livermore Employees

CITY OF LIVERMORE
Revision Date: Apr 27, 2021

SALARY RANGE

$7,538.84 - $9,136.47 Monthly

DESCRIPTION:

DEFINITION

Under general supervision, the Family Therapist provides crisis intervention and individual, family, and group therapy for families of minors of the Tri-Valley; and performs other duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Family Therapist is distinguished from the Youth Services Case Coordinator in that the latter is field community oriented and does not require a professional California licensure as a Marriage and Family Therapist (M.F.T.), Licensed Clinical Social Worker (L.C.S.W.) or Clinical Psychologist. The Family Therapist is further distinguished from the Youth & Family Services Manager - Clinical in that the latter manager provides oversight and clinical supervision of staff and functions of the Horizons Youth and Family Services Program.

SUPERVISION RECEIVED

General supervision is provided by the Youth & Family Services Manager - Clinical.

SUPERVISION EXERCISED

May provide lead direction to professional, clerical, temporary employees, and volunteers. May provide clinical supervision to student interns/trainees.

EXAMPLES OF IMPORTANT AND ESSENTIAL FUNCTIONS:

Clinical Functions
Performs individual, family, and group counseling to enhance mental and emotional health using a variety of therapeutic and counseling techniques; conducts intake assessments to determine type and severity of problems; determines counseling objectives; establishes diagnostic and treatment plans; conducts immediate crisis intervention as necessary for families in immediate distress; works with resistant families referred by police for law violations or school attendance review boards; receives and reviews request for services from police officers, school authorities, youth or their parents or other governmental agencies; coordinates with probation department for youth involved with the Alameda County Probation Department; reports on assigned cases to manager; rotates assignments with other

EXHIBIT A

counselors; may participate on county and local multi-disciplinary teams such as school district School Attendance Review Board (SARB) meetings and mediation meetings with County of Alameda Probation Department; and participates in a team environment to develop/implement client case plans.

Administrative Functions
Maintains accurate, confidential client records; prepares oral and written studies, reports, and recommendations according to established policy and procedure as required by the responsible agency; documents monthly statistics; works cooperatively with other departments and agencies; and utilizes a computer and specialized software.

JOB RELATED AND ESSENTIAL QUALIFICATIONS:

Demonstrated Knowledge of:

General fields of psychology and sociology or social work; child and adult development; personality theory; psychopathology; theory and practice of counseling, including the family as an interactional system; causes and treatment of juvenile delinquency; law and organization of the juvenile justice system; effective communication techniques; operation of modern office equipment; and computer operating systems and software applications including word processing, spreadsheet, and database applications.

Demonstrated Skills to:

Effectively counsel an entire family of ambivalent clients; facilitate making explicit underlying issues and involvement of all family members, starting with first contact; maintain clear boundaries of responsibility between counselor and family members; maintain good working relations with colleagues, supervisor, police administration, other City employees, and representatives of other community agencies; develop a close working relationship with law enforcement and the Crisis Receiving Home; work effectively with all family members, including those who display irrational behavior and express unreasonable demands without taking responsibility for the actions of others or the consequences thereof; formulate systemic interactional hypotheses and treatment plans; present cases orally and in writing for clinical supervision and group consultation; investigate and prepare reports and recommendations for requests for petitions for truancy from the county superintendent of schools; minimize both the use of crisis shelter care and requests for petitions under Section 601 of the Welfare and Institutions Code; and exemplify an enthusiastic, resourceful and effective customer service attitude with those contacted in the course of work.

Ability to:

Work with local police and school organizations; learn and refer clients to local resources and services; learn the appropriate use of county shelter care; learn provisions and implementation of Comprehensive Youth Services; learn juvenile justice diversion and status offender services; and comply with the Police Department's General Orders, the City's rules and regulations and other policies.

Experience, Education and Training Guidelines:

Any combination of experience, education, and training that would provide the best qualified candidates. A typical way to obtain the knowledge, skills and abilities would be:

Experience: One year of experience counseling families of youth including crisis intervention and family therapy.

EXHIBIT A

Education: Equivalent to a Master's Degree in Counseling, Psychology, Social Work or related field.

Training: Any recent training such as academic courses and certification programs which are relevant to this job classification.

Certification: Current licensure or eligibility for state professional licensing required (Marriage and Family Therapist (M.F.T.), Licensed Clinical Social Worker (L.C.S.W.) or Clinical Psychologist), as confirmed by state registration.

License: May require the possession of a valid California driver's license and a satisfactory driving record as determined by the City of Livermore.

Other Requirements: Willingness and ability to work scheduled and emergency overtime; work evening hours, holidays, and weekends; be available on stand-by and call back, as required; travel out of town and attend meetings, conferences, and seminars during work and non-work hours.

Special Requirements: Essential duties may require the mental and/or physical ability to work in a standard office environment; utilize a computer; converse and listen to clients by telephone and in person; speak to large groups and be clearly understood; safely lift and maneuver office supplies weighing up to 10 pounds; ability to sit for hours at a time; and take notes and fill in report forms.

FLSA:

Non-Exempt.

BARGAINING UNIT:

Association of Livermore Employees

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 7.1**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Discussion and direction regarding Planning Commission interview and candidate selection process.

RECOMMENDED ACTION

Staff recommends the City Council review the 14 Planning Commission applications received, select 6 candidates to move forward in the live interview process on March 2, 2023, and appoint a City Council subcommittee to draft interview questions.

SUMMARY

The Planning Commission consists of five members who are interviewed and appointed by the City Council. As of March 1, 2023, there will be a total of three seats vacant or available for reappointment. City staff conducted a recruitment from December 16, 2022 - January 27, 2023, and received a total of 14 applications. Candidate interviews are scheduled for March 2, 2023, at 5:00 pm. Due to the large number of applications, staff recommends the City Council review applications, select the top six candidates to participate in the interview process, and appoint a subcommittee to review and select interview questions.

DISCUSSION

The Planning Commission consists of five members who are interviewed and appointed by the City Council. Members are limited to serving two consecutive four-year terms, after which they may be appointed to the Planning Commission following a two-year break in service. Preference is for at least two members to have demonstrated ability in the area of design by virtue of avocation, vocation, talent and interest in design, architecture, landscape architecture, or a related field.

As of March 1, 2023, there will be a total of three seats vacant or available for reappointment. The two eligible incumbents include Jacob Anderson and John Stein. The recruitment for these vacancies began December 16, 2022, with advertisements being published in The Independent newspaper, on the City's website, and distributed across the City's social media platforms. An informational meeting was held on January 17, 2023, and interested applicants were encouraged to attend. As of the application deadline of

5:00 pm on January 27, 2023, 14 applications were received.

Candidate interviews are scheduled for March 2, 2023, at 5:00 pm. Due to the large number of applications, staff recommends the City Council review applications, select the top six candidates to participate in the interview process, and appoint a subcommittee to review and select interview questions. Municipal Code Chapter 2.55 describing the Planning Commission's membership, duties, and responsibilities, is attached for reference.

ATTACHMENTS

1. William Aboumrad
2. Jacob Anderson
3. Erik Bjorklund
4. Carmelita (Mel) Chiong
5. Zachary Consenza
6. Parker Ehret
7. Yolanda Fintschenko
8. Constance Kopps
9. Tracy Kronzak
10. Alan Marling
11. Neal Pann
12. Julie Perea
13. John Stein
14. Asa Strout
15. Livermore Municipal Code 2.55

Prepared by: Marie Weber
City Clerk

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

City of Livermore

Advisory Body Application

Profile

William (First Name) | M (Middle Initial) | Aboumrad (Last Name)

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94550 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

☑ District 4

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

25

Do you work in Livermore?

◉ Yes ○ No

Legacy Real Estate & Associates (Employer) | Broker/Owner (Job Title)

Education

• Juris Doctor degree, Southwestern University School of Law, California, 1985 o Emphasis in Real Estate Transactions and Real Estate Finance • Bachelor of Science Degree in Political Science, Santa Clara University, 1982

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

January 17, 2023

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I have always had an interest in land use and planning. Being in the real estate business for over 35 years and working on several development projects in my career gives me a unique perspective and vision when I look at a proposed project.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I have been very active in my community. I was the founding President of the Tri-Valley Housing Opportunity Center for 2 years. I have served on the Las Positas Foundation Board for 2 years. I have been involved in Livermore Rotary. I was President of Granada Little League for 3 years and served on their board for 10 years. I have coached Baseball, Rugby, and Soccer. I have been a volunteer umpire. I have been the site director for the Little League Intermediate World Series for the past 8 years, and was recently named the Tournament Director of that event. I volunteered as a Physical Education teacher at Smith Elementary School.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have worked on several land development projects from start to finish. I was involved in a 27 unit townhome project. I was involved in the design and construction of my office building in Fremont. I have worked on a number of entitlement projects, including but not limited to, a 10 unit townhome project in Fremont, the Orchid Ranch project in Livermore which Ponderosa Homes eventually purchased and built.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

My interpretation of what the planning commission does is to advise the City Council on projects that are submitted and presented to the City of Livermore. The commission is there to advise the Council on matters related to growth, development, and conformity with the City's general plan. The Commission administers the zoning and subdivision ordinances and makes recommendations or offers potential solutions to issues that may arise when reviewing a project. I believe with my background in real estate that I can bring a very balanced and objective approach to reviewing matters before the planning commission.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

My interpretation of what the planning commission does is to advise the City Council on projects that are submitted and presented to the City of Livermore. The commission is there to advise the Council on matters related to growth, development, and conformity with the City's general plan. The Commission administers the zoning and subdivision ordinances and makes recommendations or offers potential solutions to issues that may arise when reviewing a project. I believe with my background in real estate that I can bring a very balanced and objective approach to reviewing matters before the planning commission.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

I believe the Planning Commission will best be able to assist the City Council in implementing their goals and strategies by offering guidance and possible options and solutions that comply with existing ordinances so that they can reach their objectives of continued downtown vibrancy, housing initiatives, general plan update, stormwater management, and workplace enhancements. My goal would be to gather as much information as we can so that we can give the Council good advice to make an informed decision.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ City Website

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

None

BILL ABOUMRAD

My wife and I have lived in Livermore for 25 years and raised our family here. Our two boys have gone from elementary school through Junior College in Livermore. I have been a business owner in Livermore for over 20 years and have been very active in the Community. I have done a lot of volunteer work in the Community mostly in the area of youth sports, affordable housing, and education. I have coached baseball, soccer and rugby. I worked on several of the parcel tax initiatives for the schools. I was the founding President of the Tri-Valley Housing Opportunity Center. I have worked very closely with LARPD as the field and site director for the Little League Intermediate World Series. I was recently named the Tournament Director for that annual event.

As a Broker/Owner, Realtor, Development Consultant, and longstanding member of the Community, I can bring a unique perspective to the Planning Commission. My approach has always been one of balance, objectivity, and sensibility. As a Broker/Owner of a large company, I deal with staff, budgets and dispute resolution on a regular basis. As a Realtor, I negotiate with the parties to put and keep transactions together; thereby, creating a win-win scenario for all the parties involved. As a Development Consultant, I have always worked hard with City Staff to ensure that projects that I am working on make sense not only for the Developer but are beneficial to the Community. As a planning commissioner, I would base my decisions on reviewing the agenda items from all angles, listening to input from all concerned parties, and working within the law.

I believe with my background, community involvement, and work experience; I could be an asset to the Planning Commission.

City of Livermore

Advisory Body Application

Profile

Jacob (First Name) | M (Middle Initial) | Anderson (Last Name)

Pronoun (s)

He/Him

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94550 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

37

Do you work in Livermore?

- (•) Yes
- ( ) No

Livermore Valley Joint Unified School District
Employer

Teacher
Job Title

Education

California State University East Bay, Single Subject Teaching Credential in Social Sciences Azusa Pacific University, BA in Social Science Livermore High School

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

Since I am currently on the Planning Commission, I have been to every meeting over the past 4 years except for 3 of them.

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

Since I was young, I have had a love for city planning. I can remember at an early age spending hours playing the original SimCity. As I grew older, I became more and more interested in what Livermore had planned for the future. I would go to the Livermore Library in my late teens and check out the city's Downtown Specific Plan. This passion not only led me to become more interested in design but also more civically involved. Most importantly, I have a passion for the city of Livermore. Being born and raised here has only strengthened my passion for this city. Livermore has such a variety of things to love about it: everything from its rich history, to its beautiful scenery, to the amazing and diverse people (past and present) that live here. Livermore's original identity was built by two distinct groups: Winemakers and Ranchers. Later with the addition, of two national labs, and the growth of the arts, Livermore's character became based on Wine, Ranching, Science, and the Arts. These groups can all have very different identities and beliefs yet they all worked together to make Livermore an amazing place. I believe that this foundation of different groups working together is what makes Livermore's people so amazing. As new groups of people with different belief systems and cultures come into Livermore, we continue to strive to be a welcoming community that continues to work together to keep Livermore an amazing place. This passion for design and love for Livermore has led me to seek a spot on the Planning Commission. I would love to be able to serve the community that I love through an area where I am also passionate.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

Over the course of my adult life, I have tried to help increase my engagement in the Livermore Community. Over the past several years I have helped co-found 2 organizations to help the civic engagement of the Livermore community (Build Downtown Now and Unify Livermore). While Build Downtown Now focused on engaging the public on Livermore's downtown development, Unify Livermore's purpose was to engage, educate, and advocate on a broad range of issues. Since then I have participated in the civic process by speaking at council meetings until I was appointed to the Livermore Planning Commission 4 years ago. For the past 4 years, I have participated as an active member of the Planning Commission. I've enjoyed working with several different commissioners over the past 4 years. Besides my involvement in the city government, I must mention one of my biggest connections to the Livermore community is through my full-time job. Being a teacher in the Livermore school district has given me the ability to connect with the community of Livermore in a unique manner. I have taught at every middle school in the Livermore School District, except one (East Ave. where I attended as a student) and three of four high schools (Vineyard being the exception). Through my 15 years of work at the Livermore Valley Joint Unified School District, I have become well-connected through the many different committees and roles. I have served as the English Learner Liaison at both Del Valle High School and Christensen Middle School by running English Language Advisory Committee meetings at both schools and serving as a connection between the non-English speaking community and the respective schools. I have also served as the representative for Del Valle on the school district's Faculty Communication Council. The council meets with the superintendent to discuss issues that the school district might face. These roles and responsibilities have shown me how to both listen to concerns and to make sure that those concerns are heard. It also has deeply embedded me in the community where I live.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

My largest experience in the above areas is my four years on the Livermore Planning Commission. During these four years, I have learned so much about all of the above areas. One of the most important tasks is to take the council's direction through their goals and priorities and help implement that through the planning process. That is why I feel it is important to watch as many council meetings as possible to understand the council's direction on different items. My experience of reviewing applications, and then seeing city council then deliberate on those applications has helped me better understand the council's direction each time. This repeated process has improved my ability to understand and create more objective standards. This is extremely important as we finalize our general plan. Outside of my Planning Commission experience, I have learned quite a bit in all sorts of different design disciplines. From a young age, I had a strong interest in city planning and architecture. I found this love for design grow through working in my family's library shelving and furniture installation business. I got to see many different and unique libraries (public and schools). As I became a homeowner I developed skills to take my love of architecture and design to a new level. I was able to start learning different skills. I would design a space and be able to apply my new building skills to complete that design. When I lived in Springtown I started with a complete re-design of my backyard and then implemented that design. This not only included a complete landscape design, but sprinkler planning, and design and construction of different elements. Some of these elements include furniture, an outdoor kitchen, and regulation horseshoe pits. After the success of my backyard re-design, I started to apply my new skills to create a beautiful drought-tolerant front yard. Besides my personal experience as a commissioner and homeowner, I have continued my informal education in city design. I have learned about exciting ways to implement safer biking and walking in cities, how land use can help in the fight against climate change, and how economics plays a major role in land use and design.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

The planning commission's role is typically quasi-judicial. Typically we take the applications presented to us and make our judgment on whether or not it meets the goals and guidelines of the City's guiding documents. Through this process, the Planning Commission works to listen to as many voices as possible in making their decision. As I stated in my application 4 years ago, I feel the biggest contribution I can make to the planning commission will be in community engagement. Engagement is not just getting the community to come to Planning Commission meetings, but to listen and educate as many people as possible. Engaging and listening to citizens is pivotal. The decisions that are made by the Planning Commission must also be in the best interest of the people of Livermore. This means that the Planning Commission will act like a judge in deciding the development of Livermore. Over the next year or so, the Planning Commission will also have an increased advisory role in the development of the General Plan and other guiding documents. I believe that I am uniquely equipped to help understand and interpret the Livermore community's hesitation in regard to Livermore's future and in turn be able to make valuable suggestions when developing documents like the General Plan and updates to our design guidelines.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

As I shared in the previous question, The planning commission's role is typically quasi-judicial. Typically we take the applications presented to us and make our judgment on whether or not it meets the goals and guidelines of the City's guiding documents. This can be done by making direct findings in the guiding documents on whether an application or recommendation is in accordance with those guiding documents. The Planning Commission also has an advisory role in many aspects as well. As the city adopts a new General Plan, the Planning Commission will lend input on the different elements of the General Plan. Also, the Planning Commission can advise on some of the legislative decisions that the council has decided to propose. This includes amendments to the General Plan and/or Design Guidelines. The Planning Commission also provides guidance on whether a proposed ordinance is compliant with the General Plan.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

Four out of five of the current council goals have direct ties to planning and will involve the Planning Commission. The commission has and will continue to review applications involving downtown, affordable housing projects, and stormwater projects. Also, every proposed project will need to be looked at in a way to help mitigate stormwater runoff and manage city assets. The Planning Commission has a large role in helping in the development of our updated General Plan. The Commission will provide input on many aspects of the General Plan.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Other

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Jacob Anderson

[redacted]
Livermore, California, United States

Experience

Planning Commissioner - March 2019 - Present (3 years 11 months)
City of Livermore

High School/Middle School Teacher - August 2008 - Present (14 years 5 months)
Livermore Valley Joint Unified School District

Co-Founder & COO - February 2018 - March 2022 (4 years 2 months)
Unify Livermore

Substitute Teacher - January 2007 - June 2008 (1 year 6 months)
Livermore Valley Joint Unified School District

Assistant Football Coach - August 2007 - November 2007 (4 months)
Livermore Valley Joint Unified School District

Recreation Specialist May 2006 - Aug 2007 (1 year 4 months)
Livermore Area Recreation and Park District

Education

California State University East Bay - 2007 - 2008
Single Subject Teaching Credential, Social Sciences

Azusa Pacific University - 2002 - 2006
Bachelor of Arts - BA, Social Sciences

Honors & Awards

Exemplary Teaching Award - City of Livermore & St. Mathews Church
March 2013

City of Livermore

Advisory Body Application

Profile

Erik (First Name) | S (Middle Initial) | Bjorklund (Last Name)

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94551 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 2

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

33

Do you work in Livermore?

- ○ Yes
- ◉ No

TJKM Transportation Consultants
Employer

Senior Transportation Engineer
Job Title

Education

Associate of Applied Science - ITT Technical Institute, Sacramento University of California Berkeley Extension - Fundamentals of Signal Design, Timing of 170 Controllers, Construction Inspection of Traffic Signals

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

Dec.20 -

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I spent 6-years on the planning commission from 2014-2020 and would like to continue to provide my expertise and knowledge to the city.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I spent 6-years on the planning commission from 2014-2020 and also volunteer for trail work on the local trails and in Tahoe.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have 6 years experience being on the Livermore Planning Commission and for the last 32-years have worked in the Transportation, planning and design field for northern California cities. I have also volunteered as a judge for the ACE Mentor Program (Architecture, Engineering & Construction). This program is to engage, excite and enlighten high school students to pursue careers in ACE. I am also a General Contractor and have built a few custom homes in the city of Livermore.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

Having served on the Livermore Planning Commission for 6-years and being Chair three times, I have a wealth of experience and fully understand the process. I enjoy the city of Livermore and want to help shape the future of this city.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The PC will assist the City Council to achieve the Goals and Priorities by having knowledgeable Commissioners, who are passionate about the city we live in.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

Again, the PC will assist the City Council to achieve the Goals and Priorities by having knowledgeable Commissioners, who are passionate about the city we live in. The Goals & Strategic Priorities for 2021-2023 are very important and I agree with the priorities. Asset Management is critical to the cities health. I served on the Downtown Steering Committee, so the downtown is close to my heart. I love our downtown and will help anyway I can to make sure it stays healthy and vibrant. I also applied for the GP update committee, since my background is in Transportation, Biking and Construction. Homelessness is an issue not just facing Livermore, but Livermore needs to address the issue. Livermore seems to have double the homeless population than the rest of the Tri-Valley combined. Affordable Housing is the key to having a place to live for everyone and with the rent and home prices so high it can really help the low income folks. Finally the city needs to modernize to keep pace with the ever changing world. I have attended the Affordable Housing Tour and been to many groundbreaking ceremonies in Livermore. The PC will review and comment on these priorities and assist the Council on refining the procedures.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted].

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

- [x] Social Media (Instagram, Facebook, Twitter, NextDoor, etc.)

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

- [x] I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

- [x] I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

[redacted]

AREAS OF EXPERTISE

- Street & Highway Lighting
- Traffic Signal Design & Modification
- Signing & Striping Design
- Building/Construction
- Arterial/Interchange Design
- AutoCAD
- Traffic Handling Plans
- Interconnect

YEARS OF EXPERIENCE

33

PROFESSIONAL HISTORY

TJKM	1990 – Present
City of Brentwood	2000 – 2002

EDUCATION

AS Computer-Aided Drafting Technology, ITT Technical Institute Sacramento, CA

Fundamentals of Traffic Signal Design, Basic 170 Controller Course, & Construction Inspection of Traffic Signals
University of California, Berkeley Extension

PROFESSIONAL SOCIETIES

City of Livermore, Planning Commissioner for 6-years and chair 3-times

Institute of Transportation\Engineers (ITE)

Mr. Bjorklund has 33 years of design experience, including 31 with TJKM. He has been the Project Manager and Lead designer for more than 1500 signal design, modification, and signal interconnect projects throughout California, and has prepared hundreds of miles of signing and striping (S&S) design plans using AutoCAD. Mr. Bjorklund has extensive experience performing field analyses to determine geometric configurations of intersections, and has conducted many peer reviews of other designers' work, providing clients with useful design modifications. During his tenure with the City of Brentwood, Mr. Bjorklund plan checked Joint Trench, Interconnect, Fiber Optic, Street Lighting, Traffic Signals, and Signing and Striping Plans.

Many of the design projects Mr. Bjorklund has led and managed include Caltrans coordination and obtaining encroachment permits. His familiarity with Caltrans' design standards results in minimal plan check revisions, moving design projects efficiently through the Agency's approval process. TJKM's design projects often include construction support services and Mr. Bjorklund has established a good working relationship with many of the developers and contractors in the Bay Area.

Mr. Bjorklund also had his own Construction Company and built Custom Homes in Livermore, Pleasanton and Danville that ranged in size from 3,500-5,000 square feet. Mr. Bjorklund also designed and drafted one of these houses. Mr. Bjorklund is very familiar with the process of getting plans approved by the local jurisdiction.

Erik Bjorklund

PROJECT MANGER & SENIOR TRANSPORTATION ENGINEER

Project Experience

Complete Streets

- Charleston-Arastradero Corridor Improvements, Palo Alto
- Mary Avenue Street Space Allocation Study & Environmental Documentation, Sunnyvale

Intelligent Transportation System Design

- Webster Street SMART Corridor Project, Alameda
- Route 238 Advanced Traffic Management System & Corridor Improvements Projects, Hayward
- ITS & Signal Synchronization Project, Visalia
- Grant Line Road CCTV Cameras Design, Tracy
- City of Dublin Signal Interconnect System (Various Projects), Dublin
- Advanced Traffic Management System, Mountain House
- Signal Modifications at 4 Locations, Sunnyvale

Street Lighting

- PS&E for Fremont Boulevard & Landings Parkway, Fremont
- South Main Street at Broadway Plaza & South Main Street at Newell Avenue, Walnut Creek
- I-880 HOV Lane Widening Project, Santa Clara County
- I-580/Castro Valley Interchange PS&E, Alameda County

Traffic Signal, Signing, & Striping Design

- Traffic Design Services at Civic Center Drive, Fremont
- Traffic Design Services at Dixon Landing Road & McCarthy Drive/Fremont Boulevard, Fremont
- Traffic Design Services at Paseo Padre Parkway & Capitol Avenue, Fremont
- Cordes Ranch Phase 1A/1B/1C/1D/1E/1F, Tracy
- Rohnert Park Traffic Signals, Rohnert Park
- Santa Fe Street Signal Installation & Fiber Interconnect Project, Visalia
- Wallis Ranch Traffic Signal Modification/S&S, Dublin
- Fair Oaks/Howe Signal Modification, Sacramento
- Traffic Signal PS&E Moller Ranch, Dublin

- PS&E Modifications at Dublin Boulevard/Golden Gate Drive, Dublin
- Bay Road Improvements, East Palo Alto
- Signal Modification at Remington Drive/Bernardo Avenue, Sunnyvale
- Engineering Design for 2 Intersections, Sunnyvale
- Signal Modification at Paly High & Embarcadero, Palo Alto
- Livermore Premium Outlets, Livermore
- Benjamin Holt Drive & Cumberland Place Traffic Signal Installation, Stockton
- Benjamin Holt Drive & Inglewood Avenue Traffic Signal Installation, Stockton
- Mountain View Union Pacific Railroad Pre-Signal, Fresno County
- Pacific Commons Area – 5 Signals, Fremont
- Mustang at Central Signal Design & Modification, Mountain House
- Mustang at Tradition Signal Design & Modification, Mountain House
- Central at High School Signal Design, Mountain House
- El Charro Specific Plan Improvement Project, Livermore
- Positano Parkway/Fallon Road at Central Parkway, Dublin
- Jordan Ranch, City of Dublin
- Traffic Signal/S&S Design Project, Pleasanton
- Traffic Signal/S&S Design Project, Livermore
- Community of Mountain House Traffic Signal/S&S Design Project, San Joaquin County
- University Avenue/Bell Street & East Bayshore Road/Pulgas Avenue Signal Modifications, East Palo Alto
- Airport Way at Park Street, Oak Street, & Fremont Street Traffic Signal Modifications, Stockton
- Blaker Road/Service Road New Signal, Ceres
- Don Pedro Road/Central Avenue New Signal, Ceres
- Business Center Drive – 7 Signals, Fairfield
- Abel Street – 6 Signals, Milpitas
- Herndon Avenue – 5 Signals, Fresno
- El Camino Real (SR 82) – 10 Signals, San Mateo
- Lone Tree Way – 12 Signals, Antioch
- Columbus Parkway/Regents Park Drive Signal Design, Vallejo
- Doolittle Drive/Eden Road Signal/S&S Design, San Leandro
- Vineyard Avenue/Bernal Avenue Signal Modification Update, Pleasanton
- High School Avenue/East Street Signal Modification, Concord
- River Island Parkway/McKee Boulevard Traffic Signal/S&S Design, Lathrop
- The Vines at S. Vasco Road & East Avenue S&S Design, Livermore
- Arnaudo Boulevard Signal/S&S Design, San Joaquin County
- San Bruno Avenue/Shelter Creek, San Bruno
- Silvera Ranch Development Signal & Interconnect/S&S Design, Dublin
- Cottage Avenue/North Street, Manteca
- City Hall Improvements Signal & Interconnect/S&S/Lighting Design, Tracy
- Pacific Commons Development on Auto Mall Parkway, Fremont
- Creekside Development at Dixon Landing/McCarthy Boulevard/Fremont Boulevard Intersection, Fremont
- Civic Center/Mowry & Civic Center/BART Entrance Intersection, Fremont
- Cottage Avenue/North Street, Manteca
- North Canyons Parkway/Triad Drive Signal & Interconnect/S&S Design, Livermore
- Clovis Shopping Center Signal/S&S Design, Clovis
- Cushing Parkway/Landing Parkway Traffic Signal Installation, Fremont
- Clovis Avenue/Fancher Creek/Tulare Avenue, Fresno
- Perrin Avenue & Sommerville Drive, Fresno
- Chestnut Avenue & Sommerville Drive, Fresno
- Herndon Auxiliary Lane – SR 41 to Fresno Street, Fresno
- Wallis Traffic Signal Modifications/S&S, Dublin
- PS&E Modifications at Dublin/DeMarcus Boulevard, Dublin

Signal Timing

- Mathilda Avenue Signal Coordination, Sunnyvale
- Eighth Street/Constitution Way Arterial Optimization Project, Alameda

Arterial/Interchange Design

- Fremont Boulevard Extension at Dixon Landing Road, Fremont
- I-880/Washington Avenue Interchange Improvements, San Leandro
- I-205/Mountain House Parkway PSR, San Joaquin County
- Union City Lane Configurations Design, Union City
- Corral Hollow Road Widening Improvements Project, Tracy
- Lakeport Boulevard & South Main Street Improvements Project, Lake County
- I-205/Mountain House Parkway PS&E, San Joaquin County
- Fairfield Connector (West of Suisun Valley Road) Project, Fairfield
- Fairfield North Connector Project, Fairfield
- Bernal Avenue Widening Project Phases I & II – Signal Design & Construction Zone Traffic Control Plans, Pleasanton
- Traffic Signal Controller Upgrade & Signal Modification Project (Hesperian, Tennyson, & Winton Corridors), Hayward

Construction Zone Traffic Control

- Patterson Ranch Traffic Services, Fremont
- Traffic Handling Plans for PG&E Gas Line, Fremont
- San Ramon Valley Boulevard Pipeline Project, San Ramon
- Lemon Street Storm Drain Improvements Project, Vallejo
- Traffic Control & Stage Construction Plans for PG&E Undergrounding Project on Vineyard Avenue, Pleasanton
- Construction Zone Traffic Control Plans for Reservation Road & East Garrison, Monterey County
- Louise Avenue Construction Zone Traffic Control Plans, Lathrop

Design Build

- Escuela Avenue & El Camino Real (Caltrans) Traffic Signal Design, Mountain View
- SR 180 Braided Ramp Design/Build Project, Fresno

Bicycle & Pedestrian Projects

- Citywide Trail Crossing Enhancements Project, Pleasant Hill
- Pedestrian Illuminated Crosswalks, Danville & Los Altos
- Crosswalk Designs for Two Intersections, San Joaquin County
- Hudson Bike & Pedestrian Improvement, Redwood City

On-Call Traffic Engineering & Transportation Planning

- City of Dublin
- City of Tracy
- City of Pleasanton
- City of Livermore
- Mountain House Community Services District
- City of Palo Alto
- Town of Los Gatos

Safe Routes to School

- Safe Routes to School Implementations, Sunnyvale
- Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany

Regulatory Rapid Flashing Beacon

- Flashing Beacon for Via Moraga, Moraga
- Chiquita Grove Crosswalk & Beacon, Healdsburg
- East Avenue Beacon, Livermore
- Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany

Project Experience

Complete Streets

Charleston-Arastradero Corridor Improvements, Palo Alto, CA, Mark Thomas & Company, 2014-2015, $260K: Lead Designer responsible for preparation of plans, specifications and estimates (PS&E) related to pavement delineation, signing, traffic signals, and enhancements of pedestrian facilities. Project goal was to improve corridor serving multimodal users including bicycles, vehicles, transit, and pedestrians from 11 schools and adjacent neighborhoods. Issues addressed included high-speed vehicular traffic, morning/school-related traffic congestion, gaps in bike lanes, and overall bicycle and pedestrian safety. Community workshops were conducted to gain public input on design alternatives. TJKM was responsible for completing traffic analysis, developing conceptual design and sections of the environmental document.

Intelligent Transportation System Design

Webster Street SMART Corridor Project, Alameda, CA, Alameda County Congestion Management Agency, 2009-2015, $400K: Lead Designer on implementation of advanced signal system technology and Intelligent Transportation Systems (ITS) strategies around the two parallel underwater tunnels connecting the cities of Oakland and Alameda. Goals included addressing traffic congestion, improving transit service, enhancing emergency access, planning for the future proactively, providing better traveler information, and improving air quality.

Route 238 Advanced Traffic Management System & Corridor Improvements Projects, Hayward, CA, Mark Thomas & Company, 2010-2011, $1.1M: In collaboration with the prime civil-engineering consultant, TJKM fast tracked evaluation and design of an Advanced Traffic Management System (ATMS) with adaptive coordination capabilities. TJKM's ITS services for the project included:

1) Developing the ATMS functional requirements
2) Preparing Draft and Final Concept of Operations reports
3) Analyzing traffic detection and communications requirements
4) Evaluating adaptive control traffic signal systems and selecting the system that most effectively meet the City's signal system requirements

As Project Manager, oversaw preparation of traffic signal, pavement delineation and signing plans, and assisted in designing detection and fiber optic/copper signal interconnect at 28 intersections. TJKM prepared PS&E for an ATMS that included layout of the signal interconnect cable from the field traffic signal controller to the control room, SIC wiring and control room layout, and control room detail. TJKM assisted City staff in the construction support of the adaptive system and conducted the System Acceptance Testing (SAT). TJKM designed the City's Traffic Management Center (TMC) and integrating the signal system back to the TMC using a hybrid of Ethernet over Fiber and Ethernet over Copper.

Grant Line Road CCTV Cameras Design, Tracy, CA, City of Tracy, 2010-2012, $17K: Lead Designer for project to provide real time traffic monitoring using Closed Circuit Television (CCTV) cameras with Pan-Tilt-Zoom capabilities at key intersections on a major east-west arterial that connects the communities of Mountain House and Banta with Tracy. The proposed project installed six CCTV cameras on Grant Line Road between the west City limits and MacArthur Drive. The City intends to use the existing infrastructure to bring back the video feeds from the proposed CCTV cameras to City Hall. These functions are achieved through the QuicNet signal management system and Model 170 local control software.

City of Dublin Signal Interconnect System (Various Projects), Dublin, CA, City of Dublin, 1991-Ongoing, $200K: Project Manager for the design of the citywide interconnect system. The project ran interconnect down Dublin Boulevard from the eastern terminus to San Ramon Valley Boulevard, and is being updated as development continues.

Street Lighting

PS&E for Fremont Boulevard & Landings Parkway, Fremont, CA, Delta Products Corp., 2012-2013, $24K: Project Manager for a new traffic signal for Delta's Campus. Designed signal, interconnect, street lighting, signing, and striping

South Main Street at Broadway Plaza & South Main Street at Newell Avenue, Walnut Creek, CA, dk Consulting, 2012-2013, $3K: Project Manager for traffic signal modifications. Designed signal, interconnect, street lighting, and signing and striping.

I-880 HOV Lane Widening Project, Santa Clara County, CA, Mark Thomas & Company, 2007-2013, $300K: As Lead Engineer, performed all field work and designed the PS&E package for traffic signal, highway lighting and sign illumination, traffic operations system, Wireless Magnetometer Vehicle Detection System (WMVDS), and fiber optic conduit system. On project for the Santa Clara Valley Transportation Authority, TJKM coordinated development and QA/QC review of PS&E package, assisted with lane closure analysis, held meetings with Caltrans/VTA to go over design, and made modifications in the field.

I-580/Castro Valley Interchange PS&E, Alameda County, CA, Mark Thomas & Company, 2006-2012, $514K: Project Manager for a PS&E project that provided full interchanges at Redwood Road and Crow Canyon Road. Project tasks included signing and striping, overhead highway signs, new and modified traffic signals, highway lighting, traffic management plans and lane closure report, ramp metering with provision for HOV lanes and CHP enforcement area, and traffic signal timing and operations study. The improvements included in this project for the Alameda County Transportation Authority consisted of adding a new westbound off-ramp from I-580 to Redwood Road, a new eastbound on-ramp from Redwood Road to I-580, and a new eastbound off-ramp from I-580 to Grove Way. In order to construct the new westbound off-ramp at Redwood Road, the existing westbound on-ramp from Castro Valley Boulevard, just west of Center Street, was removed. In order to construct the eastbound on-ramp at Redwood Road, the existing eastbound off-ramp at Center Street was also removed. This alternative included construction of an eastbound auxiliary lane between the new on-ramp at Redwood Road and the new off-ramp at Grove Way. This project also entailed widening Redwood Road and provided dual left-turn lanes to accommodate a full diamond interchange at this location. All designs conformed to Caltrans' standard plans and specifications and the cost estimates were prepared in the standard BEES format.

Traffic Signal, Signing, & Striping Design

Traffic Design Services at Civic Center Drive, Fremont, CA, Kier & Wright, 2014-2016, $45K: Project Manager responsible for preparing plans, specifications, and estimates (PS&E) for traffic signal modifications at two intersections around Washington Hospital as well as for a traffic signal installation for the Washington Hospital crosswalk. TJKM also conducted a traffic study around the hospital and prepared PS&E for signing and striping modifications along Civic Center Drive between Mowry Avenue and Bart Way.

Traffic Design Services at Dixon Landing Road & McCarthy Drive/Fremont Boulevard, Fremont, CA, Overton Moore Properties, 2013-2015, $26K: Project Manager responsible for preparing PS&E for traffic signal modifications, signal interconnect, providing construction support services and attending meetings. TJKM also met with the city to confirm design parameters, provided construction support services and prepared PS&E for traffic handling plans for Dixon Landing, from McCarthy to the existing tie-in at the bridge deck and Caltrans coordination.

Traffic Design Services at Paseo Padre Parkway & Capital Avenue, Fremont, CA, City of Fremont, 2014-2015, $16K: Project Manager responsible for preparing PS&E for traffic signal modifications design services for Phase II Capitol Avenue Improvements from State Street to Paseo Padre Parkway. Project included widening the road and improvements to bicycle lanes, tree-lined sidewalks, street lighting, and bulb-outs to make crosswalks safer. TJKM also prepared PS&E for signing and striping, technical specifications, and the construction bid package, as well as attended City meetings.

Cordes Ranch Phase 1A/1B/1C/1D/1E, Tracy, CA, Kier & Wright, 2014-Ongoing, $1,000,000: Project Manager responsible for preparing PS&E for traffic signal modifications, S&S plans and estimates, and technical specifications. Provided construction support services, traffic control plans, and attended meetings for the Cordes Ranch business park.

Rohnert Park Traffic Signals, Rohnert Park, CA, Brookfield Homes, 2014-2017, $74K: Project Manager responsible for preparing PS&E for traffic signal installation design at four intersections, field review, and providing construction support services.

Wallis Ranch Traffic Signal Modification/ S&S, Dublin, CA, Trumark Homes, 2014-2017, $67K: Project Manager responsible for preparing PS&E for traffic signal modifications and S&S design for a major roadway being widened. The project area included intersections in a housing development and a school.

Traffic Signal PS&E Moller Ranch, Dublin CA, Braddock & Logan, 2014-Ongoing, $32K: Project Manager responsible for traffic design services, including signal installation and modifications, PS&E for signal interconnect design, and S&S.

PS&E Modifications at Dublin Boulevard/Golden Gate Drive, Dublin, CA, Bay West Development, 2014-Ongoing, $12K: Project Manager responsible for preparing PS&E for traffic signal modification.

Signal Modification at Remington Drive/Bernardo Avenue, Sunnyvale, CA, City of Sunnyvale, 2012-2013, $48K: Project Engineer responsible for preparing PS&E for intersection improvements. The project included environmental clearance documentation, ADA and sidewalk improvements, pedestrian and bicycle safety, traffic signal installation and signing/striping modifications, wireless interconnect system, and fiber optic interconnect system to the adjacent traffic signal at Mary Avenue and Remington Drive.

Livermore Premium Outlets, Livermore, CA, Kier & Wright, 2013-2018 $23K: Project Engineer assisting with traffic design services for the new intersection of Premium Outlets Drive at the first Main Entrance and at the existing intersection of West Jack London Boulevard at Premium Outlets Drive.

Benjamin Holt Drive & Inglewood Avenue Traffic Signal Installation, Stockton, CA, City of Stockton, 2012-2014, $36K: As Project Engineer,

assisted in design improvements including traffic signal installation, signal interconnect, S&S modifications, safety lighting, emergency vehicle preemption, video monitoring system, and wheelchair ramp reconstruction in a location where pedestrian volume at the intersection was very high. TJKM took a multimodal design approach, recommended ADA ramps and determined the phasing for the traffic signal operations using 24-hour directional volume counts and intersection turning movement counts. Counts conducted included pedestrians and bicyclists.

Pacific Commons Area – Five Signals, Fremont, CA, JMH Weiss, 2010-2013, $42K: Project Manager responsible for signal design and modification, signal interconnect projects, and S&S plans. Since the 1980s, TJKM has been involved in the Pacific Commons development which consists of approximately 877 acres of land with a mix of industrial, office, commercial, retail, and hotel uses. Some portions of the project site also support institutional open spaces (commercial, recreational parks, and wetlands). TJKM has provided all traffic engineering design and traffic analysis services, and has developed transportation demand management measures to obtain the maximum use of available transportation resources (ridesharing, pedestrian and bicycle use, and transit operations) for occupants of the business park.

El Charro Specific Plan Improvement Project, Livermore, CA, Kier & Wright, 2007-2011, $99K: Project Manager responsible for completing PS&E, including interconnect, for the new traffic signals at: El Charro Boulevard and Jack London Boulevard/Stoneridge Drive; Jack London Boulevard and Main Outlets Entrance; Jack London Boulevard and Premium Outlets Drive; Jack London Boulevard and Discovery Drive; and Jack London Boulevard and Voyager Street. Also completed PS&E for the S&S plans for the entire four-mile project, which included coordination with Caltrans at the Eastbound I-580 on/off ramps to tie the proposed striping into the interchange design. Designed all traffic handling plans during multiple construction stages, to maintain access to the existing residential and commercial properties, and designed the new roadway to get the overall plan line approved by the various agencies involved.

Positano Parkway/Fallon Road at Central Parkway, Dublin, CA, Braddock & Logan, 2010-2011, $17K: Project Manager responsible for preparing PS&E for traffic signal installations at two intersections and reviewing striping plans for a new housing development.

Jordan Ranch, City of Dublin, CA, Mission Valley Properties, 2010-2013, $340K: Project Manager responsible for completing PS&E and interconnect plans for the new signals at Vinton Avenue/Positano Parkway and Sunset View Drive/Central Parkway. Also completed PS&E for the traffic signal modification to the existing signals at Central Parkway and Fallon Road and the underground signal conduit system for a future signal at Panorama Drive and Central Parkway. Worked directly with City inspectors to locate all the poles and equipment in the field, and with the striping contractor to lay out all the proposed striping and approve all the cat-tracking.

Traffic Signal/S&S Design Project, Pleasanton, CA, City of Pleasanton, 1990-2000, $200K: As Project Manager, prepared S&S for 11 signals on Bernal Avenue, eight signals on Santa Rita Road, five signals on Stoneridge Drive, and five signals on Hopyard Road.

Traffic Signal/S&S Design Project, Livermore, CA, City of Livermore, 1991-2018, $250K: Project Manager for all traffic signal modifications and designs for dozens of signals and miles of signing and striping plans, including 10 signals on Vasco Road, seven signals on First Street, six signals on Mines Road, and eight signals on North Canyon Parkway.

Airport Way at Park Street, Oak Street, & Fremont Street Traffic Signal Modifications, Stockton, CA, City of Stockton, 2010-2013, $80K: Project Engineer for three traffic signal modifications. Performed initial fieldwork and designed the plans, which included S&S, interconnect, and public outreach.

Blaker Road/Service Road New Signal, Ceres, CA, City of Ceres, 2010-2012, $32K: Project Engineer for the PS&E package.

Don Pedro Road/Central Avenue New Signal, Ceres, CA, City of Ceres, 2011-2012, $27K: Project Engineer for the PS&E package.

Business Center Drive – Seven Signals, Fairfield, CA, Fairfield Corporate Commons, 2007-2009, $68K: Project Manager for the PS&E designs of Mangels Boulevard and Suisun Valley Road signal modification and five new traffic signal designs at Kaiser Drive and Business Center Drive, Executive Court and Business Center Drive, and three unnamed project locations along Business Center Drive. Coordinated the design of the interconnect from Suisun Valley Road to the north unnamed signal (1.5 total miles) and the design of the S&S plans from Westamerica Drive to the northerly project limits (approximately 1.5 miles). Also designed the intersections geometry to meet City standards.

Abel Street – Six Signals, Milpitas, CA, JMH Weiss, 2004-2008, $74K: Project Manager for the traffic signal modifications to the intersections of Weller Lane and Abel Street, Serra Way and Abel Street, Junipero Drive and Abel Street, Corning Avenue and Abel Street, and Curtis Avenue and Abel Street. Coordinated the S&S plans along Abel Street from Great Valley Mall to Weller Lane (1.5 miles) and the interconnect design along Abel Street from Great Valley Mall to Weller Lane (1.5 miles).

Columbus Parkway/Regents Park Drive Signal Design, Vallejo, CA, Braddock & Logan, 2007-2009, $67K: Project Manager for the new signal design and signing and striping for the entire four-mile corridor.

River Island Parkway/McKee Boulevard Traffic Signal/S&S Design, Lathrop, CA, Pacific Union Homes, 2008, $12K: Project Manager responsible for the preparation of PS&E, signing and striping for the traffic signal installation.

Silvera Ranch Development Signal & Interconnect/S&S Design, Dublin, CA, Pinn Brothers, 2006-2007, $45K: Project Manager responsible for the preparation of PS&E for the traffic

signals at the intersections of Cydonia Court and Fallon Road, Silver Ranch Drive and Fallon Road, and Tassajara Road and Fallon Road. Also coordinated the S&S plans along Fallon Road and Tassajara Road (one mile) and the interconnect design for Tassajara Road and Fallon Road from project limits (approx. two miles).

City Hall Improvements Signal & Interconnect/S&S/Lighting Design, Tracy, CA, KPFF Consulting Engineers, 2004-2005, $40K: Project Manager responsible for the preparation of PS&E for the traffic signal modification at Eleventh Street/Civic Center Drive intersection, S&S, and street light modifications. The interconnect was modified and designed into the Traffic Management Center.

Arterial/Interchange Design

Fremont Boulevard Extension at Dixon Landing Road, Fremont, CA, Kier & Wright, 2012-2014, $47K: As Project Manager, responsible for the preparation of PS&E for the traffic signal modification. The project added the fourth leg (Fremont Boulevard Extension) to this intersection. With this project, the City of Fremont took over ownership and maintenance of the signal from the City of Milpitas.

I-880/Washington Avenue Interchange Improvements, San Leandro, CA, Mark Thomas & Company, 2005-2008, $54K: Project Manager responsible for traffic design on project. TJKM's responsibilities included traffic handling, signing, S&S modifications. The southbound off ramp to Washington Avenue actually terminates at Beatrice, approximately 200 feet west of Washington Avenue. The interchange included widening the loop on ramp to southbound I-880 and I-238 (all at the same interchange), widening of Beatrice, ramp metering, and a northbound double left turn lane (with overhead signs for each of the two left turn lanes – one to westbound Beatrice, and one to the southbound freeway ramps). It also included a double southbound left turn lane at Fargo/Greenhouse, just south of Beatrice, widening of Fargo Avenue and the Greenhouse Market drive access, signal timing, and interconnect.

I-205/Mountain House Parkway PSR, San Joaquin County, CA, HDR Engineering, 2003-2005, $30K: Project Manager for the PS&E for the Mountain House Community Services District, in cooperation with the San Joaquin Council of Governments, San Joaquin County, Caltrans, and the Federal Highway Administration. The aforementioned agencies opted to modify the I-205/Mountain House Parkway (Patterson Pass Road) interchange in San Joaquin County to relieve congestion and reduce delays. TJKM served as the traffic engineering consultant for the PSR, performing model and forecasting services, as well as preparing the traffic signal, S&S, and electrical plans for the interchange. Three build alternatives and one no-build alternative were a part of the PSR. Construction of the I-205/Mountain House Parkway interchange. Improvements were completed in 2007.

Corral Hollow Road Widening Improvements Project, Tracy, CA, Schack & Co., 2009, $49K: Project Manager in charge of the PS&E for the traffic signal modifications at seven intersections along Corral Hollow Road. The City planned to improve Corral Hollow Road by adding a lane in each direction of travel. The intersection locations for the signal designs were from Grant Line Road to Schulte Road. The project entailed design requirements for ADA compliance and review of traffic operations for the S&S design. The signal design included emergency vehicle pre-emption and signal interconnect.

Bernal Avenue Widening Project Phases I & II – Signal Design & Construction Zone Traffic Control Plans, Pleasanton, CA, City of Pleasanton, 2002-2006, $6K:

Traffic Signal Controller Upgrade & Signal Modification Project (Hesperian, Tennyson, & Winton Corridors), Hayward, CA, City of Hayward, 2010-2014, $88K: Lead Designer to complete PS&E for traffic signal upgrades at 31 intersections along three major corridors in Hayward: Hesperian Boulevard (A Street to S. Pepsi Entrance Street), Tennyson Road (Dixon Street to Patrick Avenue), and Winton Avenue (Southland Drive to Clawiter Road). The project upgraded signal controllers at 31 intersections, provided last-mile interconnect between traffic signals to enable communication between the Hayward Traffic Operations Center and field elements, installed video detection at seven critical intersections, and GPS clocks to synchronize operation between traffic signals maintained by the City and Caltrans.

Construction Zone Traffic Control

Patterson Ranch Traffic Services, Fremont, CA, KB Homes, 2014-Ongoing, $73K: Project Manager assisting in preparing the traffic control plans for the installation of the proposed utility lines for a large residential development, including lane closures and required signage to safely move traffic around the installation.

Traffic Handling Plans for PG&E Gas Line, Fremont, CA, Pacific Gas & Electric Co., 2014-Ongoing, $30K: As Project Manager provided traffic control plans for installation of a 24" gas line in Patterson Ranch.

San Ramon Valley Boulevard Pipeline Project, San Ramon, CA, East Bay Municipal Utility District, 2008-2012, $48K: Project Manager for the traffic control plans for an East Bay Municipal Utility District (EBMUD) pipeline project along San Ramon Valley Boulevard, including the major intersection at Bollinger Canyon Road. TJKM worked closely with EBMUD and City staff to provide traffic control for lane closures, while maintaining traffic flow, conforming to the California MUTCD, Caltrans Standard Plans, and Standard Specifications. The traffic control included nine phases, standard transition lengths and signing, and delineators for lane shifts. The traffic control plans also considered control for pedestrian and bicycle traffic. As part of the project, a traffic analysis was completed to determine level of service traffic impacts on San Ramon Valley Boulevard and at the Bollinger Canyon Road intersection.

Traffic Control & Stage Construction Plans for PG&E Undergrounding Project on Vineyard Avenue, Pleasanton, CA,

Construction Zone Traffic Control Plans for Reservation Road & East Garrison, Monterey County, CA,

Louise Avenue Construction Zone Traffic Control Plans, Mossdale Landing Development, Lathrop, CA, MacKay & Somps, 2003-2007, $20K: Project Manager for traffic control plans to install utilities, which were completed in five stages. Being that this was a Caltrans roadway, Caltrans had to review and approve plans.

SR 180 Braided Ramp Design/Build Project, Fresno, CA, State of California, 2012-2014, $150K: As Lead Design Engineer, performed all field work, designed and produced pavement delineation, sign, lighting and sign illumination, ramp metering, CCTV system, changeable message sign system, traffic monitoring station, and vehicle classification station plans. Produced and assisted with the design for fiber optic system and communication system plans. Also assisted with project management and response to Caltrans' review comments. Communicated directly with prime consultants and Caltrans staff to ensure design met client's satisfaction.

Bicycle & Pedestrian Projects

Citywide Trail Crossing Enhancements Project, Pleasant Hill, CA, City of Pleasant Hill, 2011-2012, $135K: Lead Designer for project funded by State Proposition 1B Transportation Bond, state Safe Routes to School (SRTS) grant funds, and matching City funds. The project installed raised crosswalks and various traffic control devices at key trail crossing locations along the Contra Costa Canal Trail and the EBMUD Trail. The trail crossings were at Chilpancingo Parkway, Viking Drive, Gregory Lane, Boyd Road, Oak Park Boulevard, Putnam Boulevard, and Astrid Drive. The SRTS grant will fund construction of new sidewalk and existing sidewalk repairs along the south side of Oak Park Boulevard, between the EBMUD Trail crossing and Monticello Avenue, implementation of traffic control features at the EBMUD trail crossing, including in-pavement crosswalk, and high visibility S&S. This project is expected to improve safety at the trail crossing in addition to providing an alternate path of travel for the Pleasant Hill Middle School students.

Pedestrian Illuminated Crosswalks, Danville & Los Altos, CA, Client, 2007-2011, $50K (combined): Project Manager responsible for the PS&E for the illuminated crosswalk designs along Front Street in Danville, San Antonio Road (four locations) in Los Altos.

On-Call Traffic/Transportation Planning & Engineering

On-Call Traffic Engineering Services, Dublin, CA, City of Dublin, 1985-2014, More than $2M: As Project Manager and Lead Designer, completed design of 17 signals on Dublin Boulevard, nine signals on Fallon Road, and five signals on Tassajara Road as City development expanded. As an on-call consultant since the City's incorporation in 1985, TJKM has completed nearly 130 tasks, including traffic impact and parking studies, access and circulation studies, traffic signal and intersection improvements design, signal timing coordination, traffic impact fee studies, travel demand model development, and calibration.

On-Call Traffic Engineering Services, Mountain House, CA, Mountain House Community Services District, 2003-Ongoing, $803K: As Project Manager and Lead Designer, completed design of 15 signals on Central Parkway, nine signals on Mountain House Parkway, and five signals each on Great Valley Parkway Grant Line Road and De Anza Boulevard. TJKM has provided the community assistance with significant transportation planning and traffic engineering efforts for the emerging community, from the layout of the streets and roads to the design of dozens of intersections. TJKM also continues to serve as an on-call consultant to Shea Homes, the community's primary developer.

On-Call Traffic Engineering Services, Los Gatos, CA, City of Los Gatos, 2002-Ongoing, $183K: Project Manager and Lead Designer responsible for plan review, signal design and modification, signal interconnect projects, configurations of intersections, and S&S plans. TJKM has also completed traffic and parking studies for schools, parks, a hospital, the library and the civic center master plan, and commercial developments. Also provided traffic calming services, developed the City's first traffic calming policy, and conducted peer review of traffic impact studies.

On-Call Traffic Engineering & Design Services, Dublin, CA, City of Dublin, 1985-2014, $2M excess: Project Manager and Lead Designer responsible for signal design and modification, signal interconnect projects, configurations of intersections, and S&S plans. TJKM also completed numerous traffic surveys for residential and commercial developments, circulation studies for new schools and other services, including shared parking analysis for the proposed Grafton Plaza development.

Safe Routes to School

Safe Routes to School Implementation, Sunnyvale, CA, Bellicci & Associates, 2013-2016, $39K: Engineer assisted with preparing PS&E for citywide signage for bicycle routes, preparing signal modification plans at Maude/Sunnyvale-Saratoga, and S&S plans along Maude Avenue, in-pavement crosswalk lighting at Bayview and Maude Avenue, and preparing S&S improvements at 16 intersections citywide.

Marin-Curtis Safe Routes to Schools Pedestrian Improvements, Albany, CA, City of Albany, 2013-2016, $96K: Task Lead responsible for this design project to enhance the safety of pedestrian and bicyclists near the school. Designed pedestrian bulb-outs, Regulatory Rapid Flashing Beacon systems, raised crosswalks, and road humps within the school's vicinity.

Regulatory Rapid Flashing Beacon

Flashing Beacon for Via Moraga, Moraga, CA, Signature Homes, 2014-Ongoing, $11K: Project Manager responsible for preparing PS&E for flashing beacons at a mid-block crosswalk at the entrance of a new housing development. Conducted field review of existing conditions, coordinated with town officials, and offered bidding and construction support services.

City of Livermore

Advisory Body Application

Profile

Carmelita (Mel) — First Name
— Middle Initial
Chiong — Last Name

Pronoun (s)

she/her

[redacted] — Email Address

[redacted] — Home Address
[redacted] — Suite or Apt

Livermore — City
CA — State
94551 — Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 2

[redacted] — Primary Phone
[redacted] — Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

24

Do you work in Livermore?

- (•) Yes
- ( ) No

self-employed — Employer
owner — Job Title

Education

bachelor's degree

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

Attended January 17, 2023 meeting in person.

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I would like to contribute to the positive growth and development of Livermore in accordance with the city's general plan. A role in the Planning Commission is a great responsibility and opportunity to be of direct service to the community.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

Livermore General Plan Advisory Committee - 1.5 years St. Charles Borromeo Catholic Church - 12 yrs; Livermore Indivisible - 6 yrs; Livermore Pride - 3 yrs; Livermore Fil-Am Organization - 7 yrs

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I believe serving at GPAC and gaining experience running for City Council has given me valuable knowledge that compensates for lack of technical experience in the fields of architecture and urban design.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

The procedures, as stated, are straightforward. With the city's general plan and specific codes as guides, the commission has a clearly defined way of advising the city council regarding the physical development of the community. I am diligent and a quick learner. I am aware that there are materials distributed prior to a meeting and that it is a member's responsibility to read through the materials and come prepared to a meeting.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The Planning Commission provides an important role in helping shape the physical development of the city. The decisions made by this body will directly impact the City Council and the entire community.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

The Planning Commission is integral in helping the City Council implement the goals and priorities particularly in areas requiring any physical development in the city.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Word of Mouth

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

City of Livermore

Advisory Body Application

Profile

Zachary | A | Cosenza
First Name | Middle Initial | Last Name

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore | CA | 94550
City | State | Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

0

Do you work in Livermore?

- (•) Yes
- ( ) No

LLNL | PostDoc
Employer | Job Title

Education

PhD and Bachelor in Chemical Engineering

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

December 20 2022

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

Planning / GP Advisory: I want to serve on the advisory board because I have an interest in cycling and walking infrastructure and think it would massively benefit the health and livability of the city of Livermore if people replaced more trips with these other modes. I have additional interest in housing and transportation as someone who (1) rents and (2) doesn't like to drive, which is something that is often not represented on city governments (car commuters and homeowners mostly). Particularly with the GP advisory committee, I would appreciate the opportunity to bring to the table how zoning and city policy around development has affected my life (and the lives of typical renters in California).

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

Eagle / Boy Scouts (7 yrs) and former member of UC-UAW union (4 yrs).

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

N/A. I would like to get started on getting experience here.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

I would expect / hope that the planning commission would advise the city government and stakeholders on the physical growth of the city of Livermore commensurate with the values of the voters (sustainability, livability, equity, fiscal rectitude etc). As one of many voices of the citizens of the city, I would also hope that I could bring to the table concerns related to mobility (can we get bike infrastructure on East Av?) and affordability (why aren't there many apartments in a city that is expensive and concerned about sprawl?). I would also hope to simply educate myself on the complexities of the running of municipal government and planning.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

Planning:My understanding of the commission's role is to offer advice to the city council on questions of zoning and the general plan. More philosophically, as an advisory body, the commission is meant to represent citizens more directly than the city council, mayor, or nonelected city workers particularly in the physical and geographic layout of the city, transportation options offered to citizens, number and quality of housing, shops, and amenities. GP Advisory: My understanding of the general plan advisory committee is it is meant to represent a larger cross-section of the community with specific input into the general plans that the city puts forth cyclically on issues related to the physical layout and urban planning of the city. Compared to the planning commission, this is meant to be an opportunity for citizens to alter the zoning and goals of the city directly (although, I suppose you could start yelling in a planning meeting?).

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

Planning / GP Advisory: both bodies will be assisting in reviewing plans particularly for the downtown plan, affordable housing, and the general plan elements of the city Goals and Priorities 2021-2023. I anticipate that the general plan advisory committee will focus on giving input to the city general plan in changes to zoning, rules, and city policy whereas the planning commission will assist in reviewing and making recommendations to the city council for the projects occurring in and around the downtown area (parking garage, housing, parks, amenities etc).

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Other

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

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☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Zachary Anthony Cosenza
Email: [redacted]
Phone: [redacted]

Education

University of Minnesota – Twin Cities (B.S. Chemical Engineering 2014 - 2018)
University of California – Davis (Ph.D. Chemical Engineering 2018 – December 2022)

Research and Work Experience

Graduate Researcher David E Block Lab, University of California – Davis 2018 – 2022

- High-Dimensional Basal Media Optimization Project 2019 - 2021
    - Formulated **30-dimensional media design problem** as a high-throughput growth kinetics-economic minimization experiment.
    - Developed data-based optimization algorithm to **efficiently allocate experiments** using ML methods and customized zeroth order optimizer.
    - Resulted in **32% reduction** in experimental effort to improve over traditional design-of-experiments for fermentation optimization.

- Multi-Information Source Media Optimization Project 2021 – 2022
    - Reduced experimental effort and **improved data quality** using a multi-assay chemometric Bayesian statistical fusion model.
    - Solved 14 and 25-dimensonal **multi-information source optimization** problem using hybrid model simulation, multi-point/multi-objective optimization methods, and novel combinatorial lab-resource allocation algorithm.
    - Implemented novel Gaussian process models (pytorch) to solve process optimization problems using experimental uncertainty and solved with numerical optimizer (botorch).
    - Resulted in **30-70% reduction** in experimental effort **for > 100-200% improvement** in cell biomass and long-term cell viability over controls/commercial medium.

- Side Projects
    - Algorithmic optimization of phenolic profiles for COMSOL reactor designs with nonlinear DOE method in MATLAB. Applied to kinetic parameter estimation in Gurobi.
    - Studied nonlinear DOE method as applied to design robustness to process noise.
    - Applying knowledge gradient / informatic theoretic acquisition function formulation for optimal laboratory resource allocation problem.
    - Applying Bayesian optimization algorithm to simplify complex media using experimental data.

Teaching Assistant, University of California – Davis 2022

- Taught chemical kinetics lab to undergraduates (grading, teaching, logistics etc).
- Developed microelectronics projects for undergraduate engineering students.
- Taught graduate and undergraduate students cell culture/sterile techniques.

Relevant Skills

- Engineering: process modeling/controls, fluid and thermal dynamics, reactors/kinetics.
- Modeling: Bayesian models (advanced), numerical optimization algorithms, neural networks, classification, clustering, statistics, decision theory, genetic algorithms.
- Laboratory: cell culture, bioprocess optimization, chemometrics, assay design.

Publications

- ***Zachary Cosenza*** *& David E. Block (2020): A generalizable hybrid search framework for optimizing expensive design problems using surrogate models, Engineering Optimization, DOI: 10.1080/0305215X.2020.1826466*
- Edward N. O'Neil, **Zachary A Cosenza**, Keith Baar, David E Block, *Considerations for the Development of Cost-Effective Cell Culture Media for Cultivated Meat Production*, Comprehensive Reviews in Food Science and Food Safety (2020) DOI 10.1111/1541-4337.12678
- **Zachary Cosenza**, David E Block, Keith Baar, *Optimization of Muscle Cell Culture Media Using Nonlinear Design of Experiments*, Biotechnology Journal (2021) DOI 10.1002/biot.202100228
- **Zachary Cosenza**, Raul Astudillo, Peter Frazier, Keith Baar, David E Block, *Multi-Information Source Bayesian Optimization of Cell Culture Media for Cellular Agriculture,* Biotechnology and Bioengineering Journal (2022)

Presentations and Conferences

- AICHE Conference 2020 (American Institute of Chemical Engineers) *A Surrogate Optimization Algorithm for Red Wine Reactor Simulation-Based Design* (Video and Poster)
- AICHE Conference 2020 (American Institute of Chemical Engineers) *Experimental Design Algorithm for Efficient Optimization of Culture Media* (Video and Poster)
- Cultivated Meat Consortium Colloquium 2021
- LIKE22 2022 (Lifting Interface with Kernel Embeddings 2022) Conference *Design of Cell Culture Media with Multi-Information Source Bayesian Optimization* (Video)
- *Design of Cell Culture Media with Multi-Information Source Bayesian Optimization*
    - Good Food Institute Fast Talk 2022 (video)
    - New Harvest Conference Panel Discussion on Scale-Up (in-person)
    - AICHE 2022 (in-person) [upcoming]
- *Multi-Information Source Bayesian Optimization of Culture Media for Cellular Agriculture*, Conference Paper ReAMAL 2022 [upcoming].

Awards

- New Harvest Fellow 2019 – 2022
- GAANN (Department of Education) Fellow 2018 – 2019
- Jastro-Shield (University of California) Fellow 2021
- Good Food Institute Grant Recipient 2019 - 2021

City of Livermore

Advisory Body Application

Profile

Parker
First Name

Middle Initial

Ehret
Last Name

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore
City

CA
State

94550
Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

☑ District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

3

Do you work in Livermore?

◉ Yes ○ No

Beacon
Employer

Head of Product
Job Title

Education

UCLA, Architectural & Civil Engineering

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

Yes

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I care deeply about the growth and trajectory of Livermore.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I often participate in community activities: Farmer's Markets, Christmas Parade, Half Marathon, Tree lighting, etc.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have an education in Architecture and Civil Engineering/Planning. I currently work as a designer.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

I'm excited about the prospect of influencing the direction of Livermore's development. I believe in creating beautiful space where community can come together and enjoy a thoughtfully crafted space.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The planning committee should advise the City Council on proposed plans, on matters related to City growth and development, promote public interest in planning and encourage citizen participation, make recommendations, and take final actions, while thoughtfully interpreting and implementing the City's Development Code.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

I anticipate that the Planning Commission will advise the City Council on proposed plans, help ideate a sustainable infrastructure strategy, ensure the right balance of local amenities to support quality of life, develop a systematic approach to modernizing the city's businesses and efforts, update the general plan, and establish a homelessness strategy.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Social Media (Instagram, Facebook, Twitter, NextDoor, etc.)

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

I don't require any accommodations.

Parker Ehret

AURORA · HEAD OF UX & PRODUCT DESIGN

First Product Designer at Aurora. Was at Aurora while company grew from less than 300 to over 1,700, grew the design team from 1 to over 20. Launched 10+ apps for internal and external users. Additional responsibilities included strategy and setting goals for OKRs, recruiting, team building, research, project management, building product org, metrics, reporting, analytics.

FREELANCE · PRODUCT DESIGN & STRATEGY

Creative direction, strategy and vision, product design, UX, mobile apps, AI, augmented and virtual reality, conversational UI, video and photography, illustration, motion, branding, copywriting, music supervision

Clients: DraftCard, First Republic Bank, GoDigital Media Group, Highlight, Intuit, LiveStation, Matsuda, MEDL Mobile, StriVR, Token, Tumblr, Warner Bros. Music Group, Yahoo!

BLIS (Acquired by THIRD SUMMIT) · HEAD OF DESIGN

Leadership, business and product vision, creative direction, design systems, product design, strategy, marketing

LOGITECH · LEAD VISUAL UX DESIGNER

Visual and UX design lead for gaming, music, connected home. Primary focus on business and product vision, artificial intelligence, natural language architecture, conversational IU, machine learning, design systems

ONEID (Acquired by NEUSTAR) · HEAD OF PRODUCT EXPERIENCE

Brand design, MacOS/iOS/WatchOS applications, user dashboards, interaction prototyping, motion, visual design and interaction languages

YAHOO! · SENIOR VISUAL INTERACTION DESIGNER

Team lead for visual and interaction language, navigation, and content consumption experiences for Yahoo homepage, and media properties

ESALON · DIRECTOR OF VISUAL DESIGN AND EXPERIENCE

Brand and style development, UI/UX, AI, packaging and product design, environmental design, front-end development, video production

DEUTSCH LA · EXPERIENCE DESIGNER

Creative direction, e-commerce platforms, global eco-systems design, UI/UX, mobile and tablet apps, game logic, interactive prototyping

Clients: California Milk, Dr. Pepper, Fresh & Easy, HTC, Pop Secret, Snapple, Target, VW

TBWA\CHIAT\DAY · UX DESIGNER

UX design, web development, user interface design, resource allocation, project and team management

Clients: Adidas, Energizer, Grammy's, Infiniti, Let There Be Dragons, Nissan, Pacific Standard Time, Pepsi, Projeqt, Qatar Foundation, Tostitos

CONTACT

[redacted]

INTERESTS

Conversational UI
Home Automation
Filmmaking
Music
Photography
Sports
Transportation

RECOGNITION

Apple Design Award
Cannes Lion (2x)
CES Innovation Award
CLIO Award
Crunchie Award (2x)
D&AD Award
The FWA (5x)
Good Design Award (5x)
Red Dot Award (3x)
SXSW Award
Webby Award (2x)

Fast Company
Inc Magazine
New York Times
TechCrunch
Wall Street Journal
Wired

City of Livermore

Advisory Body Application

Profile

Yoanda — First Name
— Middle Initial
Fintschenko — Last Name

Pronoun (s)

She/Her

[redacted] — Email Address

[redacted] — Home Address
[redacted] — Suite or Apt

Livermore — City
CA — State
94550 — Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

☑ District 3

[redacted] — Primary Phone
[redacted] — Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

24

Do you work in Livermore?

◉ Yes ○ No

i-GATE Development Corporation — Employer
Executive Director — Job Title

Education

Ph.D., Bioanalytical Chemistry, The University of Kansas, Lawrence, KS BS, Chemistry, Trinity University, San Antonio, TX

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

I plan to attend the Feb.21 meeting

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I have two interests that are closely aligned. My first interest has to do with ensuring that Livermore is a place my children and my neighbors' children could return to and have a good job and rewarding career in the town where they were raised. This brings me to my second interest, which is ensuring that there is green space, pedestrian/bike connectivity across our community, affordable housing, and a vibrant economy. The planning commission spends time thinking through the elements that would create the conditions that make this a great place to live and to work. I'd like to contribute my perspective as someone who has lived and worked in Livermore, including starting my own company, and working with many science-based startups in the region.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

My most recent service was 2 years as a board member for National Charity League, Livermore Chapter as VP of Communications (2019-2021). I also served for 2 years as a board member for Livermore Valley Education Foundation (2010-2012). I was an assistant coach for St. Michael's CYO track for 3 years (2011-2014), and an assistant coach for Granada High School's Cross Country team for 2 years (2013-2015). Since 2015 I have been co-organizing a life sciences networking group, East Bay Bio Network, and have organized multiple events including three Tri-Valley Life Sciences Summits (2018, 2019, and 2022). I also co-organized Tri-Valley Tech Connect, a Tech and Biotech job fair in 2018.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

My primary experience in assisting with space planning has been advising and then operating i-GATE Innovation Hub's incubator space in how to equip and run lab space for lab-based startups.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

I expect our outcomes to be substantiated advice to the City Council in the adoption and maintenance of a comprehensive General Plan for the physical growth and development of the city that reflects the future goals of the City including our interpretation of the City's policy on matters physical growth, the general location of future public facilities and improvements and to aid in the encouragement and regulation of private development as well as to promote my neighbor's participation in creating land use policies. In this latter activity, I feel I have proven my ability to organize my cohort and would employ similar techniques as I did to encourage participation in the East Bay Bio Network. I have learned a lot in my career about the power of the personal invitation and how to scale that. I have little experience as a space planner, but I do have a lot of experience as a former Sandia scientist and manager and business owner in learning about requirements and satisfying them. I also think I can bring to bear my communication skills that I learned as an applied marketing professional. The most important communication skill I learned was the power of listening, and bringing what I heard into the subsequent discussions needed to drive to decisions. I feel this is a core strength I can offer this commission. Finally, I have learned to trust that when I don't know something, I can find an expert to ask. I have a lot of respect for the expertise of others, and I am not afraid to ask questions. I think that much of the planning commission's accomplishments will reflect our ability to listen to the community, to the experts in the city, to each other, as we help the council make decisions where the answers are not clear.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I believe the purpose of the advisory board is to advise the council on interpretation and application of zoning and other ordinances for building projects where there is a lack of clarity.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

I believe this body will help advise the council on projects keeping the goals to enhance the City's vibrancy by completing critical projects downtown, ensuring the right balance of local amenities to support quality of life for downtown projects. Also, to ensure we are within any general plan updates, and stay consistent with the city's homelessness strategy to expand diversity of affordable housing projects.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Word of Mouth

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

City of Livermore

Advisory Body Application

Profile

Constance (First Name) | (Middle Initial) | Kopps (Last Name)

Pronoun (s)

She

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94551 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 1

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

30

Do you work in Livermore?

- (•) Yes
- ( ) No

Self (Employer) | Owner (Job Title)

Education

BS Early Childhood Educatiion University of W

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

February Meeting before the Pademic

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I have an interest in keeping Livermore a destination that takes pride in smart growth and is fair to residents as plans unfold.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I am currently the President of the Livermore Eagles Auxiliary and active in my community. I have lived in the Springtown area of Livermore for a few decades which is a political subdivision, I have worked as a substitute teacher in Livermore as well as owning a Livermore business that has goals to improve our local environment. I am well respected by my neighbors and want to address their needs as well as those who reside in other surrounding districts.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have worked to make a park like landscape in my own backyard. I have been to meetings at the HOA and am currently working to help learn why our HOA in Springtown dropped its communications last year. I currently was invited to a December meeting that my neighbor only found out about on Next Door dot com. The HOA has had contact with Livermore Planning Department, and has in the past made decisions with them that were not fully communicated to the HOA membership. If I am selected as a member of the planning commission in intend to get down to the bottom of this problem.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

I believe that the outcomes I will work towards will integrate the General Plan but also to review the past plans for inequities that may have occurred in District 1. I will be able to listen attentively to Citizen concerns both past and present and I will convince our council to review any past positions that may have been unfairly addressed by passed planners as well as to work fairly to address other Citizens concerns for the future. I look forward to find ways to incorporate more affordable and low income housing and look forward to take part in creative solutions getting mental health services to guide desperate people to appropriate means.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The planning Advisory bodies has the purpose of advising the Council on direction to move forward with decision making that is in accordance with the General Plan as well as the Governing laws within our city.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

The first step in advising the City Council on each of these matters will be to study and review past documents with each one. Next will be to go over Current goals and city inputs with regard to future of each matter and try to find solutions that meet these needs when proposing goals to the Council.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Question applies to multiple boards

How did you hear about this vacancy?

☑ City Website

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Constance L. Kopps
[redacted]

Summary

- Entrepreneur looking to help sister agencies while raising capital for her start-up
- Dependable, fun, out going
- Ability to manage, to delegate and to support others in team driven settings
- Attentive to legal compliances , safety and health laws, familiar with first aide and emergency care

Education

Eisenhower High School/ 1979 Graduate

Sunny Slope Road, New Berlin, WI

University of Wisconsin Stout/ 1989 Graduate
712 Broadway Street South
Menomonee, WI

Bachelors of Science.degree/ Early Childhood Education
Please see transcripts

Los Positas Community College
Administration for daycare- class

Career History & Accomplishments

Innovator *1994-present*

I have invented, prototyped, copyrighted various toys and games and I am currently working to protect a valuable products and processes.

Civic minded- As an educator I take the time to rally others to stay involved with matters that affect our community. I regularly attend city and community meetings to integrate myself in city, county, regional, state and federal issues- often providing input that has caused great change. While there is much to do in this arena I feel this is such an important goal and should be a top priority for all Bay Area Citizens.

Livermore Joint Unified School District located at Teacher *2000-2011*
Worked for the Livermore Valley Joint Unified School District as a substitute Teacher with assignments at all grade levels as well as all specialty classes. With four long term assignments one of which was a Science class for middle School and the other three were for teaching moderate to severely disabled students. Along with teaching K-12 students in core subjects, I also had the chance to teach art, music, drama and band classes. The teaching in regular classes also had inclusion programs in place at many of their schools. I was also placed to work in many special day classes as well as the alternative high school to help those with special needs.

Valeey Montessori- worked as enrichment teacher in the after school program- duties included providing learning through play time for the students to develop large and small moter skills, social skills, education on fitness and nutrition.

20007-2008

Memberships & Affiliations

- Fraternal Order of Eagles 10 year member/ As a member approaching 19 years I also worked as a volunteer for this organization prior to formally joining this club. The Motto for the eagles club is People Helping People and the charitable programs we support are meals on wheels, guidedogs for the blind, adopt a family, the national diabetes association, walk for life cystic fibrosis and others.
- Active in community volunteering with park district, the Elks club and for area services.
- Presented invention at Innovation Tri-Valley
- Started and maintained a parent cop
- Coached Livermore youth soccer under 8 age group

recent updates to resume

Please note: currently working for my husbands Roofing Business.

Also: I have more than 10 years As an Eagle member and now A third year President of this Club.

Page 2 of 2

City of Livermore

Advisory Body Application

Profile

Tracy
First Name

Middle Initial

Kronzak
Last Name

Pronoun (s)

they/them

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore
City

CA
State

94551
Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

☑ District 2

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

5

Do you work in Livermore?

◉ Yes ○ No

Self
Employer

Consultant/Advisor
Job Title

Education

Bachelor of Arts, Russian and East European Studies, Cornell University Master of Public Administration, Public and Nonprofit Management and Policy, New York University

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

17 January 2023

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

My interest is an outgrowth of my current involvement in the General Plan Advisory Committee. This has been incredibly educational regarding how the City's decision-making process is structured, as well as regarding the concerns and interests from multiple constituents and neighborhoods. Livermore is a city that, over the course of the past five years, I've come to know well; the Planning Commission represents an even deeper dive into the structures, infrastructure, and land uses that are available to us as we tackle 21st Century needs and concerns while planning for a future that outlasts us.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

General Plan Advisory Committee Member, 2022-Present Co-Founder, Livermore Pride 2019-2022

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

General Plan Advisory Committee Member; I also hold a Masters of Public Administration with a concentration in policy analysis and formation.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

My experience on the GPAC leads me to understand this is as much about attention to detail as it is being a generalist willing to listen to the expertise of others, City staff, and evaluate the needs of planning commission requests against the overall General Plan and City policies. I am at heart a strategist and builder with two decades of business experience, and Planning Commission applies these skillsets while continuing to allow the myriad of experts available to the City to inform the decisions of the overall group. This is a vital link between advisory bodies and the City Council, that, while unelected, ensures there is a citizen review of how we manage our land and allocate building and infrastructural priorities that should ideally outlast any given city administration or council and provide greater options for future residents.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

Ensure that there is a review of land use requests that informs the decisions of the City Council while representing the diversity of the City. Be visible to city residents, and bring in an open mind to meetings while recognizing that caring about issues isn't the same as having expertise in all of them.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

How we create the proper preconditions with our land use is vital to the success of a city that wants to be both economically diverse and inclusive, as well as support the vision of the General Plan Update currently in progress. Livermore has spent decades creating a town that has both design for beauty and culture as well as opportunity for business and growth. This is about asking questions, seeking compromise, and developing long-term consensus vision for our City. City Council seeks guidance and recommendations from the Planning Commission while exercising its authority as elected representatives in setting overall policy direction and vision - Planning Commission helps connect this direction and vision to the administration of the city, and help answer "how?" when questions of our land use arise.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Word of Mouth

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

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☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Rev. Tracy Kronzak, MPA

[redacted]

Professional Profile

• Detail-oriented problem solver, systems thinker, and blue-sky strategist
• Highly motivated, intellectually curious self-starter focused on cross-functional execution
• Proven collaborator and creator of enterprise-scale initiatives
• Adept verbal and written communicator to C-level executives and mass audiences
• Nonprofit CRM systems expert with certified Salesforce specialization
• Over twenty years nonprofit technology adoption and management expertise
• Social justice, racial justice research/communication, and LGBT organizing experience

Professional Experience

Director – Partnerships, *Bonterra,* Austin, TX 5/22 – 1/23
• Role eliminated due to workforce reduction
• Led development of multi-business unit partnership program for implementation and developer businesses serving customers
• Created cross-functional internal partner engagement infrastructure
• Developed and launched business partner benchmarks for tiered partner engagement program

Director – Innovation, *Now IT Matters,* Bozeman, MT 12/20 – 5/22
Strategic Platform Advisor, *Now IT Matters,* Bozeman, MT 4/20 – 11/20
• Executive team leader for organization-wide decision-making and prioritization
• Led internal business services adoption of Microsoft Cloud platforms for nonprofit customers
• Industry advisor to nonprofit-serving application and consulting businesses
• Business architect for key nonprofit customers to drive technology adoption and growth
• Solution architect for enterprise CRM customers to align platform best practice to needs

Co-Owner – *Why IT Matters,* 9/20 – Present
• Created, developed, and obtained sponsorship podcasts with industry executives and leaders
• Created, developed, and launched industry-thought leadership content and events

Principal – *Tracy Kronzak Consulting/TK Endeavours***,** Livermore, CA 9/14 – 9/20
• Strategy, content, CRM implementation, and technology adoption consulting for nonprofit leaders
• Business growth strategy and content for nonprofit-serving consultancies and app developers

Sr. Manager, Success Engagement, *Salesforce.org,* San Francisco, CA 8/18 – 8/19
• Strategized on organizational technology approach, capacity considerations, and successful implementations of CRM platform for long-term adoption and use with executive stakeholders

Sr. Manager, Partner Success, *Salesforce.org*, San Francisco, CA 3/18 – 8/18

Partner Training and Enablement Manager, *Salesforce.org*, San Francisco, CA, 1/17 – 3/18
• Initiated a global business partner enablement program for nonprofit-serving consultancies, including live trainings with content specific to both the United States and Europe
• Evaluated European business partners for technical, domain expertise, and readiness for partner program participation; advised on European market business strategy based on partner evaluations
• Hired staff as content, business partnership, and success experts to support partner enablement
• Created application technical compatibility and interoperability standards for higher education product, and led successful management of highest ACV application development organizations to meet defined standards
• Led internal and external cross-functional teams in support of partner success initiatives

Co-Founder, *BrightStep Partners,* San Francisco, CA, 9/14 – 7/16
• Created and grew a startup Salesforce ecosystem implementation company
• Hired, trained, and coached consulting staff

Senior Cloud Consultant/Strategic Initiatives Manager, *Cloud for Good*, Memphis, TN, 7/13 – 8/14
• Managed small to enterprise-scale client implementation projects and delivery methodolgies emphasizing emerging technologies, strategies, and Salesforce applications
• Trained and supervised consulting staff for business growth

Consultant, *Heller Consulting,* Oakland, CA, 5/11 – 6/13
• Developed industry-adopted Salesforce platform best practices for application data conversion
• Conceptualized and authored whitepapers on Salesforce adoption, architecture, and customization

Technology Manager, *Applied Research Center,* Oakland, CA, 3/07 – 4/11
Research and Technology Associate, *Applied Research Center,* Oakland, CA, 6/05 – 3/07
Executive/Research Assistant, *Applied Research Center,* Oakland, CA, 3/04 – 6/05
• Provided tactical support for a national nonprofit with mixed user and office locations
• Oversaw technology budget to meet priorities for infrastructure, end users and departments
• Developed and implemented technology assessment, growth and attrition strategy
• Researched and wrote racial justice public policy briefs for conferences and trainings

Recent Speaking Engagements

• DigitalOcean Deploy 2022 – “Scaling in the Cloud in Uncertain Times”
• TechSoup Global Gathering 2021 – “The Value of Shared Data Model Standards for Nonprofits”
• Big Sky Dreamin’ 2019, Bozeman MT – “Realizing the Technology Promise for NGOs”

• NorCal Dreamin' 2019, Sacramento CA – Nonprofit Kickoff Keynote, "NGOs Prospering with Tech"
• Dreamforce 2015-2018, San Francisco CA – Various topics
• NetSquared Vancouver 2018, Vancouver BC – Keynote, "The Technology Strategy of Love"
• TractionForce 2017, Vancouver BC – Nonprofit Keynote, "The Data-Driven Nonprofit"

Additional Activities/Interests

• Advisory Board Member, *Pond (joinpond.com):* 2022 – Present
• General Plan Advisory Committee, *City of Livermore:* 2022 – Present
• Advisory Steering Team, *Microsoft Tech for Social Impact:* 2021 – Present
• Ordained Priestess, *Temple of Isis:* 2015 – Present
• Co-Founder, *Livermore Pride*: 2019 – 2022
• *Salesforce.org Nonprofit Starter Pack Advisory Board*: 2015 – 2017
• *NTEN.org Leading Change Conference* Advisory Panel and Track Leader: 2014
• *NTEN.org Technology Conference* Advisory Panel: 2011 – 2014

Education

• *Master of Public Administration*, Public and Nonprofit Management and Policy
New York University, New York, NY
• *Bachelor of Arts*, Russian and East European Studies
Cornell University, Ithaca, NY; *Quill & Dagger Senior Honor Society*

City of Livermore

Advisory Body Application

Profile

Alan (First Name) | E (Middle Initial) | Marling (Last Name)

Pronoun (s)

he/them

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94550 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 4

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

30

Do you work in Livermore?

- (•) Yes
- ( ) No

father (Employer) | caretaker (Job Title)

Education

Bachelor of Science

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

December 6, November 1

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I hope to facilitate public and active transportation, to help the city meet its Climate Action Plan goals. Livermore should continue to lead the way with ambitious green energy generation and reap the benefits of cleaner air and ecotourism. I would love to shade parking lots with solar and fill the quarry pits with photovoltaic cells. Developing density around public transit hubs will make public and active transit more viable. I also value open space. I would oppose developing it, with the exception of infrastructure designed to address one of the two crises of California: affordable housing or climate. I am not interested in expending open space for more town houses.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I am comfortable speaking and writing about political issues and have done so for six years as a projection activist.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

Not as such, but I am researching independently.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

In addition to the interests I have already described, I have seen the Planning Committee is important in matters relating to housing the homeless and advising the Council on temporary sign ordinances, two more areas I'm passionate about.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

To advise and assist the City Council in matters relating to zoning and development, to better Livermore in accordance with the General Plan.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

To help the City Council take Livermore another step forward into the twenty-first century, which requires strategic planning in the face of escalating crises of housing and climate. The Planning Commission will recommend projects that help fit the goals of the General Plan and various specific plans, help refine those projects, and recommend zonings to encourage those projects.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.



Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ City Website

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Given the spread of viruses, especially during the winter months, I would prefer a mask requirement or meetings over Zoom.


science
fusion

City of Livermore

Advisory Body Application

Profile

Neal
First Name

Middle Initial

Pann
Last Name

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore
City

CA
State

94550
Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

☑ District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

45

Do you work in Livermore?

○ Yes ◉ No

HKIT Architects
Employer

Project Manager
Job Title

Education

Bachelor of Architecture, California Polytechnic University, San Luis Obispo

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

January 17, 2023

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

As a longtime resident it has been a great pleasure observing Livermore embrace a rejuvenated, vibrant downtown that is continuing to build upon its previous successes. Having chosen to design and built my family's home in Livermore, being a member of the Planning Commission is an opportunity to volunteer my skillset and experience as a licensed architect on matters related to future growth and development of Livermore. As Livermore continues its successful practice of smart growth policies, there are several important projects that will shape Livermore into the future. It would be an honor to be asked by the Council to assist them in achieving their goals by serving on the Livermore Planning Commission.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

My civic participation includes previously terms on the Planning Commission and Historic Preservation Commission, that included thirteen years of providing fact-based reasons supported by evidence in the record to the Council on decisions involving the General Plan, Development Code and Design Standards and Guidelines. Currently my civic participation includes serving as a member of the Community Asset Management Program (CAMP) for the past two years. My community involvement has included being a Scout leader for four years, participation in the yearlong Livermore Chamber of Commerce Leadership Livermore program, graduating in Class 34 of the Livermore Citizens Police Academy and various other community activities include participating in creek cleanups along with community outreach meetings on various projects involving the Livermore community. Currently my participation includes four years serving as a Member of the Board for Livermore Downtown, Inc.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

Coming out of high school, after completing four years of drafting at Granada High school and working for an architect whose office was in located on the second floor of the historic railroad depot, inspired a career in the field of planning and architecture. That experience instilled a passion for the history and esthetics of Livermore. My career as a licensed architect has provided the opportunity to be involved in the planning, design and building of a variety of projects from home remodels, master planned communities and multifamily residential projects including affordable and senior housing developments. All these experiences have provided a broad level of expertise in understanding and implementing land use, zoning and design standards and guidelines.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

The expectations for the Planning Commission accomplishments and outcomes would be to continue to ensure that the orderly plan and development of the city, including the downtown, is consistent with the General Plan, Development Code and Design Standards, plus the goals and priorities of the Council. The anticipated contributions of a Planning Commissioner are to listen and collaborate with the fellow commissioners and add my experience as a design professional to assist the commission in interpreting the physical implications of a development, its use of details and materials in how those relate to the Livermore's Design Standards and Guidelines.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The purpose of the Planning Commission is to look after the planning and physical development of the city. It also is a forum for the public to comment and provide input on those land use policies that shape Livermore. As a member, I have the added responsibility to encourage public participation and when necessary, recommend alternate solutions that support the policies of the City Council.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

One of the duties and responsibilities outlined for the Planning Commission is to support the goals and priorities adopted by the City Council. As a member of the Planning Commission, working as a team with the other commissions, I will work to support the continued enhancement of Downtown, advise on the General Plan update along with making recommendations on the development of affordable housing and promote public interest and encourage citizen participation in maintaining Livermore's asset and stormwater management programs when reviewing and making recommendations to the City Council on projects presented to the Planning Commission.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

- [x] Newspaper ad

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

- [x] I Agree

Personal Privacy

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- [x] I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Neal A. Pann, Architect, LEED AP

[redacted]

Profile

Architect and project manager with practical knowledge leading multi-disciplinary teams for a wide variety of building and project types. Significant experience in all aspects of project management, including project planning, scheduling, budgeting, processing of entitlements, design and construction. History of applying problem solving abilities and conflict resolution skills to implement innovative solutions to complex problems amongst team members, outside consultants, contractors and clients. Excellent verbal and written communication skills required to successfully collaborate in a team environment and deliver project proposals and presentations. Enjoy mentoring peers and less experienced team members in project management principles and practices. Former City of Livermore Planning, Historic Preservation Commissioner, founder and former co-host of the Archispeak Podcast and founder and host of the Inside the Apple Studio Podcast.

Proficient in AutoCAD, Vectorworks, Adobe (Photoshop, InDesign), Microsoft Office Suite (including, Project), iWork (Pages, Numbers, Keynote), Procore, PlanGrid, and Bluebeam.

Core Skills

Program – Project Delivery; Preparing/Maintaining Internal Programs and Scheduling.

Design – Project Brief, including Scope of Work; Project Reviews; Document Coordination; Maintain Design Intent; Materials Specifications and Selections; Fittings, Fixtures and Equipment Schedules, Relevant Standards Compliance; Shop Drawing Review; Green Building Design.

Contractor/Consultant – Preparing and Reviewing Contracts; Coordination/Review of Services, Requirements and Proposals; Coordination of Drawings and Design Intent; Site Inspections; Local Authority Approvals and Engagement of Consultants.

Costs – Fee Proposals; Cost Reporting; Cost Projections; Fee Projections and Payment Authorizations.

Internal/Resource – Personnel Management and Resourcing; Team Coordination, Communication Goal Setting and Assessment, Development and Feedback.

Experience

PROJECT MANAGER, HKIT ARCHITECTS; OAKLAND, CA – 2021-CURRENT

Project Manager in construction administration for multifamily residential projects, including coordination with consultants and construction team and RFI responses, reviewing submittals plus shop drawing reviews.

PROJECT MANAGER, AC MARTIN FORMERLY TOGAWA SMITH MARTIN, INC.; PLEASANTON, CA – 2019-2021

Project Manager for the rehabilitation of multifamily residential projects, including scheduling, construction documentation, client and consultant coordination. Zoning research, density studies and concept site design layout for multifamily housing projects. Involved in business development and responding to RFP's.

PROJECT MANAGER, D.R. HORTON; PLEASANTON, CA – 2019-2019

Project Manager responsible for processing of entitlements for several new construction projects, managing scope, schedule and budget. This included coordination of the consultant team for tentative maps, improvement, landscaping, utility and architectural plans, plus engaging with municipalities, public agencies and real estate developers.

- Review City Council meetings and follow up on potential impact fee increases to incorporate into the project budget.
- Study different municipalities General Plan and Zoning code to understand potential inclusionary housing and development requirements and the impacts to the schedule and budget.

ARCHITECT, DAHLIN GROUP ARCHITECTS • PLANNERS; PLEASANTON, CA – 2016-2019

Project architect / manager in charge of multiple clients and working on a variety of residential developments including single-family, multifamily attached townhouse and cluster products plus affordable housing rehabilitation. Managing all aspects of projects from initial meetings, to design, presentations, construction documents and construction administration.

- Managed a team through design development and construction drawings for a 450 unit multifamily project where the team successfully completed the construction drawings within 12 weeks and 40% under budget. Project was a Building Industry Association Community of the Year Merit Award Winner.
- Led a team performing affordable housing rehabilitation projects for a non-profit housing developer, negotiating contracts reviewing invoicing, managing outside consultants and delivering projects on schedule.

PRINCIPAL, NEAL A. PANN, ARCHITECT; LIVERMORE, CA – 2009-2016

Principal architect for commercial tenant improvement and residential construction projects, including new construction and renovations. In charge of marketing, contract negotiations, scheduling and general project management and production.

- Developed project scopes, budgets and timelines with clients.
- Provided consulting services to other design professionals.

PROJECT MANAGER, HUNT HALE JONES; SAN FRANCISCO, CA – 2008-2009

Design and project management for a 200 unit continuing care retirement community (CCRC) in Broussard, Louisiana and a planned residential development in Chung Ching, China. Responsible for the schedule, budget and coordination of consultants.

- Managed CCRC schedule and budget to maintain a 10% value of the fee.
- Completed the design development of 12 custom houses in China at 20% under budget.

DIRECTOR OF ARCHITECTURE, BRADDOCK & LOGAN; DANVILLE, CA – 2006-2008

Directed the design, coordination and management of architects, engineers, landscape architects plus local agencies through the design development process for the approval of multiple planned unit development projects.

- Directed the design and coordination of the Site Development Review process, achieving approval and completion of construction documents for one apartment and two large single-family projects within the City of Dublin in 9 months.

MANAGER OF ARCHITECTURE, RICHMOND AMERICAN HOMES; PLEASANTON, CA – 2004-2006

Forward Planner and subsequent Manager of Architecture which involved reviewing contract proposals, negotiating fees, preparing schedules for multiple residential projects. Managed relationships with design firms, contractors and project work-flow, assuring schedule compliance and monitoring cost objectives.

- Negotiated with planning and building departments to reduce processing schedules by weeks' thereby improving projects' profitability.
- Obtained approvals from the State Department of Water Resources in only 6 months.
- Created and implemented both an electronic storage and drawing archive methodology used throughout the planning department.

ARCHITECT, WILLIAM HEZMALHALCH ARCHITECTS; PLEASANTON, CA – 2003-2004

Prepared design development, construction documents for single-family production homes and coordination with consultants and construction observation.

- Assisted with the training of junior staff in materials and methods used in construction drawings.

PROJECT MANAGER, SDG ARCHITECTS; BRENTWOOD, CA – 2001-2003

Responsible for the coordination, management and executing project goals with a production team on over 25 single family home projects per year. Presented to local review boards and commissions. Participated in interviews for new hires, annual reviews of staff, and scheduled regular meetings with project team to achieve focused project results.

- Presented monthly production team progress and accomplishment updates to entire staff.
- Participated in interviews for new hires.
- Performed annual reviews of production staff.

PROJECT MANAGER, DAHLIN GROUP ARCHITECTS • PLANNERS; SAN RAMON, CA – 1994-2001

Began as a junior drafter and advanced to architect and project manager in charge of multiple clients working on a variety of projects including recreational facilities and residential developments. Managed all aspects of projects from initial meetings, to design, presentations, construction documents and construction administration.

Education | Affiliations

Cal Poly, San Luis Obispo, CA – Bachelor of Architecture
American Institute of Architects
LEED, Accredited Professional
Commissioner, Livermore Historic Preservation Commission, 2006-2011
Commissioner, Livermore Planning Commission, 2011-2019
Board Member, Livermore Downtown Inc., 2019-Current

City of Livermore

Advisory Body Application

Profile

Julie (First Name) | R (Middle Initial) | Perea (Last Name)

Pronoun (s)

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94550 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

10

Do you work in Livermore?

- ○ Yes
- ◉ No

The Clorox Company (Employer) | Facility Space Planner (Job Title)

Education

BA Fine Arts (Studio Art) - DePauw University Architectural Drafting Certificate - Ivy Tech Community College

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

○ Yes ◉ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

January 17, 2023

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

As a 10 year resident of the city, I have been seeking an opportunity to get more involved in the community and feel this would be a great fit due to my work experience and skills noted below.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

Lifelong volunteer with a number of different agencies. Experience includes: East Bay SPCA, 9 years and counting One Brick, 6 years Ronald McDonald House of Indiana, 5 years Girls on the Run, 2 years NextUp, 2 years and counting 2 separate volunteer trips to New Orleans area to rebuild post- Katrina DePauw Winter Term in Service - monthlong trip to work with Habitat for Humanity in Coahama, MS

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have been employed as an architectural drafter and later space and occupancy planner for nearly 25 years. I have keen spatial skills and know how to read construction drawings (i.e. blueprints).

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

The Planning Commission is responsible for vetting planning projects and making informed recommendations to the city council. I believe that my drafting, space and occupancy planning skills will all allow me to make a valuable contribution. I have often wondered about the process for certain projects being approved over others, and why some properties sit seemingly abandoned when they could be repurposed (or demolished if they are a safety hazard).

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The Planning Commission is responsible for vetting planning projects and making informed recommendations to the city council.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

The Planning Commission will play a key role in implementing all of the City Council's Goals and Priorities. I envision the Commission's involvement with new construction, infrastructure updates, and the downtown projects.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Newspaper ad

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Contact

[redacted]

[redacted]

Top Skills

Public Speaking
Community Outreach
Creative Problem Solving

Certifications

Persuading Others
Excel: Dashboards for Beginners
Workplace Strategy and Leadership Program

Julie Ridenour Perea (she/her/hers)

Space & Occupancy Planner
San Francisco Bay Area

Summary

I'm a "connector". I love working with a team, making things happen. From space planning and move management to volunteering in my community, I enjoy getting to know people, their interests and strengths, and putting that knowledge to use for the common good.

I'm interested in any role that will allow me to use my people and problem solving skills in a meaningful way. That might mean coordinating an office move or helping an individual find a fulfilling job.

I love using my network to introduce people who can help each other! I'm very group oriented and enjoy facilitating teams toward a common goal. How can my skills work for your company?

Specialties: CAFM (Archibus, Serraview, Centerstone), occupancy planning, space programming, test fits (Saltmine), corporate move planning and execution.

Experience

The Clorox Company

Facility Space Planner
March 2016 - Present (6 years 11 months)
Pleasanton, CA

I work with internal teams to ensure they have the right space for the right tasks: for maximum creativity, innovation and productivity. I keep track of headcounts for reporting and forecasting, plan moves (aka "human Jenga"), oversee furniture reconfigurations, and create space programs and test fits using Saltmine and AutoCad. I oversaw selection and implementation of Serraview and the CXApp and am the Serraview system administrator, responsible for data accuracy and validation.

Facilities First

Occupancy Planner - Lam Research

September 2015 - March 2016 (7 months)

Fremont, CA

Lam bought licenses for Centerstone software in 2014 but had not fully implemented it. I was brought onboard to:

- scrub existing data
- implement automated data syncs with other teams (HR, security, finance)
- keep drawings up to date
- train teammates on best practices and effective use of the tool

The Millennium Group

North America Space Planner - PayPal

January 2015 - September 2015 (9 months)

San Jose

North America Space Planner onsite at eBay, Inc., (now Paypal) in San Jose, overseeing three Paypal North America Customer Service sites (about 5150 headcount and roughly 523K SF of space). Responsibilities include:

- Processing move requests and new hire seat requests
- Coordinating weekly moves with on-site Facility Operations contacts
- Making updates to occupancy data as moves are completed
- Coordinating ad hoc movement of personnel (group shuffles not part of normal weekly moves) with on-site Facility contacts
- Working directly with customers to ensure seating assignments comply with business preferences and strategies
- Working directly with customers to increase efficiency of space utilization
- Auditing Occupancy on regular frequencies
- Participation in process improvement discussions

I also provided similar services to 3 Paypal CS sites in Ireland and Germany while EMEA space planner was out on maternity leave.

Robert Stephen Consulting, LLC

Space Planner

April 2013 - December 2014 (1 year 9 months)

eBay

North America Space Planner onsite at eBay in San Jose, overseeing three Paypal North America Customer Service sites (about 5150 headcount and roughly 523K SF of space). Responsibilities include:

- Processing move requests and new hire seat requests

- Coordinating weekly moves with on-site Facility Operations contacts
- Making updates to occupancy data as moves are completed
- Coordinating ad hoc movement of personnel (group shuffles not part of normal weekly moves) with on-site Facility contacts
- Working directly with customers to ensure seating assignments comply with business preferences and strategies
- Working directly with customers to increase efficiency of space utilization
- Auditing Occupancy on regular frequencies
- Participation in process improvement discussions

I also provided similar services to 3 Paypal CS sites in Ireland and Germany while EMEA space planner was out on maternity leave.

Self-Employed
Voice Actor
November 2010 - December 2014 (4 years 2 months)

Clients include pandora.com, Think Agency and TorranceLearning. Visit www.voiceofjulie.com for demos.

Self
Contract CAFM Specialist
October 2012 - April 2013 (7 months)

Modifying base drawings and polylines using AutoCAD, administrative scheduling and monitoring of 4 building audit teams working on multiple sites throughout California, creating reports to reflect audit team progress, updating Archibus to show employee moves.

Washtenaw Area Council for Children
CyberSafety Facilitator
July 2010 - July 2012 (2 years 1 month)

• Presented CyberSafety programs to 10,000+ teens and 500+ parents throughout Washtenaw County.
• Constantly researched topics and updated presentation materials to reflect current events.
• Advised Internet Safety peer mentor groups at 3 middle and 2 high schools.
• Served on Washtenaw County Cyber Citizenship Coalition’s Awareness Committee.
• Presented at two Eastern Michigan University “Cyber Safety Career” conferences for teen girls.

One Brick
Grant Writer
July 2010 - December 2011 (1 year 6 months)

Contracted grant writer for One Brick

Ann Arbor Summer Festival
Manager, Development and Community Relations
January 2009 - July 2009 (7 months)

* Recruited, trained, and managed volunteers for pilot Volunteer Greeter program.
* Processed all donations, delivered donor benefits, maintained donor database.
* Served as staff liaison for Good Neighbor Ticket program, coordinating ticket requests and distributing tickets to social service agencies.
* Collaborated with staff and interns to coordinate and evaluate all community engagement programs.
* Researched and applied for grant funding; 100% grant funding record.

Alzheimer's Association
Volunteer Program Manager
December 2006 - May 2008 (1 year 6 months)

· Recruited, trained, and managed volunteers and interns for various programs, including 300+ volunteers at Memory Walk fundraising event.
· Maintained volunteer and intern records in VolunteerWorks database.
· Co-developed new volunteer tracking database using Microsoft Access 2007, resulting in more detailed reporting.
· Created interactive educational display for use at outreach events and health fairs.
· Cultivated corporate health fair relationships, resulting in Association attendance at two new corporate events per month in 2007.

One Brick (www.onebrick.org)
South Bay Chapter Director
2002 - May 2008 (6 years)

South Bay Chapter Director

* Managed relationships with Bay Area non-profits, promoting One Brick and offering volunteer assistance. Responsible for scheduling of 7-9 events monthly.

* Spearheaded development of a South Bay “sub-team”, which now consists of 50+ team members and contributes more than 700 volunteer hours per month to the community.
* Recruited volunteers to become event managers.

Manager, Member Core Team

* Member of the Core Team, responsible for the strategic direction of the Bay Area chapter.
* Coordinated 25+ volunteers at minimum 1 event per month.
* Promoted events using online (community websites and email) and offline (flyers, postcards, etc.) media to attract broader volunteer base.
* Managed 2006 national year-end fundraising campaign, resulting in record donations to organization.

Volt at Network Appliance
Space Planner/ CAFM Specialist
October 2005 - April 2006 (7 months)

· Assisted with implementation and management of Network Appliance’s first CAFM database.
· Coordinated “Performance Day One” process, ensuring that new hires are productive on day one.
· Created monthly occupancy reports for real estate planning use by C level staff.

Trammell Crow
Space Planner, E*TRADE account
March 2003 - September 2005 (2 years 7 months)

· Planned and managed 2 high-profile, complex move consolidation projects including 1500+ employees and multiple buildings
· Handled all space planning, HR data updating, financial charge back employee counts, and notifying the Business Continuity Planning teams of employee locations in case of a disaster for 6 U.S. locations.
· Coordinated all details for personnel moves, including writing move standards, scheduling telecom/facilities/equipment, identifying locations, and overseeing move transition.

CADD Resources
Space Planner, E*TRADE account
May 2000 - March 2003 (2 years 11 months)

· Organized facilities management onsite at E*Trade Financial campuses in Menlo Park and San Francisco; maintained the AutoCAD drawings and Aperture facilities management system.
· Directed all company moves, space planning, furniture configuration for Menlo Park campus.
· Created tool to produce space and charge back reports for the Finance Department.

Unisource Technologies
Project Manager
1998 - 2000 (2 years)

Continuum Solutions Consulting
CAFM Specialist
February 1997 - June 1998 (1 year 5 months)

BSA LifeStructures
Drafter
1997 - 1997 (less than a year)

WXTZ- FM
On Air Talent
1993 - 1996 (3 years)

Education

DePauw University
BA, Studio Art, Communications · (1987 - 1991)

San Jose State University
Certificate, Non-Profit Management Certificate Program · (2006 - 2007)

Ivy Tech State College
Certificate, Architectural Drafting · (1994 - 1996)

Southwood High School
· (1983 - 1987)

City of Livermore

Advisory Body Application

Profile

John (First Name) | D (Middle Initial) | Stein (Last Name)

Pronoun (s)

Usual convention

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore (City) | CA (State) | 94550 (Postal Code)

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 3

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

50

Do you work in Livermore?

- ○ Yes
- ◉ No

Mantech International (Employer) | Senior Scientist (Job Title)

Education

Bs in Engineering Science at NYU, MS and PhD in Nuclear Engineering at RPI

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

I have regularly attended

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

I believe it is our responsibility to serve our community. I find serving on the Planning is both rewarding and fulfilling. I believe that I have the Knowledge, ability and experience to offer sound advice on long term land use planning to the Livermore City Council.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

I have served on the Livermore City Council (15 years), Beautification Committee (8 years), Energy and Environement Committe (2 years), as wella s LAVTA and LAVMA. I was a founding member of Friend of the vineyards and Save Our Hills. I am currently Vice chair of the Planning Commission and a board member of UNCLE Credit Union

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I have attended numerous workshops, seminars and conferences on land use planning and urban design. I have particpated in the the development and implementation of the south Livermore Area Plan, General Plans, Specific Plans and the Creation of a Redevelopment Agency.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

I will continue to advise the City Council in the long-term planning of our community. i will help to develop the planning documents to implement this planning. I will carry out the magisterial and judicial duties regard zoning issues as required. i will help to develop te new Genera Plan, particularly the ousing and climate action portions. I will help to develop new Design Guidelines for duplex zoning in single family zones as well as ADU's.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The purpose of the Planning Commission is to advise the City Council on matters of land use and urban planning. There are also judicial and ministerial duties regarding zoning.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

I have reviewed the Council's Goals and Priorities and will support their implementation to the best of my abilities. I do not believe that the goals for 2023 have yet been finalized but look forward to seeing them.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

☑ Other

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

☑ I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

☑ I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

City of Livermore

Advisory Body Application

Profile

Asa (First Name) | (Middle Initial) | Strout (Last Name)

Pronoun (s)

He/Him

[redacted]
Email Address

[redacted]
Home Address

[redacted]
Suite or Apt

Livermore
City

CA
State

94550
Postal Code

Question applies to multiple boards

What district do you live in? (If you do not know, please use the locator map here:https://www.livermoreca.gov/home/showdocument?id=9380&t=637980465688676789 *

- [x] District 4

[redacted]
Primary Phone

[redacted]
Alternate Phone

Which Boards would you like to apply for?

Planning Commission: Submitted

Years residing in Livermore

33

Do you work in Livermore?

- ○ Yes
- ◉ No

Zuora, Inc
Employer

Senior Business Analyst
Job Title

Education

- LHS Graduate - Associate of Arts Degree - Las Positas College - Bachelors of Science, Business Administration - California State University, East Bay

Question applies to multiple boards

Are you a registered voter in the City of Livermore

◉ Yes ○ No

Question applies to multiple boards

Are you currently on a City of Livermore Advisory Body?

◉ Yes ○ No

Question applies to multiple boards

Meeting Attendance: you must attend at least one meeting prior to submitting an application. Which meeting(s) did you attend? An informational meeting will be held January 17, 2023 5:30 PM in the City Council Chambers located at 1016 S. Livermore Avenue.

Most Recent: Planning Commission meeting on 1.17.2023

Interests & Experiences

Question applies to multiple boards

Briefly explain your interest in serving on the Advisory Body(s) you have selected. (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

My interest in serving on the Planning Commission stems from my belief in good government and my desire to be a good community member. Over the last seven years I have been a strong voice advocating for good government. I have supported Livermore's Downtown Specific plan from the beginning through active participation in workshops and city council meetings. I was an early voice in the community emphasizing how the development of the Downtown Specific Plan is a prime example of good government in action. I did this by writing letters to local news organizations, speaking at city council meetings, and even going so far as to co-found a non-profit, Unify Livermore. The core of the message focused on fiscal responsibility, compromising development, and, most importantly, conforming with city policy and guidelines. I continue to push for good government by being a strong voice on the Livermore General Plan Committee. Secondly, Livermore is my home. I was born here, my mother raised me here, and I am raising my kids here. Any opportunity where I can be of service to the city I love will always be of interest. From volunteering to teach swim lessons in high school to founding a local non-profit, my commitment to Livermore has been a lifetime effort. I am grateful for any opportunity where I can be of service to the city I love. Over the last few years we have had external forces (Covid-19 and frivolous lawsuits against Livermore) cause chaos for Livermore's development and I believe I can be a responsible steward on Livermore's Planning Commission. By leaning on my belief in good government and being a good community member, I can help Livermore be a consistent and predictable place for future development.

Question applies to Planning Commission

Summarize your participation in civic or community activities, including years of service.

Aside from years of volunteering starting at a young age teaching swimming lessons and through various projects with the Boy Scouts of America, I have been extremely active in the community since the early 2010s. I was a founding member and the first president of the Tri-Valley Rotaract club. Rotaract is a part of Rotary International and through this club we raised money and participated in local community events. Events like Military Care Package 'pack outs' for local soldiers on tour, and holding annual fund raisers for local non-profits such as Open Heart Kitchen. I was an active member of this organization for roughly 4.5 years until my first daughter was born in 2017. In 2018 I cofounded Unify Livermore, a non-profit with the goal to spread honest information about Livermore politics to create a more informed and civically engaged Livermore. I have been a member of Unify Livermore's leadership since its founding in 2018. Through Unify Livermore we have developed nonpartisan election content, hosted candidate speaking opportunities, and attended multiple civic engagement meetings. Complimentary to Unify Livermore, I was the co-campaign manager for the grassroots Yes on Measure P campaign in 2020. In 2018 I also participated in Livermore's Key to the City Program. Which is best described as a comprehensive look into Livermore's operations from Finance to Community Safety. It covered almost every area of city involvement and influence with tours of facilities used to help Livermore run as smoothly as possible. This program has a huge impact on how I see local government, as a complex well oiled machine working to provide Livermore with the best possible outcomes with the resources we have. In my opinion, it is a must have program for anyone wanting to get involved in local government. Most recently I have been focusing my efforts as a member of the Livermore General Plan Advisory Committee. There I have been a strong voice showing a clear understanding of the purpose of the committee and the topics presented. Advocating for a good balanced government that will help guide Livermore to be a stronger, more resilient, city.

Question applies to Planning Commission

Identify any experience (paid or volunteer) involving land use planning, urban design, architecture, landscape design, or service on other advisory committees with relevant experience.

I am a current Committee Member on the Livermore General Plan Advisory Committee. Here we have been participating in informational workshops covering a range of topics; for example, Urban Design Standards & trends, the state of housing in Livermore, an overview of commercial/industrial/office space, and understanding the hierarchy of guiding documents the City of Livermore makes their decisions around. During our discussions I have proven to have a firm understanding of what is expected as a member of the General Plan Committee. I have been able to guide conversation to stay on topic of zoning and how we zone instead of getting caught up in the details like where a fountain would go in a development. During the conversation we had around our housing element and the importance of meeting our RHNA target I meaningful and thoughtful suggestions, specifically around climate policy and affordable housing. Outside of being a member of the General Plan Committee my professional experience is being a Business Analyst in the technology industry. Even though there is no direct experience with land use planning or urban design, my profession requires an understanding of fundamental rules and an attention to detail required to be a successful Planning Commissioner. From navigating complex enterprise software implementations to partnering with corporate legal teams to ensure new and existing software functionality is compliant with existing legislation. This has allowed me to develop the necessary skills I believe will apply perfectly to working with the City of Livermore's Planning Department and Legal teams.

Question applies to Planning Commission

Referring to the Planning Commission's duties and responsibilities (https://www.livermoreca.gov/home/showpublisheddocument/9494/638011618530900000), briefly describe your expectations of the Planning Commission's accomplishments or outcomes and your anticipated contributions as a member of the Planning Commission.

My expectation of the Planning Commission is to provide a high quality and thorough review of all items presented to the commission. To treat each item equal in importance and merit against the General Plan, Design Standards and Guidelines, Development Code, and Area Specific Plans (when applicable). This is to ensure every item presented to the City Council that has passed through the Planning Commission received the same high quality review. My expectation as an individual Planning Commissioner is to have an in-depth understanding of the documents identified above. I will hold myself accountable to process the information within these documents with understanding and intention, and then use that information to provide insight and determination on an item presented before me. Lastly, I have an expectation of respect. This respect applies to my fellow commissioners, the city staff, the citizens of Livermore (in attendance or not), and respect for the process. To lean on the concept of good government, respect is required to create a clear and fair process where everyone feels the Planning Commission, as an institution, can be worked with easily and fairly.

Question applies to multiple boards

Briefly describe your interpretation of the purpose of this Advisory Body. To learn more you may visit the website found here: https://www.livermoreca.gov/departments/city-clerk/city-council-meeting-calendar-agendas, then click the link on the left had side and chose the Advisory Body you are interested in (If applying for more than one Advisory Body, please include a response for each Advisory Body.)

The purpose of the Planning Commission is to make decisions related to land use and development. Members of the Planning Commission review development proposals to ensure they comply with the City of Livermore's General Plan, Design Standards and Guidelines, Development Code, Area Specific Plans before being sent to City Council for their consideration. This is done for multiple reasons. First, this is done so the City of Livermore's development is consistent and predictable for those submitting development proposals. Secondly, this is done so when a development proposal is presented to Livermore's City Council for their consideration the City Council knows a proposal has already been reviewed by a Planning Commission that is conducting a high level review of the item. Additionally, the Planning Commission may advise or make recommendations to the City Council on changes to the General Plan, Design Standards and Guidelines, and Development code as development plans are presented that may require a change to be considered for approval to be granted or as the city grows and new zoning is required to be defined.

Question applies to multiple boards

Review the City Council's Goals and Priorities for Fiscal Years 2021-23 (You may review them here: https://www.livermoreca.gov/government/city-council/goals-priorities) Briefly describe how you anticipate this Advisory Body will assist the City Council in implementing the Goals and Priorities. (If you are applying for more than one Advisory Body, please include a response for each Advisory Body.)

As items are put before the Planning Commission each Commissioner should keep each Goal and Priority in the back of their mind. As a Planning Commissioner I will ask myself how the item presented helps the City of Livermore better achieve our Goals and Priorities. Some Goals and Priorities will apply more directly to the decisions made by the Planning Commission; for example, the General Plan Update, Downtown, and Homelessness and Affordable Housing (I look forward to continuing the advancement of Downtown as a member of the Planning Commission after years of work as a citizen), while others may not be presented directly to the Planning Commission. Regardless if a Goal or Priority directly applies to an item, it will be my responsibility as a Planning Commission to do my best to help achieve our goals in my capacity as defined as a member of the Planning Commission.

What else would you like the City Council to know about you? If you would like to provide additional information (resume, personal website, etc.) please use the Upload Resume button.

[redacted]

Upload a Resume

Question applies to multiple boards

How did you hear about this vacancy?

- [x] City Website
- [x] Word of Mouth

Declarations

Appointment

I acknowledge that I may be recommended for appointed to any Advisory Body at the discretion of the City Council.

- [x] I Agree

Personal Privacy

I acknowledge that resumes submitted become part of the City Council agenda and the City recommends not including personal information such as home address, email, telephone number or photo. Any personal information on a resume will be redacted.

- [x] I Agree

Question applies to multiple boards

Please let us know if there is any kind of accommodation you require.

Asa Strout

ATTACHMENT 14

Livermore, CA 94550

[redacted]

Summary

An outcome focused Business Operations and IT professional with 10+ years experience driving process and technology changes supporting the growth of Go-To-Market team's initiatives and programs by identifying opportunities of improvements. I will take my skills as an IT Go-To-Market Product Owner to deliver enterprise class solutions for complex business needs to meet required business outcomes.

Experience

Zuora, Inc. | Redwood City, CA **August 2014 - August 2022**

Product Owner, Go-To-Market & Senior Business Analyst January 2021 - August 2022

- Technology Lead for Go-To-Market IT team and covered the Business Relationship Management between the Go-To-Market Business Operations and IT.
- Restructured IT Applications Go-To-Market team creating clearer responsibilities and expanded the team globally creating a 24 hour development cycle.
- Collaborated with the Go-To-Market team and IT creating a more streamlined engagement model.
- Spearheaded the migration of Salesforce to the Lightning UI by defining requirements, negotiating vendor agreements, and collaborating with the vendor project team.
- Manage application improvements and production support for the Go-To-Market stakeholders.
- Drive end-to-end continuity of business operations by addressing dependencies and interoperability between systems, processes, and data.
- Defined User Story prioritization, backlog grooming, and sprint planning for delivery of requests from the Go-To-Market Teams.
- Managed a team of Business Analysts, Application Administrators, and Developers using AGILE and SDLC methodology to deliver solutions to the Go-To-Market Business Teams.

Senior Business Analyst June 2020 - January 2021

- Developed and delivered Churn Management improvements increasing the accuracy of churn metrics and boosted churn deflection by the Customer Success team.
- Redefined Zuora's Renewal process allowing for Renewal forecasting in Salesforce and Clari and reducing missed Renewals.
- Advanced major process re-engineering efforts by conducting process design/requirements & workshops leading business owners to define future state processes.
- Identified, created, and facilitated process design changes by conducting business and systems process analysis and design at a complex level; focusing on quality improvement, data management; ensuring data is reliable and valid.
- Map existing technical processes; lead the definition of the technical processes to be.
- Collaborated with stakeholders to establish up-to-date documentation for delivered solutions.
- Directly partners with the Sales and Customer Success Business Operations teams improving the working relationship between IT and Business Operations.
- Defined User Stories to meet the requirements requested and develop test cases ensuring acceptance criteria is met.

Business Analyst July 2017 – June 2020

- Supported the business system integration of Zuora acquired Leeyo Software into Zuora's business technology stack within 90 days. Fully Managed the Integration of the Professional Services organization.
- Implemented Zuora's Learning Management System used by customers and employees to improve course adoption and analytics to improve the quality of content delivered by the Training team.
- Primary partnership with Zuora's Global Services, Customer Success, and Global Support teams along with working cross-functionally with all Zuora departments to increase company operating cohesion.
- Translated business operation processes into technical process designs and requirements for engineering staff.
- Provided adequate business tool and application evaluation to ensure business process needs are met.
- Operations Subject Matter Expert within IT Applications and provides guidance on operational processes and data quality management to operational counterparts at Zuora.

Global Services Operations Analyst August 2014 – July 2017

- Provided data driven insight and analysis that support Zuora's growth initiatives for Executive and Director staff.
- Streamlined operation processes to improve Global Services efficiency. This includes automating Zuora's survey delivery and collection along with implementing a process for Churn Management that has increased end user productivity and churn tracking.
- Developed a standard reporting model within DOMO by connecting Salesforce data with customer data that is used by our Executive Staff, Board of Directors, and Management.
- Changed the Salesforce and FinancialForce PSA tools architecture from a barely functioning system to a system of record used across Zuora as a source of truth for Global Services Data.
- Identified issues within the Global Services billing process then implemented a plan that reduced the billing cycle from three weeks to four days and reduced the billing errors to near zero.
- Worked cross-functionally to improve the operational efficiency of business units across Zuora and how they interact with the Global Services team and strived to change a siloed work culture.
- Mentored and trained all new hires within the Global Services Operations on operational best practices.

Marin Software | San Francisco, CA **May 2011 - August 2014**

Sales Operations Associate September 2013 – August 2014

- Supported the design, implementation, and rollout of comprehensive Sales and Customer Success programs to support the Marin product strategy and selling process worldwide.
- Developed and maintained our Salesforce.com reporting functionality: prepare dashboards, Sales pipelines, and ad hoc reports for the field management, executives, and Board of Directors.
- Provided general sales operations administrative oversight functions: provide sales training programs, oversee new system/IT deployments, territory assignments, and lead generation task management.
- Implemented, managed, and maintained tools for the organizations supported by the Business and Sales Operations team. Includes; Docusign, Salesforce.com, SurveyGizmo, and Box.com.
- Collaborated with key stakeholders to identify and develop business requirements that support growth objectives.
- Designed, managed, and executed on Salesforce.com configuration projects to varying complexity to ensure the smooth operation of our day-to-day sales and services functions.
- Worked cross-functionally to maintain and improve upon our Salesforce.com integrations with different systems.
- Define requirements from departmental executives regarding business needs and translate them appropriately into business and technical processes.

Operations Coordinator, Global Services May 2011 – September 2013

- Designed workflows for the Global Services organization and defined how internal organizations interact.
- Initiated Customer Profitability analysis highlighting individual client cost compared to individual client revenue.
- Program Manager responsible for implementing and maintaining the Customer Satisfaction process.
- Ensured client communication channels to Technical Support teams were available.
- Identified and managed KPIs and metrics for Global Management and Executive Staff.
- Led internal training sessions for all global employees, and maintained training documentation and videos.
- Developed and delivered business processes improvements.

Skills & Software Experience

- Admin level knowledge of Salesforce.com
- Admin level knowledge of FinancialForce PSA
- Software Proficiency: Salesforce.com, FinancialForce PSA, DOMO, Box.com, Docusign, Excel, Survey Monkey
- Business Intelligence Tools DOMO and Salesforce Analytics
- Productivity: JIRA, Confluence, Salesforce Cases,

Education

California State University, East Bay

Bachelor of Science Degree
Major: Business Administration
Emphasis: Marketing Management

ATTACHMENT 15

Chapter 2.55
PLANNING COMMISSION*

Sections:

2.55.010 Members.
2.55.020 Duties and responsibilities.

*Code reviser's note: Ord. 1786 adopts a new Ch. 2.52, Planning Commission, which numerically conflicts with the preexisting Ch. 2.52, Redevelopment Agency. The new chapter has therefore been renumbered as Ch. 2.55.

2.55.010 Members.*

The Planning Commission shall consist of five members, all of whom must be residents of the City of Livermore. Preference is for at least two members to have demonstrated ability in the area of design by virtue of avocation, vocation, talent, and interest in design, architecture, landscape architecture, or a related field. (Ord. 2065 § 1(A), 2018; Ord. 1860 § 3, 2009; Ord. 1786 § 2, 2006)

*At the time of the initial consolidation of the design review committee with the Planning Commission, all members currently serving on the design review committee shall become members of the Planning Commission along with the currently appointed members of the Planning Commission. Temporarily, the maximum number of members of the Planning Commission shall be eight. Members shall serve until they voluntarily resign or are not re-appointed by City Council after their initial new term or reach the new term limits set forth in Exhibit B, attached to Ordinance 1860. As maximum terms expire, no appointments or re-appointments will be made until the Planning Commission consists of five members, at which time the maximum number of members will remain at five.

2.55.020 Duties and responsibilities.

The Planning Commission shall have the powers imposed upon city planning commissions by Section 65000 et seq., incorporated by reference, of the Government Code of the State of California. In addition, the Planning Commission shall have the following duties and responsibilities:

A. Advise the City Council in the adoption and maintenance of a comprehensive general plan for the physical growth and development of the City. Such plan shall reflect the future goals of the City and, after its adoption by the City Council, shall represent the City's policy on matters of physical growth. It shall also serve to guide the general location of future public facilities and improvements, and to aid in the encouragement and regulation of private development;

B. Serve as an advisory body to the City Council on matters related to city growth and development and on such matters as may be requested by the Council;

C. Promote public interest in planning and encourage citizen participation in the formulation of the general plan;

D. Engage in a program of acquainting the public with the problems and alternate solutions relating to the local physical environment;

ATTACHMENT 15

E. Interpret and implement the development code as approved by the City Council and as required by the development code; and

F. Interpret and implement the design standards and guidelines as approved by the City Council and as required by the development code. (Ord. 2065 § 1(A), 2018; Ord. 1901 § 3 (Exh. A § 4), 2010; Ord. 1860 § 4, 2009; Ord. 1786 § 2, 2006)

The Livermore Municipal Code is current through Ordinance 2081, passed December 10, 2018.

Disclaimer: The City Clerk's Office has the official version of the Livermore Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 10.1**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Supplemental materials received prior to the meeting.

RECOMMENDED ACTION

SUMMARY

These materials were posted online and made available to the public at the same time that they were distributed to the City Council.

3.1	Livermore Airport Annual Update Presented by Airport Commission Chair Adam Bertsch. Material: PowerPoint Presentation
7.1	Discussion and direction regarding Planning Commission interview and candidate selection process. Material: PowerPoint Presentation and Sample Interview Questions
8.0	Council Committee Reports and Matters Initiated by City Manager, City Attorney, Staff, and Council Members Material: Council Reports

DISCUSSION

ATTACHMENTS

1. Supplemental Materials

Prepared by: Debbie Elam
Deputy City Clerk

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



Livermore Municipal Airport
Annual Airport Update

February 13, 2023

Presented by Adam Bertsch, Airport Commission Chair

LIVERMORE CALIFORNIA

1

2022 Year in Review
LVK Airport Recovery from Pandemic

- Airport activity has rebounded from pandemic levels
- LVK Airport serves the needs of local businesses and organizations
- Various services and amenities offered at the Airport
- Projects at the Airport

LIVERMORE

2

Annual Operations

Airport activity has rebounded from pandemic levels

- 2022 – 197,236 operations
- 2021 – 184,208 operations
- 2020 – 151,644 operations

** Aircraft operation defined as a landing and take-off of any aircraft at the Airport*

LIVERMORE

3

Asset to the Tri Valley

LVK Airport serves the needs of local businesses and organizations.

Entities that use the Livermore Municipal Airport include Civil Air Patrol, Alameda County Sheriff's Air Squadron, Fortune 500 companies based in the Tri-Valley (Ross Stores, Chevron), and companies with Livermore locations (Costco, Safeway)







LIVERMORE

4

Services Offered at LVK

Various services and amenities offered at the Airport.

Amenities found at the Airport include Flight Training, Aircraft Maintenance and Repair, and fine dining at our onsite restaurant (*Elevation LVK).*

Activity returning to pre-pandemic levels for these businesses.







LIVERMORE

5

Projects at the Airport

Upcoming Projects at LVK

Projects under review by Airport Commission:

- Airport Leasing and Development Policy – policies related to leasing and/or development of land and/or improvements at LVK Airport
  - Presentation to Airport Commission in March 2023
  - Final version to Council in May 2023, following public comment
- Hangar Waitlist Policy – updated policy for prospective tenants on airport's waitlist
  - Presentation to Airport Commission in March 2023
- Community Noise Reporting – purchase of new software for community members to register noise reports.
  - Expected implementation April 2023

LIVERMORE

6

Questions?



LIVERMORE

7

PLANNING COMMISSION
SUGGESTED/SAMPLE INTERVIEW QUESTIONS

#	Question	Council Member
1.	What do you see as the primary responsibility of the Planning Commission?	
2.	What is your understanding of the City Council's goals and priorities and how do these help to inform the work of the Planning Commission?	
3.	What do you perceive to be the primary planning issues facing the community over the next few years and how should Livermore approach these issues?	
4.	What are some of the unique characteristics that help to define Livermore? What is the Commission's role in preserving or enhancing these defining features?	
5.	What are your thoughts about continued development of the Downtown? Tell us what issues exist and what improvements, if any, may be desirable.	
6.	How would you meet the community's goals in reviewing the site design and architecture of new development proposals?	
7.	Please identify a few of the plans, codes, and standards the City uses to regulate development and the role of these documents in the review process.	
8.	Please tell us about any experience you may have that has prepared you to serve on the Planning Commission.	
9.	Planning Commissioners may have a diverse range of personalities and opinions. Please describe your approach to dealing with fellow commissioners and how you might handle a disagreement over a project.	
10.	What is your understanding of the time commitment needed to serve on the Planning Commission and how you would be able to meet that commitment?	
11.	Why should we pick you?	
12.	Do you have any questions for us?	



Planning Commission Interview and Candidate Selection Process

February 13, 2023

Marie Weber, City Clerk

LIVERMORE CALIFORNIA

1

Planning Commission Recruitment

- As of March 1, 2023, there will be a total of three seats vacant or available for reappointment.
- City staff conducted a recruitment from December 16, 2022 - January 27, 2023, and received a total of 14 applications.
- City staff reached out to the community over social media platforms, The Independent newspaper ads, and the website.

LIVERMORE CALIFORNIA

2

Planning Commission Recruitment

- Candidate interviews are scheduled for March 2, 2023, at 5:00 pm
- Members are limited to serving two consecutive four-year terms, after which they may be appointed to the Planning Commission following a two-year break in service.
- Preference is for at least two members to have demonstrated ability in the area of design by virtue of avocation, vocation, talent and interest in design, architecture, landscape architecture, or a related field.

LIVERMORE CALIFORNIA

3

Staff Recommendation

- Due to the large number of applications received, staff recommends the City Council review applications and select the top six candidates to participate in 15-minute interviews on March 2nd
- Staff also recommends that the City Council appoint a subcommittee to review and select 5 interview questions that will be asked of Candidates

LIVERMORE CALIFORNIA

4

Questions?

LIVERMORE CALIFORNIA

5

City Council Report Out Form

Council Member Name: Brittni Kiick

Committee Meeting Date	Committee	Agenda Link	Meeting Type (ex: Board Meeting, Event, Community Meeting, etc)
February 6, 2023	LAVTA		Board Meeting
February 8, 2023	Valley Link		Board Meeting

City Council Report Out Form

Council Member Name: Evan Branning

Committee Meeting Date	Committee	Agenda Link	Meeting Type (ex: Board Meeting, Event, Community Meeting, etc)
January 18-20, 2023	League of California Cities		New Council Member Training
January 26, 2023	Assembly Member Rebecca Bauer -Kahan		Community Meeting
February 6, 2023	LAVTA		Board Meeting
February 8, 2023	Hops and Sessions/Livermore Downtown Inc.		Ribbon Cutting

City Council Report Out Form

Council Member Name: Robert Carling

Committee Meeting Date	Committee	Agenda Link	Meeting Type (ex: Board Meeting, Event, Community Meeting, etc)
January 25, 2023	StopWaste		Board Meeting
January 26, 2023	Tri-Valley Affordable Housing Committee (TVAHC)		Board Meeting
January 26, 2023	iGate		Board Meeting
February 9, 2023	Stop Waste		Board Meeting

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 10.2**

DATE: February 13, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Supplemental materials received at the meeting.

RECOMMENDED ACTION

SUMMARY

DISCUSSION

ATTACHMENTS

1. Items Received at the Meeting

Prepared by: Debbie Elam
Deputy City Clerk

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

From: noreply@granicusideas.com
To: Cityclerk - Livermore
Subject: New eComment for City Council - Regular Meeting
Date: Monday, February 13, 2023 12:45:09 PM

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

SpeakUp

New eComment for City Council - Regular Meeting

Irael Gonzalez submitted a new eComment.

Meeting: City Council - Regular Meeting

Item: 4) OPEN FORUM

eComment: Why are we closing street parking on city streets in areas around Discovery Dr & Atlantis Ct. People are just trying to get to work on time, having these changed to "No Parking" risks peoples livelihoods for no reason at all. These have been open to public parking for many years, are we just using this to bring in more funds from parking tickets issued without remorse? As soon as the signs were changed police were out in force issuing parking tickets to all that didn't notice.

View and Analyze eComments

This email was sent from https://granicusideas.com.

Unsubscribe from future mailings

Police Report on Asbury Church (4743 East Ave, Livermore) from 1/6/20 - 10/3/22

The dates highlighted is red on the attached report corresponds with the dates they provide their shower and laundry Ministry on Monday, Tuesday and Wednesday between 12-4pm. They service 15-20 people.

122 of the 159 incidents occurred on a Monday, Tuesday or Wednesday.

114 of the 159 are incidents that could harm the health and safety of the community that surrounds the church

Type	Event Count	
Arrest	**5**	
Transient Services	**52**	
415	**10**	**Disturbance**
91D	**2**	**Dog Bite**
459	**2**	**Burglary**
484G	**1**	**Theft - Fraud**
487	**1**	**Grand Theft**
594	**2**	**Vandalism**
911W	**5**	**Weapons call**
Xpat	**2**	**Extra patrol (back-up)**
Warnings	**5**	
1194	3	Pedestrian stop - need to investigate someone on foot
Welfar	5	Welfare check = making sure individual is ok
33A	6	Alarm call

*This criminal activity will just multiply because it will attract more unhoused individuals to our area

*The Church or the property managers will not be able to monitor who is coming to visit the residents, squatting or they will leave and gather outside the property around our community

*Crimes of opportunity will increase in our area, such as car and home thefts.

*Individuals on drugs or with mental health issues are unpredictable. Their demeaner is unpredictable putting those nearby is possible harms way.

All of this criminal activity already existing at this current site before they have even have build their Tiny Homes. We are just trying to show that this is not the right location for this.

Date	Event Type	Event #	Officer	Apt	Description	Response Time
01/06/2020	Incident	2001060151	Peterson, Erik		415U - CAD Closure	08:41
01/06/2020	Incident	2001060177			1059 - Arrest	
01/07/2020	Incident	2001070106			1194 - Arrest	
01/13/2020	Incident	2001130158			XFER - CAD Closure	
01/22/2020	Incident	2001220119	Long, Michael		415V - CAD Closure	
02/04/2020	Incident	2002040130	Martin, David		PROP - Released/849b PC	
02/08/2020	Incident	2002080003		F	1195 - Warning	
02/12/2020	Incident	2002120143			TFCCON - Arrest	
02/13/2020	Incident	2002130104			1195 - Warning	
02/17/2020	Incident	2002170095			1059 - CAD Closure	
02/18/2020	Incident	2002180133			TRANSI - CAD Closure	
02/20/2020	Incident	2002200026			91E - CAD Closure	
02/24/2020	Incident	2002240110	Hill, Richie		TRANSI - CAD Closure	
02/24/2020	Incident	2002240118			FLAG - CAD Closure	
	Incident	2002260210	Green, Dylan		415 - CAD Closure	
03/03/2020	Incident	2003030104	Hill, Richie		TRANSI - CAD Closure	08:16
03/05/2020	Incident	2003050080	Ratcliffe, Joshua		PINF - Report Taken	
03/07/2020	Incident	2003070061			XFER - CAD Closure	
03/09/2020	Incident	2003090196	Brock, Jason		XPAT - CAD Closure	3:24:42
03/10/2020	Incident	2003100008			1059 - CAD Closure	
03/10/2020	Incident	2003100019			PC - CAD Closure	
04/12/2020	Incident	2004120079			CC - CAD Closure	
04/14/2020	Incident	2004140064	Duenas, Nancy		459V - Report Taken	
04/20/2020	Incident	2004200071	Walker, Andrew		41S - Warning	11:19
05/06/2020	Incident	2005060061			TRANSI - Transient Services Declined	
05/13/2020	Incident	2005130078			FU - CAD Closure	
05/13/2020	Incident	2005130084			FU - CAD Closure	
05/13/2020	Incident	2005130098	Dennis, David	F	CC - CAD Closure	1:30:43
05/13/2020	Incident	2005130100			911W - Cancelled	
05/16/2020	Incident	2005160024	Thompson, Audrey		LCC - CAD Closure	
05/16/2020	Incident	2005160079	Rios, Jennifer		33A - Cancelled	
05/27/202	Incident	2005270067			FU - CAD Closure	
06/08/202	Incident	2006080037			TRANSI - Transient Services Declined	
06/14/2020	Incident	2006140080			1194 - CAD Closure	
06/15/2020	Incident	2006150011			415N - Cancelled	
06/15/2020	Incident	2006150100			PC - CAD Closure	
06/17/2020	Incident	2006170114	Graycar, Andrew		TRANSI - CAD Closure	23:21
06/19/2020	Incident	2006190131	Sharp, Tyler		33A - False Alarm	04:05
06/20/2020	Incident	2006200098			TRANSI - Cancelled	
06/27/2020	Incident	2006270061			CC - Cancelled	
06/29/2020	Incident	2006290056	Graycar, Andrew		TRANSI - Transient Services Declined	
07/08/2020	Incident	2007080060			TRANSI - Transient Services Declined	
07/08/2020	Incident	2007080094	Graycar, Andrew		TRANSI - Transient Services Declined	
07/20/2020	Incident	2007200078			FLAG - Transient Services Provided	
07/29/2020	Incident	2007290125			1154 - CAD Closure	
08/11/2020	Incident	2008110069			1195 - Warning	
08/17/2020	Incident	2008170087			TRANSI - CAD Closure	
09/14/2020	Incident	2009140092			INFO - CAD Closure	
09/23/2020	Incident	2009230107			TRANSI - Transient Services Declined	
09/29/2020	Incident	2009290007			PC - CAD Closure	
09/29/2020	Incident	2009290039	Reynolds, Kevin		CC - CAD Closure	10:00
10/07/2020	Incident	2010070065			1059 - CAD Closure	
10/08/2020	Incident	2010080138	Thompson, Audrey		1154 - CAD Closure	12:44
10/09/2020	Incident	2010090130			911W - Cancelled	
[redacted]	Incident	2010280024	Martin, David		TRANSI - CAD Closure	
[redacted]	Incident	2010280075			XFER - Cancelled	
[redacted]	Incident	2011160074			XFER - CAD Closure	
[redacted]	Incident	2012090090			TRANSI - Transient Services Declined	
12/12/2020	Incident	2012120024			XPAT - CAD Closure	
[redacted]	Incident	2012150104			TRANSI - Transient Services Provided	
[redacted]	Incident	2012160004	Yost, Kyle		1065 - CAD Closure	
[redacted]	Incident	2012200019	Grajeda, Albert		1066 - CAD Closure	09:22
[redacted]	Incident	2101050113	Mahe, Avtaar		415 - CAD Closure	
[redacted]	Incident	2101110073			PC - CAD Closure	
[redacted]	Incident	2101260093			PC - Transient Services Provided	
01/29/2021	Incident	2101290031	Long, Michael		415 - CAD Closure	15:18
01/29/2021	Incident	2101290045			WELFAR - Cancelled	
02/08/2021	Incident	2102080059	Graycar, Andrew		CC - Transient Services Provided	
02/08/2021	Incident	2102080078	Graycar, Andrew		1148 - Transient Services Provided	
02/09/2021	Incident	2102090156			TRANSI - Transient Services Declined	
02/18/2021	Incident	2102180143	Santin, Eric		1066 - CAD Closure	
02/22/2021	Incident	2102220067			TRANSI - Transient Services Provided	
02/23/2021	Incident	2102230177	Reynolds, Kevin		CC - CAD Closure	2:02:41
02/24/2021	Incident	2102240067	Graycar, Andrew		WELFAR - Unable to Locate	26:27
03/02/2021	Incident	2103020107	Graycar, Andrew		WARPU - Arrest	
03/07/2021	Incident	2103070057	Pearlman, Nathan		33A - False Alarm	06:21
03/08/2021	Incident	2103080047			TRANSI - Transient Services Provided	
03/15/2021	Incident	2103150052	Hawkins, Hayley		470 - CAD Closure	1:35:37
03/15/2021	Incident	2103150080	Gutierrez, Alejandro		RDRAGE - Unable to Locate	
03/24/2021	Incident	2103240024			TRANSI - Cancelled	
04/14/2021	Incident	2104140106			PC - CAD Closure	
04/18/2021	Incident	2104180036	Reynolds, Kevin		CC - CAD Closure	32:49
05/12/2021	Incident	2105120051			TRANSI - Transient Services Provided	
05/14/2021	Incident	2105140058			33A - Cancelled	
05/25/2021	Incident	2105250123	Graycar, Andrew		WELFAR - Unable to Locate	07:26
06/08/2021	Incident	2106080078	Gutierrez, Alejandro		415 - Cancelled	
06/12/2021	Incident	2106120088	Walker, Andrew		33A - Cancelled	

06/12/2021	Incident	2106120088	Walker, Andrew		33A - Cancelled	
06/14/2021	Incident	2106140068			PC - CAD Closure	
06/14/2021	Incident	2106140142	Pearlman, Nathan		33A - False Alarm	05:18
06/15/2021	Incident	2106150062	Martin, David		TRANSI - Transient Services Provided	
06/22/2021	Incident	2106220119			911W - CAD Closure	
06/22/2021	Incident	2106220125			FU - Arrest	
06/22/2021	Incident	2106220138			487 - Report Taken	
07/14/2021	Incident	2107140057	Reynolds, Kevin		FU - CAD Closure	
07/14/2021	Incident	2107140074	Masingale, Daniel		415 - CAD Closure	10:05
08/11/2021	Incident	2108110109			TRANSI - Transient Services Declined	
08/18/2021	Incident	2108180090	Clayton, Steven		415 - CAD Closure	06:15
09/07/2021	Incident	2109070105			PC - CAD Closure	
09/09/2021	Incident	2109090128	Graycar, Andrew		TRANSI - Transient Services Declined	10:17
09/15/2021	Incident	2109150090			PC - CAD Closure	
09/17/2021	Incident	2109170084			FU - CAD Closure	
09/22/2021	Incident	2109220087	Martin, David		TRANSI - Transient Services Provided	
09/28/2021	Incident	2109280118			TRANSI - Transient Services Provided	
09/29/2021	Incident	2109290058			CITE - CAD Closure	
09/29/2021	Incident	2109290069			TRANSI - Transient Services Provided	
09/29/2021	Incident	2109290083			TRANSI - Transient Services Provided	
10/04/2021	Incident	2110040078			PC - CAD Closure	
10/04/2021	Incident	2110040079	Graycar, Andrew		MPL - Transient Services Provided	01:57
10/06/2021	Incident	2110060091			TRANSI - Transient Services Provided	
10/13/2021	Incident	2110130073			PC - CAD Closure	
10/26/2021	Incident	2110260078			XFER - CAD Closure	
10/30/2021	Incident	2110300057	Manzo, Adrian		WELFAR - CAD Closure	07:02
11/01/2021	Incident	2111010054			10851 - Report Taken	
11/10/2021	Incident	2111100113			TRANSI - Transient Services Provided	
11/17/2021	Incident	2111170086			TRANSI - Transient Services Declined	
11/17/2021	Incident	2111170099			TRANSI - Transient Services Declined	
11/22/2021	Incident	2111220078	Grajeda, Albert		459C - Report Taken	37:37
12/05/2021	Incident	2112050122	Pearlman, Nathan		33P - False Alarm	11:49
12/07/2021	Incident	2112070096			TRANSI - Transient Services Provided	
12/12/2021	Incident	2112120123	Palacio, Marc		33P - False Alarm	
12/19/2021	Incident	2112190134	Buck, Greg		33H - False Alarm	03:38
12/21/2021	Incident	2112210067	Rueppel, Lorie		91D - CAD Closure	54:05
12/22/2021	Incident	2112220087	Graycar, Andrew		TRANSI - Transient Services Provided	
12/28/2021	Incident	2112280066			PC - CAD Closure	
01/06/2022	Incident	2201060104	Martin, David		TRANSI - Transient Services Provided	
01/12/2022	Incident	2201120092	Martin, David		594 - CAD Closure	34:30
01/12/2022	Incident	2201120098			TRANSI - CAD Closure	
01/22/2022	Incident	2201220038			FU - CAD Closure	
02/14/2022	Incident	2202140133			XFER - Cancelled	
02/23/2022	Incident	2202230110	Santin, Eric		CC - CAD Closure	31:47
03/02/2022	Incident	2203020036			594 - CAD Closure	
03/02/2022	Incident	2203020057			XFER - Cancelled	
03/02/2022	Incident	2203020111			TRANSI - Transient Services Provided	
03/16/2022	Incident	2203160095	Graycar, Andrew		TRANSI - CAD Closure	
04/08/2022	Incident	2204080090			532A - Report Taken	
04/17/2022	Incident	2204170003	Thompson, Audrey		PC - Unable to Locate	
04/20/2022	Incident	2204200016			1194 - CAD Closure	
04/26/2022	Incident	2204260099			TRANSI - Transient Services Declined	
04/27/2022	Incident	2204270112			TRANSI - Transient Services Declined	
05/15/2022	Incident	2205150126	Santin, Eric		TRANSI - CAD Closure	10:48
05/18/2022	Incident	2205180102			TRANSI - Transient Services Declined	
05/25/2022	Incident	2205250107			TRANSI - Transient Services Declined	
06/08/2022	Incident	2206080089			TRANSI - Transient Services Declined	
06/09/2022	Incident	2206090148			1195 - Warning	
07/07/2022	Incident	2207070124	Dermake, Robert		AWS - Report Taken	22:10
07/09/2022	Incident	2207090061	Largent, Nicholas		1059 - CAD Closure	
07/10/2022	Incident	2207100022			911W - CAD Closure	
07/26/2022	Incident	2207260081			TRANSI - CAD Closure	
08/09/2022	Incident	2208090064			1195 - Cite	
08/16/2022	Incident	2208160134	Dermake, Robert		WELFAR - CAD Closure	04:33
09/05/2022	Incident	2209050068	Martin, David		TRANSI - Transient Services Provided	
09/06/2022	Incident	2209060041			91D - CAD Closure	
09/08/2022	Incident	2209080043	Holmes, Kathy		91FU - CAD Closure	
09/12/2022	Incident	2209120111	Pereira, Robert		CC - Report Taken	1:24:34
09/13/2022	Incident	2209130137	Graycar, Andrew		TRANSI - Transient Services Provided	
09/16/2022	Incident	2209160103			911W - CAD Closure	
10/03/2022	Incident	2210030090	Grajeda, Albert		484G - Report Taken	2:54:08
10/03/2022	Incident	2210030096	Graycar, Andrew		TRANSI - CAD Closure	