LIVERMORE
CALIFORNIA

CITY COUNCIL

AGENDA
MONDAY, FEBRUARY 27, 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/83576000992

Zoom dial in phone number:
1 669 900 6833
Meeting ID: 835 7600 0992

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 Library Board of Trustees annual update presented by Chair Richard Hunt.

Recommendation:
Staff recommends City Council accept the Library Board of Trustees annual update.
Staff Report

4. OPEN FORUM

- In conformance with the Brown Act, no City Council action can occur on items presented during Open Forum.
- To provide public comment in person, please submit a speaker card. When your name is called, walk to the lectern to address City Council.
- 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 23, 2023 Regular Meeting.

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

Staff Report

Attachments:

1. 2023-01-23 Draft Minutes

5.2 Resolution authorizing the City Manager to execute an agreement with Precision Emprise, LLC, dba Precision Concrete Cutting for concrete cutting services in an amount not-to-exceed $500,000.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Precision Emprise, LLC, dba Precision Concrete Cutting, to provide concrete cutting services to remove tripping hazards from City sidewalks, in an amount not-to-exceed $500,000.

Staff Report

Attachments:

1. Resolution
2. Exhibit A - General Services Agreement

5.3 Resolution authorizing a supplemental appropriation in the amount of $3,885,855 to Fiscal Year 2023-24 and awarding and authorizing execution of an agreement with MCK Services, Inc. in an amount not-to-exceed $4,177,882, for construction of the 2021 Street Resurfacing, Project No. 2021-01.

Recommendation:

Staff recommends the City Council adopt a resolution for the 2021 Street Resurfacing Project 2021-01:

1. Authorizing a supplemental appropriation of $3,885,855 in Solid Waste & Recycling Impact Fee funds (Fund 344) from Fiscal Year 2022-23 to Fiscal Year 2023-24;
2. Awarding a construction contract to MCK Services, Inc., in the amount of $4,177,882, and authorizing the City Manager to sign the agreement;
3. Rejecting all other bids or proposals, and
4. 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. Street List
2. Location Map
3. Resolution
4. Exhibit A - Construction Contract with MCK Services, Inc.

5.4 Resolution authorizing execution of an agreement with Block by Block-CA, Inc., a California Corporation, to provide the Community Ambassador Program, bio-hazard clean-up, and safety services for a 27-month term in the total amount not-to-exceed $664,846.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Block by Block-CA, Inc. ("Block by Block"), a California Corporation, for a term of 27-months, beginning March 1, 2023, and ending June 30, 2025, to provide the Community Ambassador Program, bio-hazard clean-up, and safety services in an amount not-to-exceed $664,846.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Block by Block Signed

5.5 Resolution authorizing execution of a master license agreement with East Bay Community Energy Authority, a Joint Power Authority, for installing, operating, and maintaining Level 3 fast electric vehicle chargers at various city-owned properties.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a master license agreement with East Bay Community Energy Authority, a Joint Power Authority, for installing, operating, and maintaining Level 3 fast electric vehicle chargers at various city-owned properties at no cost to the city.
Staff Report
Attachments:
1. Location Map
2. Resolution
3. Exhibit A - EBCE Master License Agreement

5.6 Resolution authorizing a confidentiality agreement with PlaceWorks Inc. to allow access to City tax data for the General Plan Update fiscal impact analysis and making additional designations of staff authorized to receive and review sales or transactions and use tax records.

Recommendation:
Staff recommends City Council adopt a resolution authorizing a Confidentiality Agreement allowing PlaceWorks Inc., the City's third-party consultant, to have access to the confidential tax information and authorizing additional staff members to receive and review sales or transactions and use tax records for the purposes of analyzing the fiscal impacts of changing land uses under the General Plan Update.

Staff Report
Attachments:
1. September 12, 2022 CC Staff Report
2. Resolution
3. Exhibit A - Confidentiality Agreement
4. Exhibit B - CDTFA Designation Letter

5.7 Resolution authorizing a Second Amendment to the agreement with Housing Consortium of

the East Bay (HCEB) for property management services at certain City-owned commercial and residential properties and authorizing an appropriation of $95,000 in Housing Trust Funds for the additional scope of work described in the second amendment.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager, or her designee, to execute a Second Amendment to the agreement with Housing Consortium of the East Bay for property management services for 141-149 North Livermore Avenue, 241 North M Street, and 2500 Railroad Avenue, adding a scope of work for hazard remediation and rehabilitation of 141-A North Livermore Avenue, extending the term of the agreement through June 30, 2023, and including a budget not-to-exceed $150,000; and,
2. Authorizing an appropriation of $95,000 from the Housing Trust Fund (F611) to pay for the additional scope of work.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Second Amendment to Professional Services Agreement

5.8 Resolution authorizing the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 Tenant-Based Rental Assistance (TBRA) program.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 Tenant-Based Rental Assistance (TBRA) program.

Staff Report
Attachments:
1. Resolution

5.9 Resolution approving the Altamont Settlement Agreement Education Advisory Board's $650,000 Expenditure Plan for FY 2023-24.

Recommendation:
Staff recommends the City Council adopt a resolution approving the Altamont Settlement Agreement Education Advisory Board's $650,000 Expenditure Plan for FY 2023-24.

Staff Report
Attachments:
1. 2022 Annual Report
2. Resolution

3. Exhibit A - 2023 Expenditure Plan

5.10 Resolution accepting the Annual Comprehensive Financial Report (ACFR) and Other Audit Reports for the Fiscal Year ended June 30, 2022.

Recommendation:
Staff recommends the City Council adopt a resolution accepting the following reports for Fiscal Year 2021-22 as completed:

- Annual Comprehensive Financial Report, and ratify and approve the audited financial statements presented therein in accordance with Government Code §37208;
- Alameda County Transportation Commission Measure B Program Financial Statements;
- Alameda County Transportation Commission Measure BB Program Financial Statements;
- Alameda County Transportation Commission Vehicle Registration Fee (VRF) Measure F Program Financial Statements;
- Agreed Upon Procedures for Compliance with the Proposition 111 2021-22 Appropriations Limit Increment.
- Memorandum of Internal Control;
- Required Communications.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - FY 2021-22 Annual Comprehensive Financial Report
3. Exhibit B - FY 2021-22 Measure B
4. Exhibit C - FY 2021-22 Measure BB
5. Exhibit D - FY 2021-22 Vehicle Registration Fee Measure F
6. Exhibit E - FY 2021-22 Appropriation Limit Report
7. Exhibit F - FY 2021-22 Memorandum on Internal Control
8. Exhibit G - FY 2021-22 Required Communication

5.11 Resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

Recommendation:
Staff recommends City Council adopt a resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

Staff Report
Attachments:
1. Resolution

5.12 Ratification of Council Member appointments to intergovernmental agencies.

Recommendation:

Staff recommends the Mayor and City Council Members ratify changes made to intergovernmental agency appointments.

Staff Report
Attachments:
1. Intergovernmental Agency Appointments

5.13 Resolution of continued local emergency.

Recommendation:
Staff recommends the City Council adopt a resolution of continued local emergency.

Staff Report
Attachments:
1. Resolution

6. PUBLIC HEARINGS

Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

6.1 Hearing to waive the first reading and **Introduce an Ordinance** considering amendments to Livermore Development Code Section 11.01.020 Definitions and Section 3.03.150 Heavy Industrial (I-3) Zoning District relating to warehousing and distribution facilities.

Recommendation:
City of Livermore Planning Commission and staff recommend the City Council take the following actions to approve the Development Code Amendment:

1. Adopt a resolution finding that the project is categorically exempt under the California Environmental Quality Act Guidelines Section 15061(b)(3) (common sense exemption);
2. Waive the first reading and introduce an Ordinance approving Development Code Amendment (DCA) 22-002 to amend Livermore Development Code Section 11.01.020 Definitions and Section 3.03.150 Heavy Industrial (I-3) Zoning District relating to warehousing and distribution facilities.

Staff Report
Attachments:
1. Planning Commission Staff Report 10-18-22
2. Planning Commission 10-18-2022 - Draft Meeting Minutes
3. Livermore Valley Chamber of Commerce letter dated October 18, 2022
4. Proposed Amendments Redline Edits
5. Resolution - CEQA
6. Exhibit A - Planning Commission Resolution 23-22
7. Ordinance
8. Exhibit A - Planning Commission Resolution 23-22
9. Exhibit B - Draft Development Code Sections 3.03.150 and 11.01.020

6.2 Hearing to waive the first reading and **Introduce an Ordinance** considering amendments to Livermore Development Code Section 6.02.060. A Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit.

Recommendation:
City of Livermore Planning Commission and staff recommend the City Council take the following actions to approve the Development Code Amendment:

1. Adopt a resolution finding that the project is categorically exempt under California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) and 15061(b)(3) (common sense exemption);
2. Waive the first reading and introduce an ordinance approving Development Code Amendment (DCA) 22-001 to amend Livermore Development Code Section 6.02.060 Home Occupations.

Staff Report
Attachments:
1. Planning Commission Staff Report 10-18-22
2. Planning Commission 10-18-2022 - Draft Meeting Minutes
3. Proposed Amendments Redline Edits
4. Resolution
5. Exhibit A - Planning Commission Resolution 24-22
6. Ordinance
7. Exhibit A - Planning Commission Resolution 24-22
8. Exhibit B - Draft Development Code 6.02.060

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 sending a one-year extension notification letter to Republic Services Vasco Road Landfill, negotiate with Republic Services for a long-term Disposal Agreement, and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste.

Recommendation:
Staff recommends the City Council direct staff to send a one-year extension notification letter to Republic Services Vasco Road Landfill, negotiate with Republic Services for a long-term Disposal Agreement, and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste.

Staff Report
Attachments:
1. Request for Disposal Agreement Extension

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, STAFF, AND COUNCIL MEMBERS

9. ADJOURNMENT

To a Special City Council meeting on Thursday, March 2, 2023 at 5:00 pm, a Special City Council meeting on Monday, March 6, 2023 at 5:00 pm, and a Regular City Council meeting on Monday, March 13, 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

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 Comcast Cable 29

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

Zoom Webinar: https://us02web.zoom.us/j/83576000992
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: 835 7600 0992

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 27, 2023

TO: Honorable Mayor and City Council

FROM: Anwan Baker, Library Director

SUBJECT: Library Board of Trustees annual update presented by Chair Richard Hunt.

RECOMMENDED ACTION

Staff recommends City Council accept the Library Board of Trustees annual update.

SUMMARY

DISCUSSION

ATTACHMENTS

Prepared by: Allen McFarland
Administrative Assistant

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Approval of draft minutes - January 23, 2023 Regular Meeting.

RECOMMENDED ACTION

Staff recommends the City Council approve the draft minutes.

SUMMARY

DISCUSSION

ATTACHMENTS

1. 2023-01-23 Draft Minutes

Prepared by: Marie Weber
City Clerk

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

MINUTES

LIVERMORE
CALIFORNIA

CITY COUNCIL
JANUARY 23, 2023

CLOSED SESSION

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

ROLL CALL – Present: Mayor John Marchand, Vice Mayor Brittni Kiick, and Council Members, Ben Barrientos, Evan Branning and Robert W. Carling.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL REGARDING CLOSED SESSION ITEMS.

Mayor Marchand opened the public comment period.

There were no speakers and the public comment was closed.

1. ADJOURN TO CLOSED SESSION

1.1 Conference with Legal Counsel - Anticipated Administrative Enforcement and Anticipated Litigation. To meet with legal counsel pursuant to Government Code section 54956.9(d)(4) to decide whether to initiate a City Tax Collector administrative enforcement action to collect unpaid business license taxes, or to initiate litigation, based on existing facts and circumstances, and to provide direction on a proposed settlement. (One case.)

Unpaid Business Tax License Tax – Lawrence Livermore National Security, LLC, and settlement proposal.

1.2 Conference with Labor Negotiator, Conference Joint Powers Agency Confidential Information. To meet with Administrative Services Director, Tina Olson, Human Resources Manager, Nancy Dias, Senior Human Resources Analyst Kristen Hilton, and Tim Davis, the City's and the Livermore-Pleasanton Fire Department's negotiators, pursuant to Government Code sections 54957.6 and 54956.96, regarding the Livermore-Pleasanton Fire Department Joint Powers Authority's negotiations with The International Association of Firefighters, Local 1974, AFL-CIO-CLC for the Battalion Chief's unit.

REGULAR MEETING

2. CALL TO ORDER – The meeting of the City Council was called to order by Mayor John Marchand at 7:00 pm, held in person at 1016 S. Livermore Avenue and remotely using Zoom and YouTube.

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

Absent: Vice Mayor Brittni Kiick.

PLEDGE OF ALLEGIANCE

REPORT OF ACTION TAKEN IN CLOSED SESSION

City Attorney Jason Alcala said there was no reportable action.

3. PROCLAMATIONS AND PRESENTATIONS

3.1 Proclamation recognizing Lawrence Livermore National Laboratory's achievement of fusion ignition presented to Nadine Horner, Senior Advisor, Office of Government and External Affairs Lawrence Livermore National Laboratory and Steven Bohlen, Senior Director, Government and External Affairs Lawrence Livermore National Laboratory**.**

Recommendation: Staff recommended City Council present a proclamation to Lawrence Livermore National Laboratory in recognition of achieving fusion ignition at their National Ignition Facility on Dec. 5, 2022.

Mayor Marchand presented the proclamation to Senior Advisor, Office of Government and External Affairs Nadine Horner, and Senior Director Steven Bohlen, recognizing Lawrence Livermore National Laboratory's achievement of fusion ignition.

3.2 Proclamation declaring January 22 - 28, 2023 as Data Privacy Week presented to City of Livermore Cybersecurity Manager Donald Hester.

Recommendation: Staff recommended City Council proclaim January 22 - 28, 2023 as Data Privacy Week.

Mayor Marchand presented the proclamation to IT Manager Steve Rodriguez declaring January 22-28, 2023, Data Privacy week.

3.3 Alameda County Mosquito Abatement District, City of Livermore 2023 update presented by Ryan Clausnitzer, General Manager.

Recommendation: Staff recommended the City Council receive the update.

General Manager Ryan Clausnitzer presented the update.

4. OPEN FORUM

Mayor Marchand opened the comment period.

David McGuigan provided a comment.

Shubhangi Kadhe provided a comment.

Alan Marling provided a comment.

Trish Munro provided a comment.

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

5. CONSENT CALENDAR

Mayor Marchand opened the comment period.

There were no and the comment period was closed.

ON THE MOTION OF CM CARLING SECONDED BY CM BARRIENTOS, AND CARRIED ON A 4-0 VOTE, THE CITY COUNCIL APPROVED THE CONSENT CALENDAR.

5.1 Approval of draft minutes - December 12, 2022 Regular Meeting.

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

5.2 Resolution 2023-002 authorizing the City Manager to execute a first amendment to the agreement with HMH Engineers, to provide on call engineering services, increasing the not-to-exceed agreement amount from $600,000 to $1,200,000 and extending the term of the agreement to December 31, 2025.

Recommendation: Staff recommended the City Council adopt a resolution authorizing the City Manager to execute a first amendment to the Engineering Services Agreement with HMH Engineers, to provide on call engineering services, increasing the not-to-exceed agreement amount from $600,000 to $1,200,000 and extending the term of the agreement to December 31, 2025.

5.3 Resolution 2023-003 authorizing the City Manager to execute a third amendment to the agreement with Swaim Biological, Inc, for on-call environmental support services, increasing the not-to-exceed agreement amount from $800,000 to $1,200,000, and extending the term of the agreement to December 31, 2025.

Recommendation: Staff recommended the City Council adopt a resolution

authorizing the City Manager to execute a third amendment to the Professional Services Agreement with Swaim Biological, Inc. for on- call environmental support services. The Third Amendment increases the not-to-exceed agreement amount from $800,000 to $1,200,000 and extends the term of the agreement to December 31, 2025.

5.4 Resolution 2023-004 authorizing a purchase order with Peterson Truck Inc. in the amount of $430,733 with a financial contingency in an amount not-to-exceed ten percent (10%), for a replacement Crane Truck in the Water Resources Division of the Public Works Department.

Recommendation: Staff recommended the City Council adopt a resolution authorizing execution of a Purchase Order with Peterson Truck Inc. for a replacement Crane Truck for use by the Water Resources Division, in the amount of $430,733 and a financial contingency in an amount not-to-exceed ten percent (10%) for cost adjustments that may become necessary to cover potential model year price adjustments.

5.5 Resolution 2023-005 authorizing receipt and appropriation of funds, in the amount of $40,000, for the State of California Department of Alcoholic Beverage Control grant to support Livermore Police Department enforcement and education efforts related to the responsible service of alcoholic beverages.

Recommendation: Staff recommended the City Council adopt a resolution authorizing receipt of funds, in the amount of $40,000, for a State of California Department of Alcoholic Beverage Control grant in Fiscal Year 2022-23 and authorize the Chief of Police to execute the grant agreement.
Additionally, staff recommends City Council approve a supplemental appropriation of $40,000 in the police department budget to support the execution of the grant.

5.6 Resolution 2023-006 ratifying an agreement with the California State Library to accept a $44,750 grant to be used to support the Livermore Public Library's English as a Second Language (ESL) programs and services, and approving appropriation of these funds during FY 2022-23.

Recommendation: Staff recommended the City Council adopt a resolution ratifying the agreement with the California State Library that authorizes the acceptance of $44,750 in grant funds to be used by the Livermore Public Library for English as a Second Language (ESL) services, supplies, supports, and programs, and approving the appropriation authorizing the expenditure of the accepted funds in FY 2022-23.

5.7 Resolution 2023-007 authorizing the City Manager to execute a Letter of Intent with the Alameda County Fire Department to negotiate the terms of a proposal for ambulance services and/or emergency medical services in Alameda County.

Recommendation: Staff recommended City Council adopt a resolution

authorizing the City Manager to execute a letter of intent with the Alameda County Fire Department to negotiate the terms of a proposal for ambulance services and/or emergency medical services in Alameda County.

5.8 Resolution 2023-008 reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

Recommendation: Staff recommended City Council adopt a resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

6. PUBLIC HEARINGS – NONE

7. MATTERS FOR CONSIDERATION - NONE

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, STAFF AND COUNCIL MEMBERS

Livermore Amador Valley Transit Authority CM Branning noted his attendance at the January 9, 2023 Board meeting.

Stopwaste.org CM Carling noted his attendance at the December 14, 2023 Board and Energy Council meeting.

Altamont Landfill Open Space Account Advisory Committee CM Carling noted his attendance at the January 20, 2023 committee meeting.

Winegrowers Association CM Carling noted his attendance at the Board meeting on January 18, 2023.

Arroyo Seco Basketball Mayor Marchand noted his attendance at the tournament on December 20.

US Conference of Mayors Mayor Marchand noted his attendance at the conference the week of January 11, 2023.

MLK Jr. Prayer Breakfast Mayor Marchand noted his attendance at the breakfast on January 23, 2023.

8. ADJOURNMENT – at 7:48 pm in memory of former Mayor Dale Turner to a Special City Council workshop on Thursday, February 2, 2023 at 4:00 pm, and a Regular City Council Meeting on Monday, February 13, 2023 at 7:00 pm held at the Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue and virtually using Zoom.

APPROVED: _____
JOHN P. MARCHAND, MAYOR

ATTEST: _____
MARIE WEBER, CITY CLERK

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing the City Manager to execute an agreement with Precision Emprise, LLC, dba Precision Concrete Cutting for concrete cutting services in an amount not-to-exceed $500,000.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Precision Emprise, LLC, dba Precision Concrete Cutting, to provide concrete cutting services to remove tripping hazards from City sidewalks, in an amount not-to-exceed $500,000.

SUMMARY

The City of Livermore needs concrete cutting services to remove tripping hazards from City sidewalks. Staff evaluated various options to repair noncompliant locations adjacent to City owned or maintained properties and have identified concrete cutting or slicing as a cost-effective solution that can be performed at locations with an elevation difference of up to two inches.

Precision Emprise, LLC, dba Precision Concrete Cutting, submitted a proposal to the city according to pricing in The Interlocal Purchasing System (TIPS) vendor agreement, TIPS RCSP 200602, that was executed on August 27, 2020. TIPS is a government purchasing cooperative that reduces the cost of procurement for educational and local government agencies. TIPS procurement process was reviewed by staff and is consistent with city purchasing policies and procedures. The City of Livermore is a member of TIPS and TIPS members may utilize the TIPS procurement solicitation documents as their own solicitation for legal procurement.

A budget of $500,000 will allow the city to address current (FY 2022-23) and future (FY 2023-25) sidewalk lifts on city-owned or maintained properties and remove tripping hazards as needed at other critical locations.

DISCUSSION

Background

Sidewalks are an important component of the public transportation network. Since 1941, the California Streets and Highways Code has placed the responsibility to maintain public sidewalks on the adjacent property owners. This responsibility applies to all sidewalks adjacent to the property, including along the frontage, side of the property, and even behind the property in areas with backing-lot sidewalks along arterial or collector roadways.

In 2020, the City Council also awarded a consultant contract to update the ADA Self-Evaluation and Transition Plan (ADA Plan). As part of this effort, the consultant surveyed all the sidewalks in the city and identified approximately 62,140 instances of displaced sidewalk greater than ¼-inch. In addition, 20,000 ADA ramps and 350 miscellaneous items (paths of travel, intersections, etc.) were identified as noncompliant. Approximately 707 of the noncompliant locations are adjacent to city-owned or maintained properties and 61,433 locations are adjacent to private property.

Current Efforts

The city has worked to maintain sidewalks along city-owned properties. In 2022, Public Works staff repaired defective sidewalk areas on S. Livermore Avenue along the City Hall frontage and also around and within Carnegie Park. Other locations repaired include Ladd Avenue, Hummingbird Way, and Concannon Boulevard. Bluestone sidewalk was replaced with stamped concrete for the Livermorium Plaza project. Public Works staff also repaired a particularly bad privately owned sidewalk after the property owner was non-responsive and a trip and fall occurred.

Staff evaluated various options to repair the 707 noncompliant locations adjacent to city-owned or maintained properties and has identified concrete cutting or slicing as a cost-effective solution that can be performed at approximately 626 locations with elevation difference up to two inches. The proposed agreement with Precision Emprise, LLC, will focus on these locations. The remaining 81 locations with over two inches of elevation difference will require design to evaluate impacts to trees or utilities for concrete removal and replacement. For these locations, staff is developing a request for proposal (RFP) for an on-call contractor for the removal and reconstruction of concrete sidewalks. Costs will be included in the Capital Improvement Plan, scheduled for City Council review in June 2023.

Staff continues to send notices to property owners with lifted sidewalks when locations are identified by the public or staff. Included with the notice is a brochure showing what conditions need repair and a list of contractors that are willing to do small sidewalk repair jobs. Compliance by private property owners is generally low, approximately 25% of property owners respond to the city's notices. Staff expects to return to Council later this year with recommendations for a more robust outreach and notification program as well as draft sidewalk and street tree ordinance updates. Community outreach will also be needed in the context of the city’s asset management program.

To address repairs of noncompliant locations adjacent to city-owned or maintained properties, staff recommends obtaining concrete cutting services through a cooperative purchasing agreement, as permitted by the city’s Purchasing Policy dated August 20, 2020. Precision Emprise, LLC, dba Precision Concrete Cutting submitted a proposal to the city according to the pricing in The Interlocal Purchasing System (TIPS) vendor agreement, TIPS RCSP 200602, that was executed on August 27, 2020. TIPS is a government purchasing cooperative that reduces the cost of procurement for educational and local

government agencies. TIPS procurement process was reviewed by staff and is consistent with city purchasing policy and procedures. The City of Livermore is a member of TIPS and TIPS members may utilize the TIPS procurement solicitation document as their own solicitation for legal procurement.

Livermore Municipal Code Section 2.68.370 allows for an exemption to the quotation and bidding requirements if such purchases are based on an agreement or cooperative purchasing program entered into by any public agency. In such cases, the supplies and services subject to the agreement or program and the underlying purchase must have been made using a quotation or bid procedure at least as restrictive as the City's. The process utilized in this cooperative agreement meets the requirements of the Livermore Municipal Code.

- A budget of $500,000 will allow the city to address current (FY 2022-23) and future (FY 2023-25) sidewalk lifts on city-owned or maintained properties and to remove tripping hazards as needed at other critical locations.

FISCAL AND ADMINISTRATIVE IMPACTS

The budget for the general services agreement with Precision Emprise, LLC, dba Precision Concrete Cutting will span FY 2022-23, FY 2023-24 and FY 2024-25. The concrete cutting services for FY 2022-23 will be funded under the 2021 Sidewalk Repair Program, CIP 202102 which is included in the FY 2021-23 Capital Improvement Plan, funded by the Gas Tax (Fund 650). The budget for FY 2023-25 will be included in the FY 2023-25 Capital Improvement Plan.

ATTACHMENTS

1. Resolution
2. Exhibit A - General Services Agreement

Prepared by: Mallika Ramachandran
Assistant City Engineer

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 THE EXECUTION OF A GENERAL SERVICES AGREEMENT WITH PRECISION EMPRISE, LLC, DBA PRECISION CONCRETE CUTTING FOR AN AMOUNT NOT-TO-EXCEED $500,000 FOR CONCRETE CUTTING SERVICES

The City of Livermore (City) needs concrete cutting services to remove tripping hazards from City sidewalks. Staff evaluated various options to repair noncompliant locations adjacent to City owned or maintained properties and have identified concrete cutting or slicing as a cost-effective solution that can be performed at locations with elevation difference up to two inches.

Precision Emprise, LLC, dba Precision Concrete Cutting submitted a proposal to the City according to the pricing in The Interlocal Purchasing System (TIPS) vendor agreement, TIPS RCSP 200602 that was executed on August 27, 2020.

TIPS is a government purchasing cooperative that reduces the cost of procurement for educational and local government agencies. The City of Livermore is a member of TIPS and TIPS members may utilize the TIPS procurement solicitation document as their own solicitation for legal procurement.

Livermore Municipal Code (LMC) section 2.68.370 allows for an exemption to the quotation and bidding requirements if such purchases are based on an agreement or cooperative purchasing program entered into by any public agency.

In such cases, the supplies and services subject to the agreement or program and the underlying purchase must have been made using a quotation or bid procedure at least as restrictive as the City's. The process utilized in this cooperative agreement meets the requirements of the LMC.

A budget of $500,000 will allow the City to address current (FY 2022-23) and future (FY 2023-25) sidewalk lifts on City-owned or maintained properties, and to remove tripping hazards as needed at other critical locations.

The TIPS procurement process was reviewed by staff and is consistent with City purchasing policy and procedures.

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

1. The City Council authorizes the City Manager to execute a General Services Agreement with Precision Emprise, LLC, dba Precision Concrete Cutting, attached hereto as Exhibit A, to provide concrete cutting services for an amount not to exceed $500,000.

2. The City Council 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 27, 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 – General Services Agreement with Precision Emprise, LLC, dba Precision Concrete Cutting

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AGREEMENT FOR SERVICES

THIS AGREEMENT is made and entered into this day of , 2023, by and between the City of Livermore ("City"), a municipal corporation, and Precision Emprise, LLC, dba Precision Concrete Cutting ("Contractor"), a California Limited Liability Company.

RECITALS

City requires services to concrete cut sidewalk.

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

AGREEMENT

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

1. Retention as Contractor. City hereby retains Contractor, and Contractor 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. Contractor and its employees are not City officers or employees. Contractor 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. Contractor shall provide services to concrete cut sidewalk as more particularly set forth in Exhibit "A" (collectively "the Services").

4. Contractor's Responsibilities. Contractor 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;

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

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

(f) Coordinate the Services with Mallika Ramachandran, P.E ("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 Contractor by the Project Manager, to answer questions or inquiries related to the Services;

(h) Only invoice City for the Services rendered. Contractor's invoice shall be in writing and describe the Services performed for the payment requested. Contractor 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 Contractor and must include time sheets, work progress reports, and other documentation to adequately explain all the Services invoiced for payment. Contractor 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. Contractor 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, Contractor 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) Contractor shall correct, at its own expense, all errors in the Services. Should Contractor fail to make such correction in a timely manner, City may make the correction and charge the cost thereof to Contractor;

(l) If applicable, Contractor shall ensure that all work for compensation is taken 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, Contractor 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, Contractor 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,

(m) Contractor'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 applicable regulations and guidelines issued pursuant to the ADA.

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5. Compensation and Payment.

(a) The total compensation payable by City to Contractor for the Services **SHALL NOT EXCEED** the sum of $ 500,000 ("not-to-exceed amount"). City shall compensate Contractor for the Services rendered at the hourly rates or task amounts set forth in Exhibit "A" up to the not-to-exceed amount. Except as provided in the body of this Agreement, the hourly rates or task amounts are intended to be Contractor's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, travel expenses, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Contractor, its agents, and employees to provide the Services.

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

6. Term. The term of this Agreement commences on February 13, 2023, and terminates upon the completion of the Services or December 30, 2025, whichever occurs first.

7. Termination by City. City may terminate any portion or all of the Services by giving Contractor at least 30 calendar-days written notice. Upon receipt of a termination notice, Contractor shall immediately stop all work in progress on the Services except where necessary to preserve the benefit of the work, and 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 Contractor in accordance with Section 5.

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

9. Copyright and Right of Use. All items created by Contractor for City under this Agreement are works made for hire, and Contractor shall give City the copyright and all intellectual property rights to all items developed, prepared, and delivered as part of the Services. Contractor 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 Contractor to City and Contractor 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. Contractor shall not disclose any confidential or proprietary information received from City to anyone except Contractor's employees who require 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.

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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. Contractor 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, Contractor 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. Contractor'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 Contractor for, the Services does not release Contractor from its responsibility for the accuracy, completeness, or competency of the Services, nor do the actions constitute an assumption of Contractor's responsibility or liability by City for any defect or error in the Services.

15. Conflict of Interest. Contractor represents that no City employee or official has a financial interest in Contractor. Contractor shall not offer, encourage, or accept any financial interest in any part of Contractor'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

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of the Services are paid by reimbursement from an agreement between City and a private party, Contractor 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. Contractor 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 Contractors' financial interest. While it is Contractor's sole responsibility to evaluate its conflicts of interest, the Contractor 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 Contractors to provide, services that are the same or similar to the Services described in this Agreement.

18. No Assignment. Contractor 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 Contractor 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 Contractor 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:

TO CITY: Attention: Mallika Ramachandran, P.E.
City of Livermore
1052 S Livermore Avenue

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Livermore, California 94550

TO CONTRACTOR: Attention: Joseph Ortega, Vice President
Precision Emprise, LLC, dba Precision Concrete Cutting
423 Nadina Ave
Millbrae, CA 94030

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

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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.

CONTRACTOR: **Dated:**

DocuSigned by:
Joseph Ortega
6AB73519AF1F458...

1/30/2023 | 3:01 PM PST

By: Joseph Ortega
Title: Vice President

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
245F8B35F34E457...

Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
492630AA373F4CA...

Risk Manager/Analyst

Attachments:

Exhibit A – Scope of Work
Exhibit B – Insurance Requirements

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EXHIBIT A

Scope of Services

Concrete Cutting

1. UNDERSTANDING

Existing concrete sidewalk, curb, gutter, driveways, ADA ramps, etc., throughout the City of Livermore encounter displacements due to lifts by tree roots or settlement caused by subgrade failures. The city needs concrete cutting services to remove lifts in city sidewalks.

The work will be performed on a Task Order basis. The Engineer will provide a list of locations for each Task Order.

The concrete cutting services are anticipated for a duration of three years based on available funding. The agreement may be extended for an additional two years based on the city's needs. The "Inch-Foot" unit price shall remain the same for the first three (3) years of the service agreement. The vendor shall submit new "Inch-Foot" unit price for the city's consideration if the agreement is extended beyond the first three years.

2. SCOPE OF SERVICES

The scope of services shall include and not be limited to:

2.1 **Task 1 - Concrete Cutting -** Concrete cutting services shall include all labor, materials, parts and equipment necessary to provide concrete cutting services for lifts from 0.25" to 2". The quantity of Inch-Foot will be calculated by the average of the lift height of the edge to be saw cut, measured in inches, multiplied by the length along the same edge, measured in feet.

2.2 **Task 2 - DACTrak Database Update** - The vendor shall update the information in DACTrak for each location at the completion of each Task Order. The vendor will also upload applicable photo(s) on DACTrak to show completed work. The cost per data entry will vary depending on the data that is entered.

2.3 **Task 3 - Condition Assessment/Inspection (Optional Service) –** The vendor shall provide condition assessment/inspection services as requested by the city. Assessment and data collection at the time of the repair is included in the repair cost. The cost for a separate trip to perform condition assessment is at additional cost.

3. GENERAL REQUIREMENTS

3.1 The Vendor shall identify the Project Manager who will function as the main point of contact. It is expected that the concrete cutting team proposed under this agreement will remain unchanged throughout the duration of the term of the Agreement, unless requested by the City. Replacement of key staff without consultation with the City will not be permitted.

3.2 The Vendor shall provide staff with relevant experience with concrete cutting jobs.

3.3 All individuals working on this job must be full-time employees of vendor's company and covered by the company with the necessary Worker's compensation insurance,

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as required by the Vendor's State License Board and the State of California.

4. License and Registration Requirements

4.1 License – Vendor shall possess a valid California contractor's license for the following classification(s): **Class C 61**

4.2 All vendors and sub vendors must be registered with the State of California Department of Industrial Relations (DIR). The registration form is located on the DIR's website at http://www.dir.ca.gov/Public-Works/PublicWorks.html.

4.3 Vendor shall obtain City of Livermore's business license.

4.4 Performance, Payment, and Warranty Bonds – The vendor will be required to provide performance and payment bonds each in the amount of 100% of the Contract Price and a Warranty Bond in the amount of 15% of the Contract Price.

4.5 Prevailing Wage Requirements - This concrete cutting service 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 agreement will be subject to compliance monitoring and enforcement by the California Department of Industrial Relations, under Labor Code, Section 1771.4. The prevailing rates are available online at http://www.dir.ca.gov/DLSR. Each Contractor and Subcontractor must pay no less than the specified rates to all workers employed to work on the Project. The schedule of per diem wages is based upon a working day of eight hours. The rate for holiday and overtime work must be at least time and one-half.

5. TASK ORDERS BASIS

5.1 The city does not guarantee any quantity of work and retains the right to use other vendors for the services. The city reserves the right to increase or decrease the quantity of work.

5.2 City will issue Task Orders and provide a list of locations with address. As each Task Order is completed, the city and the vendor will compile additional locations as needed for concrete cutting.

5.3 The Vendor shall complete work within the allowed budget in each Task Order.

5.4 The Vendor shall start work within 5 working days of the issuance of the Task Order and prosecute the work diligently within the number of allocated days in each Task Order.

5.5 A sample concrete cutting list of locations is included as part of this scope of services. The list will be modified by the city as needed to meet its needs and a new list will be issued with each Task Order. The city does not guarantee the number of locations and may increase or decrease the number of locations to meet available budget.

5.6 Vendor shall inspect all identified areas and complete pre-construction survey photos, measurements of the displacement (lifts or settlement), and photo of the repaired concrete cutting areas. The vendor shall identify and document locations that are not suitable for concrete cutting. The vendor shall update the information in

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DACTrak at the completion of each Task Order.

6. HOURS OF WORK

6.1 Normal working hours are from 9:00 am to 3:00 pm Monday to Friday unless approved otherwise by the Engineer.

6.2 Concrete cutting work shall typically occur during normal working hours. Lane closures are not anticipated for the concrete cutting services. If necessary the city will review request from the contractor for parking lane temporary closures to perform work.

6.3 All legal holidays are observed as nonworking hours.

6.4 Should the Vendor choose to work on a Saturday, Sunday, City Holidays or on a holiday recognized by the labor unions, the Vendor shall reimburse the City of Livermore the actual cost of engineering, inspection, testing, superintendent, and/or other overhead expenses which are directly chargeable to the contract. Should such work be undertaken at the request of the City, reimbursement will not be required.

7. PROSECUTION OF WORK

7.1 The Vendor will notify the public 3 working days prior to starting the concrete cutting work.

7.2 Vendor shall diligently prosecute work and only shall start work that can be completed that same day.

7.3 Vendor shall maintain the site safe at all times. The Vendor shall erect barricades, warning signs, and any other devices to prevent unauthorized access to work areas by the public.

7.4 Work shall be performed in an orderly manner with minimum disturbance and inconvenience to the public. The Vendor shall confine and limit its personnel to only those areas required in performing the work.

7.5 All traffic control devices required must comply with CAMUTCD 2014, revision 6 requirements and latest amendments.

7.6 Vendor will be responsible for removal and proper disposal of all waste materials and surplus items prior to leaving the site each day.

7.7 Vendor shall obtain a no cost Encroachment Permit from the city. Prior to obtaining the encroachment permit, the vendor must submit the proposed traffic control plans. Work can only start after the Engineer approves the traffic control plans and issues the encroachment permit.

8. COORDINATION OF WORK AND PUBLIC SAFETY

8.1 If Vendor is approached by the public with questions, the Vendor shall turn off concrete cutting equipment and be courteous and polite when speaking with the public.

8.2 Vendor shall always allow for safe passage to all pedestrians within the construction zone area. If a sidewalk, driveway etc., is closed due to construction activity, the

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Vendor shall place Sidewalk Closed and one-way arrow signs on Type II barricades at the nearest intersection/ crosswalks.

8.3 Vendor shall always keep the work area safe and clean to protect the public. Repair equipment and all other items incidental to the work shall not be left or stored on the sidewalk or on private property while not in use.

8.4 If the Vendor damages any property adjacent to his work the Vendor shall be required to repair all damages to the property owner's expectations at no additional costs to the City.

9. INVOICES

9.1 All monthly invoices shall include a summary of all addresses, a grid map listing the number of saw cuts completed. A separate report including inch feet unit cost, and total cost must be sent with the monthly invoice.

9.2 Vendor is required to provide weekly certified payrolls. One hard copy and one email copy must be sent to the city.

9.3 Monthly invoice will not be processed if the weekly certified payrolls are not submitted to the city.

9.4 Vendor must provide proof that all concrete and debris is disposed or recycled in a proper, environmentally safe manner. Construction demolition Recycling Report within 14 days of project completion and include receipts and/or weight tags at no additional costs to the city.

9.5 The Vendor shall only invoice for work completed in place.

10. AMERICANS WITH DISABILITIES ACT

10.1 Vendor must guarantee specified repair slope (1:10, 1:12 based upon requirements outlined by the Americans with Disabilities Act) is achieved. If defined slope is not achieved, vendor must repair to specification at no additional charge within 24 hours of discovery.

11. BEST MANAGEMENT PRACTICES

11.1 Dust shall be collected using a high-powered vacuum dust control system, eliminating most of the dust from entering into the atmosphere. The system requires multiple heads for the high capacity vacuum, and a controlled filtration system that will eliminate dust from entering the atmosphere. The suction device shall be attached to the hand-held electrically powered cutting equipment to assure that all dust be collected before it’s released into the atmosphere. No water- cooling is allowed, as it creates slurry and contaminates storm drains, possibly causing excessive environmental impact

11.2 Vendor shall implement Best Management Practices and implement Erosion and Sediment Control measures.

11.3 Vendor shall adhere to all clean water regulations and exercise best management practices.

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12. SPECIFICATIONS

Services shall include all labor, materials, parts, equipment, etc., necessary to provide concrete cutting for lifts 0.25” to 2”. Any existing locations with less than 2" of concrete thickness shall not be considered for concrete cutting.

12.1 CLEARING AND GRUBBING

12.1.1 Clearing and Grubbing shall conform to Section 16, “Clearing and Grubbing” of the Caltrans Standard Specifications and these Technical Specifications. Clearing and grubbing within the limits of work shall include: Specific non-native vegetation removal, select trimming of tree limbs as needed for equipment access, legal disposal of removed vegetation and debris off-site.

12.1.2 The Vendor shall protect all native trees and all other native vegetation not slated for demolition. All clearing and grubbing costs shall be included under the various unit price items.

12.2 CONCRETE CUTTING

12.2.1 All trip hazards between 0.25" inches and 2" inches in height will be cut eliminating any differential displacement (lifts or settlement) in the existing concrete surface to provide a smooth transition between concrete surfaces. The shaved areas shall be uniform, smooth, contain minimal grooving and be straight at the backline with little or no scarring of the adjacent concrete. The final finish concrete surface shall not be slippery to pedestrians.

12.2.2 The work shall be done with hand-held, electrically powered, equipment capable of cutting at any angle and able to remove the concrete completely to all edges of the trip hazard and around obstacles that may be encountered. The equipment must be capable of lying completely flush to the ground and capable of working at any angle, including absolute flush saw-cutting, and perform trip hazard removal in hard-to-reach areas, around obstacles, on narrow walkways, next to fences and retaining walls or buildings.

12.2.3 All repairs shall be taken to an absolute zero point of differential with the adjacent opposing panel, and to both edges of the sidewalk panel to mitigate the trip hazard in its entirety over the full width of the sidewalk panel as needed. Some panels may not require the full width of the sidewalk panel to be mitigated where the trip hazard recedes to an already zero differential.

12.2.4 Vendor may not leave damaged concrete corners. Patching damaged concrete corners will not be allowed and Vendor will be responsible for replacing the entire concrete slab that has damaged or cracked corners at their costs. Vendor shall saw cut damaged concrete slab at the next nearest joint.

12.2.5 Existing concrete surface that is not listed for repair and other landscape features such as grass, plants, trees, rocks, walls, irrigation, etc., shall be protected. Any damage to existing elements will require the Vendor to repair or remove and replace the damaged elements.

12.2.6 Vendor is not allowed to saw-cut the concrete deeper than the opposing slab. Any scarring or damaging to the existing adjacent concrete slab which does not have a trip hazard on it or any damage to existing landscaping, walls, irrigation, driveways or

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otherwise, will require that the vendor to remove and replace the damaged opposing concrete slab matching it in kind and doing all necessary repairs at no additional costs to the City.

12.2.7 All concrete cutting, debris and concrete dust that remain on the sidewalk shall be completely cleaned from the surface as well as the surrounding area, i.e., landscaping, walls, etc. and be hauled off and dumped at an approved site. Vendor must provide proof that all concrete and debris is recycled in a proper, environmentally safe manner..

13. MEASUREMENT AND PAYMENT

Task 1 - Concrete Cutting - Concrete cutting services shall include all labor, materials, parts and equipment necessary to provide concrete cutting services for lifts 0.25" to 2". The quantity of Inch-Foot will be calculated by the average of the lip height of uplifted edge saw cut multiplied by the length measured along the same edge. The Inch-Foot unit cost is for all work completed in place.

Task 2 - DACTrak Database Update - The unit cost to update the information in DACTrak shall not exceed from $5-10 per entry depending on the data that is entered.

Task 3 - Condition Assessment/Inspection (Optional Service) – Assessment and data collection at the time of the repair is included in the concrete cutting cost. The cost for a separate trip to perform condition assessment shall not exceed $300 per sidewalk mile.

General items (Items 3 - 12) such as mobilization, traffic control, site safety, compliance with environmental regulations (noise, dust, clean water, etc.,), demolition and disposal, recycling, required noticing to the public, permits, assessment and data collection, and all other incidental cost not specifically listed shall be included in the concrete cutting unit cost.

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COMPENSATION

Tasks	Tasks Description	Unit	Unit Price
1	Concrete Cutting	Inch-Foot	$50
2	DACTrak Database Update	Each entry	Varies form $5-$10
3	Condition Assessment/Inspection (Optional Service)	Per sidewalk mile	$300

Example: A trip hazard on a 4-foot-wide sidewalk that consists of a 0.5” rise on one side, and tapers down to a zero rise on the other is calculated as follows:

$$\frac{(0.5"+0")}{2} X\ 4' = 1\ inch\ foot$$

The cost of repair is 1 inch-foot X $50 per inch-foot = $50

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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:
   $3,000,000 per occurrence/**$6,000,000** 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."

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 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

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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. 5.3**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing a supplemental appropriation in the amount of $3,885,855 to Fiscal Year 2023-24 and awarding and authorizing execution of an agreement with MCK Services, Inc. in an amount not-to-exceed $4,177,882, for construction of the 2021 Street Resurfacing, Project No. 2021-01.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution for the 2021 Street Resurfacing Project 2021-01:

1. Authorizing a supplemental appropriation of $3,885,855 in Solid Waste & Recycling Impact Fee funds (Fund 344) from Fiscal Year 2022-23 to Fiscal Year 2023-24;
2. Awarding a construction contract to MCK Services, Inc., in the amount of $4,177,882, and authorizing the City Manager to sign the agreement;
3. Rejecting all other bids or proposals, and
4. 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 2021 Street Resurfacing project will repair and rehabilitate the surface of approximately 2.7 centerline miles of eight city street segments with three additional street segments totaling 0.8 centerline miles included as bid alternates. The project will include base repairs, crack sealing, concrete improvements, new pavement striping, and accessible concrete curb ramps. Eleven bids for the project were received on January 10, 2023. MCK Services, Inc. is the lowest responsible and responsive bidder. Funding needs to be reallocated from Fiscal Year 2022-23 to 2023-24 to align with anticipated construction expenditures.

DISCUSSION

This annual street resurfacing project will rehabilitate the pavement on segments of five residential, two collector, and four arterial streets (see attached Street List, Attachment 1 and Location Map, Attachment

2). These street segments represent priority resurfacing locations based on street condition, daily traffic, proximity to critical facilities, and type of traffic, in accordance with the City's ongoing pavement condition assessment program. The rehabilitation typically involves pavement grinding along the edges and installation of 1.5 to 4-inch layers of asphalt concrete with pavement reinforcing fabric. Pavement and aggregate base will be removed and replaced in areas showing indications of base failure. The project will install 86 Certified Access Specialist (CASp) certified curb ramps at existing pedestrian crossings to comply with Americans with Disabilities Act (ADA) standards. The treated streets will be re-striped and marked to accommodate buffered bicycle lanes in some locations consistent with recommendations in the Livermore Bicycle, Pedestrian, and Trails Active Transportation Plan.

The project will extend the life of these street segments and improve public safety by eliminating road hazards such as potholes, standing water, dips, bumps, and undulations.

On January 10, 2023, eleven bids were received and opened for this project. The lowest responsible and responsive bidder is MCK Services, Inc. from Martinez. MCK, Inc. has worked on similar projects for cities such as San Jose, Oakland, Monterey, and Pinole. Staff has checked references for MCK Services, Inc. and has found them satisfactory.

The following is a list of the base bids received and the Engineer's Estimate for the base bid work.

2021 Street Resurfacing, Project 2021-01 - Base Bid Results

Contractor	Location	Bid Amount
MCK Services, Inc.	Martinez, CA	$3,442,268.60
Goodfellow Bros. California, LLC	Livermore, CA	$3,491,975.00
JV Lucas Paving	Martinez, CA	$3,518,332.00
O'Grady Paving Inc.	Mountain View, CA	$3,549,212.00
Bay Cities and Paving	Concord, CA	$3,617,159.68
Teichert Construction	Pleasanton, CA	$3,637,100.00
Desilva Gates Construction	Dublin, CA	$3,679,679.00
Radius Earthwork Inc.	Campbell, CA	$3,885,328.30
McGuire & Hester	Alameda, CA	$3,910,413.00
Mountain Cascade, Inc.	Livermore, CA	$3,991,167.00
United Pavement Maintenance	Hughson, CA	$4,536,921.00
Engineer's Estimate		$3,631,000.00

In addition to the base bid work, three additional street segments will be added to MCK Services, Inc.'s contract award as additive alternates, as provided for in the bid documents, for a total construction contract amount of $4,177,882. 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 the 2021 Street Resurfacing Project 2021-01 is included in the 2021-2023 Capital Improvement Program with a $5,275,000 budget for this construction contract, change orders, design, construction management, material testing, inspection, and administration. However, staff is anticipating a cost savings of approximately $89,145 due to the low bid. An appropriation of $3,885,855 in Solid Waste & Recycling Impact Fee funds (Fund 344) from Fiscal Year 2022-23 to Fiscal Year 2023-24 is

necessary to complete the work in Fiscal Year 2023-24. The revised budget for this project is summarized in the table below.

Fund No.	Fund Name	FY 2021-22 (Existing)	FY 2022-23 (Existing)	FY 2022-23 (Proposed)	FY 2023-24 (Existing)	FY 2023-24 (Proposed)
344	SW&R Impact Fee	$350,000	$4,925,000	$950,000	$0	$3,885,855
Total		$350,000	$4,925,000	$950,000	$0	$3,885,855

ATTACHMENTS

1. Street List
2. Location Map
3. Resolution
4. Exhibit A - Construction Contract with MCK Services, Inc.

Prepared by: Saurabh Nijhawan
Associate Engineer

Approved by:

Marianna Marysheva
City Manager

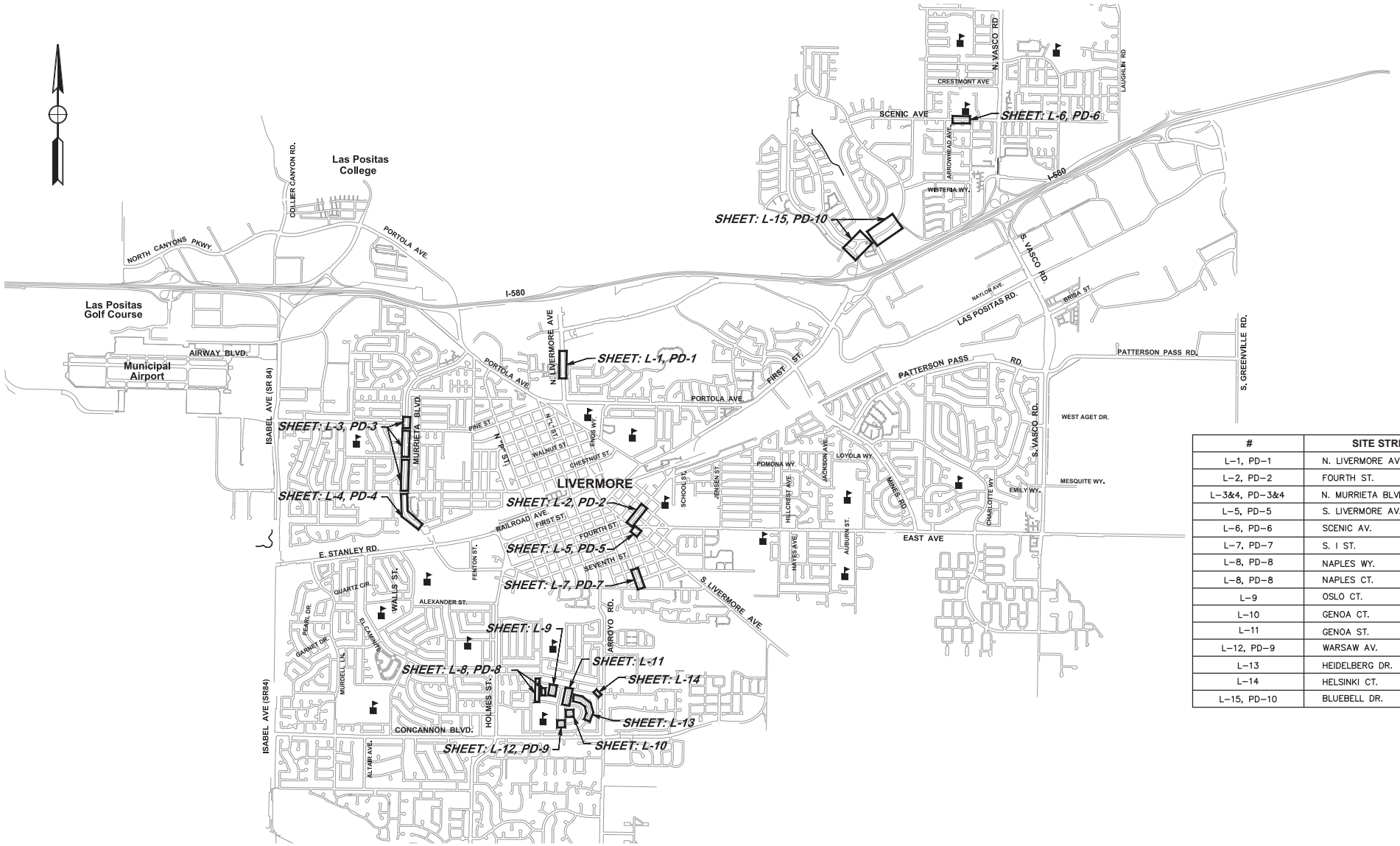
Fiscal Review by:

Tina Olson
Administrative Services Director

CITY OF LIVERMORE - 2021 STREE MAINTENANCE PROJECTS

2021 Street Resurfacing List

#	Street Name	Beg Location	End Location	Alternate	Bike Lane Upgrades
1	N Livermore Av	745' S/O Las Positas Rd	S/O Cromwell		Class 2B - Buffer
2	Fourth St	S Livermore Av	Maple St		
3	N Murrieta Blvd	Jack London	Northwood Comm		
4	S Livermore Av	Fourth St	Fifth St		
5	Scenic Av	85' E/O Mt Diablo Wy	Central Av		Class 2B - Buffer
6	S I St	College Av	Eighth St		
7	Naples Wy	Kingsport Av	Helsinki Wy		
8	Naples Ct	Naples Wy	End		
9	Oslo Ct	Helsinki Wy	End		
10	Genoa Ct	Genoa St	End	Alternate #1	
11	Genoa St	Warsaw Av	Helsinki Wy	Alternate #1	
12	Warsaw Av	Frankfurt Wy	Genoa St	Alternate #2	
13	Heidelberg Dr	Heidelberg Ct	Genoa St	Alternate #3	
14	Helsinki Ct	Helsinki Wy	End		
15	Bluebell Dr	Springtown Blvd	Sunflower Ct		Class 2B - Buffer



#	SITE STREET
L–1, PD–1	N. LIVERMORE AV.
L–2, PD–2	FOURTH ST.
L–3&4, PD–3&4	N. MURRIETA BLVD.
L–5, PD–5	S. LIVERMORE AV.
L–6, PD–6	SCENIC AV.
L–7, PD–7	S. I ST.
L–8, PD–8	NAPLES WY.
L–8, PD–8	NAPLES CT.
L–9	OSLO CT.
L–10	GENOA CT.
L–11	GENOA ST.
L–12, PD–9	WARSAW AV.
L–13	HEIDELBERG DR.
L–14	HELSINKI CT.
L–15, PD–10	BLUEBELL DR.

Inch 1 0

consor
7901 Stoneridge Drive, Suite 550, Pleasanton, CA 95661
Phone: 925.416.1500 Fax: 916.461.9033

CALL BEFORE YOU DIG 1-800-227-2600 USA UNDERGROUND SERVICE ALERT

REGISTERED PROFESSIONAL ENGINEER MITCHELL ANDREW KNOX No. C-84094 Exp. 9-30-23 CIVIL STATE OF CALIFORNIA

APPROVED BY	10/17/22 DATE			
DESIGNED BY: AK				
DRAWN BY: AK				
CHECKED BY: MJ/AM	NO.	DATE	BY	REVISIONS

CITY OF LIVERMORE CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT - ENGINEERING DIVISION
City Project No. 2021-01

2021 STREET RESURFACING PROJECT

KEY MAP

K-1
Sheet 2
Of 92
Scale: NTS

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF $3,885,855 AND AWARDING A CONSTRUCTION CONTRACT WITH MCK SERVICES, INC. FOR CONSTRUCTION OF THE 2021 STREET RESURFACING, PROJECT NO. 2021-01, IN AN AMOUNT NOT-TO-EXCEED $4,177,882

(2021 Street Resurfacing, Project No. 2021-01)

The City of Livermore advertised and received bids for the 2021 Street Resurfacing, Project No. 2021-01. MCK Services, Inc. submitted the lowest responsible and responsive base bid in the amount of $3,442,268.60 with three additive alternatives included for a total construction contract amount of $4,177,882. Staff recommends the City Council accept the bid and award a contract to MCK Services, Inc. for the construction of the 2021 Street Resurfacing, Project No. 2021-01.

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

1. The City Council authorizes a supplemental appropriation of $3,885,855 in Solid Waste & Recycling Impact Fee funds (Fund 344) from Fiscal Year 2022-23 to Fiscal Year 2023-2024 for the 2021 Street Resurfacing, Project No. 2021-01.

2. The City Council awards a construction contract to MCK Services, Inc., in an amount not-to-exceed $4,177,882, for the 2021 Street Resurfacing Project 2021-01, and authorizes the City Manager to sign the agreement, attached hereto as Exhibit A, and incorporated by this reference.

3. The City Council rejects all other bids or proposals.

4. The City Council 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 27, 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 MCK Services, Inc.

CONTRACT

This public works contract ("Contract") is entered into by and between the City of Livermore, a California Municipal Corporation ("City") and MCK Services, Inc. ("Contractor") for work on the 2021 Street Resurfacing, Project No. 2021-01 ("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 Four Million, One Hundred and Seventy Seven Thousand, Eight Hundred and Eighty One Dollars and Ten cents ($4,177,881.10) (the "**Contract Price**"), in accordance with the payment provisions in the General Conditions. This amount is the Base Bid of $3,442,268.60 plus the amounts for Additive Bid Alternate Number 1 ($270,938.50), Additive Bid Alternate Number 2 ($243,997), Additive Bid Alternate Number 3 ($220,677) that the City is adding to the Contract.

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 120 Working Days from the commencement date stated in the Notice to Proceed. ("**Substantial Completion Deadline.**"). For this project, the Contractor shall also incorporate 5 Working Days 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 22 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 ($ 500) per day.

6.2. Final Completion Deadline: FIVE HUNDRED ($ 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	John Moffat
Address	1052 South Livermore Avenue	865 Howe Road
City/state/zip	Livermore, CA 94550	Martinez, CA 94553
Phone	925-960-4500	925-957-9200
Fax	925-960-4504	
Attention	City Engineer	Vice President
Email	bgvinn@livermoreca.gov	jmoffat@mckpaving.com
Copy to	snijhawan@livermoreca.gov	

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	MCK Services, Inc.
s/_____	s/ _____ John Moffat, Vice President
Marianna Marysheva, City Manager	Name/Title [print]
Date: _____	Date: January 20th, 2023
Approved as to form:	s/ _____ Mark Hazen, President
	Name/Title [print]
_____ City of Livermore City Attorney	Date: January 20th, 2023
	783116 Contractor's Calif. License Number(s)
	Seal:
	August 31st, 2024 Expiration Date(s)

END OF DOCUMENT

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing execution of an agreement with Block by Block-CA, Inc., a California Corporation, to provide the Community Ambassador Program, bio-hazard clean-up, and safety services for a 27-month term in the total amount not-to-exceed $664,846.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Block by Block-CA, Inc. ("Block by Block"), a California Corporation, for a term of 27-months, beginning March 1, 2023, and ending June 30, 2025, to provide the Community Ambassador Program, bio-hazard clean-up, and safety services in an amount not-to-exceed $664,846.

SUMMARY

For the past few years, the City has contracted with Block by Block for bio-hazard clean-up services related to the unsheltered population throughout the city. A team of "Community Ambassadors" work closely with the City's Police, Public Works, Human Services, and other local homeless providers to identify areas in need of bio-hazard clean-up, power washing, drug paraphernalia clean-up, and trash removal and safety services. This team has also identified daily cleaning "hot spots" and has a communication system in place to identify, report and direct work. The City has been renewing Block by Block's contract annually, and the current contract ends on March 1, 2023. Due to the success of this program in addressing community health and sanitation needs, Staff recommends approval of a 27-month agreement to continue Block by Block's Community Ambassador Program services through the end of fiscal year 2025 for a term of March 1, 2023, to June 30, 2025.

DISCUSSION

In 2018, the City Council Subcommittee on Homelessness was tasked to develop a Strategic Framework to address short-, medium-, and long-term strategies. The Subcommittee work plan included a series of community meetings with presentations from experts and service providers to expand the community dialogue around homelessness issues and to discuss potential program strengths, challenges, and resources. The Council approved the Subcommittee on Homelessness' recommendations of several pilot

programs, which included Block by Block, to provide bio-hazard clean-up services to address the community health impacts of residents living outdoors.

Block by Block provides bio-hazard clean-up services related to the unsheltered population throughout the city. The City, in partnership with Block by Block, has identified daily cleaning “hot spots” that include the downtown, arroyos, underpasses, and civic center civic center complex. The City and Block by Block has a communication system in place to identify, report and direct work. The Cleaning Community Ambassadors work closely with the City’s Police, Public Works, Human Services, and other local homeless providers.

On November 4, 2019, the City entered into an agreement with Block by Block utilizing a one-time allocation of Homeless Emergency Aid Program ("HEAP") funds to provide the Livermore Community Ambassador Program, bio-hazard clean-up, program service referrals related to the homeless population, and overnight attendant services for the Safe Parking Program.

On November 23, 2020, the Livermore City Council approved resolution number 2020-213 to award Block by Block $100,000 from its FY 2020-21 General Funds to provide essential health and safety services to unsheltered residents in Livermore.

On April 26, 2021, when HEAP funds were no longer available, the City Council recognized the ongoing benefit of the Block by Block's services and approved resolution number 2021-056 to award Block by Block $272,000 from its FY 2021-22 General Fund to provide the Community Ambassador Program, bio-hazard clean-up, and safety services to unsheltered residents in Livermore.

In recognition of the continued health and safety benefits provided by Block by Block’s Community Ambassador Program and clean-up services, on April 11, 2022, City Council approved resolution number 2022-109 in the amount of $272,400 to continue providing bio-hazard clean-up, trash removal, and safety services related to the unsheltered population. Funding pays for two full-time cleaning technicians and an on-site supervisor. The organization has also experienced an escalation in services and supply costs of approximately six (6) percent per year.

The following table shows the number of bio-hazard clean-up services provided by Block by Block from March 22, 2022, through January 15, 2023:

SERVICES PROVIDED	TOTAL
Bio-Hazard/Power Washing	1,350
Drug Paraphernalia/Needle Clean-Up	1,449
Trash Removal (55-Gallon Bags)	7,048
Homeless Service Referrals	33

In addition to bio-hazard and clean-up services, Block by Block participated in the 2022 Alameda County Point-in-Time Count by providing knowledge of homeless encampment locations throughout the city. Their efforts assisted the City in developing an efficient plan to count Livermore’s homeless population.

Block by Block is also assisting the City with meeting its FY 2022-23 Trash Load Reduction goal of 90 percent by removing 387,640 gallons of trash from the community.

Staff recommends approval of a 27-month agreement in the amount not-to-exceed $664,846 to continue Block by Block's Community Ambassador services in the area of bio-hazard clean-up and power washing, drug paraphernalia clean-up, cleaning, trash removal and safety services. The City has been renewing Block by Block's contract annually, and the current contract ends on March 1, 2023. Due to the success of this program in addressing community health and sanitation needs, Staff recommends continuation of the Community Ambassador Program services through the end of fiscal year 2025, for a term of March 1, 2023, to June 30, 2025. An additional two-year commitment to fund Block by Block will help address staffing continuity issues and prioritize these needed services for Livermore.

FISCAL AND ADMINISTRATIVE IMPACTS

Funding for the months of March 2023 through June 2023 (not-to-exceed $72,028) has already been included in the current approved General Fund budget for FY 2022-23. If approved, the remaining maximum contract funding amounts of $288,010 in FY 2023-24 and $304,808 in FY 2024-25 will be included in the Community Ambassador Program's General Fund budget for those years. The FY 2023-24 budget amount assumes a cost escalator of approximately 5.8 percent. Currently, City general funds are the only funding source available to fund this program, however City staff will continue to coordinate and seek other revenue sources to supplant the general fund.

ATTACHMENTS

1. Resolution
2. Exhibit A - Block by Block Signed

Prepared by: Josh Thurman
Human Services Program Manager

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 EXECUTION OF AN AGREEMENT WITH BLOCK BY BLOCK-CA, INC. TO PROVIDE THE COMMUNITY AMBASSADOR PROGRAM, BIO-HAZARD CLEAN-UP, AND SAFETY SERVICES FOR A 27-MONTH TERM IN AN AMOUNT NOT TO EXCEED $664,846

On October 24, 2016, the City Council recognized homelessness as a priority and committed local funds and dedicated staff to develop and implement strategies that address the growing number of homeless families and individuals.

On November 4, 2019, the City entered into an agreement with Block by Block utilizing a one-time allocation of Homeless Emergency Aid Program (HEAP) funds to provide the Livermore Community Ambassador Program, bio-hazard clean-up, program service referrals related to the homeless population, and overnight attendant services for the Safe Parking Program.

On November 23, 2020, the Livermore City Council approved resolution number 2020-213 to award Block by Block $100,000 from its FY 2020-21 General Funds to provide essential health and safety services to unsheltered residents in Livermore.

On April 26, 2021, the Livermore City Council approved resolution number 2021-056 to award Block by Block $272,000 from its FY 2021-22 General Funds to provide the Community Ambassador Program, bio-hazard clean-up, and safety services to unsheltered residents in Livermore.

On April 11, 2022, the Livermore City Council approved resolution number 2022-044 to award the Recipient the amount of $272,400 (“Funds”) from its 2022-23 General Funds (“Program”) for the project.

One of the City’s life safety priorities is to ensure the health and safety of Livermore’s unsheltered residents. Block by Block provides essential health and safety services that include Community Ambassador Program and bio-hazard clean-up services related to the unsheltered residents of Livermore.

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

1. The City Manager, or her designee, is authorized to execute an Agreement with Block by Block-CA, Inc., attached hereto as Exhibit A, to provide the Community Ambassador Program, bio-hazard clean-up, and safety services for a 27-month term in a total amount not to exceed $664,846.

2. The City Manager, or her designee, is authorized 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 27, 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 Block by Block-CA, Inc.

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EXHIBIT A

GRANT AGREEMENT BETWEEN CITY OF LIVERMORE AND BLOCK BY BLOCK-CA, INC, A CALIFORNIA CORPORATION FOR FISCAL YEARS 2023-2024 & 2024-2025 GENERAL FUND

THIS GRANT AGREEMENT, entered into this ____ day of _____, 2023, between the City of Livermore, a municipal corporation ("City"), and Block by Block-CA, Inc, a California Corporation qualified to do business in the State of California ("Recipient").

RECITALS

On October 24, 2016, the City Council recognized homelessness as a priority and committed local funds and dedicated staff to develop and implement strategies that address the growing number of homeless families and individuals.

On November 4, 2019, the City entered into an agreement with Block by Block utilizing a one-time allocation of Homeless Emergency Aid Program (HEAP) funds to provide the Livermore Community Ambassador Program, bio-hazard clean-up, program service referrals related to the homeless population, and overnight attendant services for the Safe Parking Program.

On November 23, 2020, the Livermore City Council approved resolution number 2020-213 to award Block by Block $100,000 from its FY 2020-2021General Funds to provide essential health and safety services to unsheltered residents in Livermore.

On April 26, 2021, the Livermore City Council approved resolution number 2021-056 to award Block by Block $272,000 from its FY 2021-2022 General Funds to provide the Community Ambassador Program, bio-hazard clean-up, and safety services to unsheltered residents in Livermore.

On April 11, 2022, the Livermore City Council approved resolution number 2022-044 to award the Recipient the amount of $272,400 (“Funds”) from its 2022-2023 General Funds (“Program”) for the project.

One of the City’s life safety priorities is to ensure the health and safety of Livermore’s unsheltered residents.

City wishes to engage the Recipient to provide homeless services in the City of Livermore.

Recipient has applied to City for funding to provide essential health and safety services that include Community Ambassador Program and bio-hazard clean-up services related to the unsheltered residents in Livermore (“Project”).

EXHIBIT A

On February 27, 2023 the Livermore City Council approved resolution number _____ to award the Recipient the amount not-to-exceed $664,846 ("Funds") from its General Funds ("Program") for the project, which represents twenty-seven (27) months of contract services as described in the attached Exhibit "A".

AGREEMENT

NOW THEREFORE, in recognition of the mutual consideration provided herein, City and Recipient hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. **Relationship of Parties (Independent Contractors).** The relationship of the parties shall be that of independent contractors. Recipient and its employees are not City officers or employees. Recipient 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 performance of the Activities contemplated by this Agreement.

2. **Grant Activities.**

A. Activities. Recipient is responsible for administering the Grant Funds awarded in a manner satisfactory to City as set forth in Exhibit "A" "Scope of Work and Budget" for the Project (collectively "Activities").

i) *Project Overview*: Provide essential health and safety services to unsheltered residents in Livermore.

ii) *Service Objective.* Provide Community Ambassador Program, bio-hazard clean-up services as particulary set forth in "Exhibit A". All Activities shall be completed no later than February, 2025.

iii) *General Administration*. The Grant Funds for the Activities are to be administered under the direction of the Recipient's Regional Manager.

B. Budget. City will grant, and Recipient will use, the Grant Funds awarded pursuant to this Agreement under the budget terms set forth in Exhibit "A" to perform the Activities consistent with the terms and conditions of this Agreement, the Project, and any conditions imposed upon the Project.

C. Performance Monitoring. City will monitor Recipient's performance against the service objective outlined in Section 2A(ii). Substandard performance as determined by the City will constitute non-compliance with this agreement.

D. Changes to Scope of Work. The City may request changes to the scope of work or service objective to align with programmatic adjustments. If the parties cannot mutually agree to changes to the scope of work or service objectives within thirty (30) days, either party may terminate the agreement by providing thirty (30) days written notice to the other party.

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3. **Time for Performance.** Recipient shall commence the Activities on March 1, 2023, and continue the Activities through June 30, 2025.

4. **Contractor's Responsibilities.** Recipient Shall:

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

b) Provide the resources necessary to complete Activities 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;

d) Obtain and keep in effect all necessary licensees, permits, qualifications, insurance, and approvals legally and professionally required for Recipient and the Activities;

e) Comply with all laws in effect that are related to Recipient and the Activities;

f) Coordinate the Activities with Josh Thurman ("Project Manager"), or such other person designated as the Project Manager by City;

g) Maintain and submit monthly reports of the Activities to the Project Manager in the form set forth in Exhibit A-1;

h) Be available to the Project Manager, and other parties referred to Recipient by the Project Manager, to answer questions or inquiries related to the Activities;

i) Only invoice City for Activities performed. Recipient's invoice shall be in writing and describe the Activities performed for the grant draw requested. Recipient shall not submit an invoice to City more frequently than once a calendar month.

5. **Payment.** It is expressly agreed and understood that the total amount of Grant Funds available from City to Recipient for the Activities under this Agreement shall not exceed the total amount of $664,846 during the term, with respective budgets for March 1, 2023 – June 30, 2023 (remainder of FY22/23), July 1, 2023 – June 30, 2024 (FY23/24), and July 1, 2024 – June 30, 2025 (FY24/25) as described under the budget terms set forth in Exhibit "A". Even though the Grant Funds are available, Recipient shall only be entitled to draw that portion of the Grant Funds commensurate with the Activities provided. City shall only make draw payments to Recipient for those Activities that comply with the terms and conditions of this Agreement.

6. **Hold Harmless and Indemnity.** Recipient shall defend, indemnify and hold City, its elected officials, officers, directors, employees, agents, and designated volunteers harmless from and against any and all loss, liability, damage, including but not limited to, reasonable attorney, consultant and expert fees, and court costs arising out of or in connection with this Agreement, except for the gross negligence and willful misconduct of City, its elected officials, officers, directors, employees, agents, and designated volunteers.

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7. **Insurance.** Recipient 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 Activities. Upon reasonable written notice, Recipient shall comply with any changes in the amounts and terms of insurance as may be required from time-to-time by the City's Risk Manager.

8. **Copyright and Right of Use.** All items created by Recipient under this Agreement are works made for hire, and Recipient shall give City the copyright and all intellectual property rights to all items developed, prepared, and delivered as part of the Activities. Recipient agrees that all aspects of the Activities 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 Recipient to City and Recipient 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 Activities.

9. **Notices.** Any notice required or permitted under the terms of this Agreement shall be effective upon receipt in writing either by personal service upon the authorized agent for the party, or by mailing the notice via U.S. Mail to the party as follows:

City: City of Livermore
Attn: Josh Thurman, Human Services Programs Managers
1052 Livermore Avenue
Livermore, California 94550

Recipient: Block by Block-CA, Inc, a California Corporation
Attn:Derreck Hughes, Vice President of Operations
870 Market Street Suite 1023
San Francisco, CA 94103

10. **Severability.** If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

11. **Waiver.** City's failure to act with respect to a breach by Recipient does not waive its right to act with respect to subsequent or similar breaches. The failure of City to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.

12. **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 or document incorporated by reference, the language in the body of the Agreement controls.

13. **Entire Agreement; Modification.** This Agreement supersedes all other agreements, whether oral or written, between the parties with respect to the Activities. Any modification to this Agreement must be in writing and signed by both parties. No amendment may invalidate this Agreement, or relieve or release City or Recipient from its obligations under this Agreement. City may, in its discretion, amend this Agreement in writing to conform with Federal, State, or local laws, regulations, guidelines, or policies related to the use of the Funds for the Activities. However, if such amendments result in a change in the funding, the scope of services, or the Activities, such modifications shall be incorporated only by written amendment signed by both City and Recipient. In the event the original of this Agreement is lost or destroyed, an archival copy maintained by City may be used in place of the original for all purposes with the same effect as if it was the original.

14. **Right of Termination.** "Either party may terminate this Agreement with or without cause by providing thirty (30) days prior written notice to the other party.

15. **Force Majeure.** Neither party shall be liable for damages to the other party for any delay or default in performing hereunder if such delay or default is caused by reason of any circumstance beyond its reasonable control, including but not limited to Acts of God, fire, flood, earthquake, extraordinary weather conditions, acts of war, acts of terrorism, labor disputes, riots, active shooter incident, civil disorders, rebellions or revolutions in any country ("Force Majeure"), that party shall be excused from any further performance or observance of the obligations so affected for as long as such circumstances prevail and that party continues to use all commercially reasonable efforts to recommence performance whenever and to whatever extent possible without delay."

****

Signatures and Attachment List on the Next Page

IN WITNESS THEREOF, the Recipient and City have executed this Agreement as of the date first written above.

Block by Block-CA, Inc, a California Corporation
"Recipient"

BY: DocuSigned by: Derreck Hughes A4EFC2EB8D25459... **DATED**: 2/9/2023 | 7:29 AM EST

Derreck Hughes
Vice President of Operations

Federal I.D. or Social Security No.

31-1332763

CITY OF LIVERMORE
a Municipal Corporation
"City"

BY: _____ **DATED:** _____

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by: Tara Mazzanti 19DF47CAC3D0451...

DS

ASSISTANT/CITY ATTORNEY

Attachments:

Exhibit A	Scope of Work and Budget
Exhibit A-1	Record Submission Form
Exhibit B	Insurance Requirements

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Exhibit A

Scope of Work and Budget

Description:

Bio-Hazard Clean-Up Services

Block by Block (BBB) will be responsible for providing bio-hazards clean-up related to the homeless population throughout the city. The city will outline the daily "hot spots" and set up a communication system to identify and report instances. In addition, the city will provide an area for items/belongings identified during clean-up that require storage. The BBB cleaning Community Ambassadors will work closely with the City's Police, Public Works and Human Services Divisions and other local homeless providers to make services referrals to people experiencing homelessness and to identify units of measures for reporting purposes.

Schedule

BBB will adhere to the budget and hours listed below for each employee assigned to perform duties under this Scope of Work.

Budget

March 1, 2023-June 30, 2024

Service	Total not to exceed per service type
Community Ambassador Bio-Hazard Clean-Up	$72,028 **(March – June 2023)** $288,010 **(July 2023 – June 2024)**

Bio-Hazard Services/Clean-Up Ambassador Services (FY23/24)	
Personnel	**Expense**
Operations Manager/Clean-Up Ambassadors	$183,755.56
Benefits	$16,908.77

Operating	**Expense**

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Labor Related (background checks, recruiting, etc.)	$1,816.33
Uniforms	$2,246.37
Cell Phones	$2,200.00
Equipment (truck, other 'capital' equipment)	$24,051.22
Equipment Related (fuel, maintenance, insurance, parking)	$13,828.51
Janitorial Supplies	$3,637.19
Office Supplies & Printing	$600.00
Miscellaneous	$1,200.00
Administrative Support (mgmt., travel, postage, etc.)	$11,583.33
Program Overhead	$26,182.72
Total	**$288,010**

Schedule	**Hours**
Bio-Hazard Clean-Up Ambassadors	80.00
Operations Manager	40.00
Weekly Total	120.00
Annual	6,240.00
Employees	**3.00**

	Wed	Thurs	Fri	Sat	Sun	Mon	Tues	Total Hours
Cleaning Ambassador	8	8	8	8	xxxxx	xxxxx	8	40
Cleaning Ambassador	8	8	8	xxxxx	xxxxx	8	8	40
Operations Manager	8	8	8	xxxxx	xxxxx	8	8	40
Hours	**24**	**24**	**24**	**8**	**0**	**16**	**24**	**120**

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Budget

July 1, 2024-June 30, 2025

Service	Total not to exceed per service type
Community Ambassador Bio-Hazard Clean-Up	$304,808

Bio-Hazard Services/Clean-Up Ambassador Services (FY24/25)

Personnel	Expense
Operations Manager/Clean-Up Ambassadors	$193,965.13
Benefits	$18,661.28

Operating	Expense
Labor Related (background checks, recruiting, etc.)	$1,873.76
Uniforms	$2,453.85
Cell Phones	$2,200.00
Equipment (truck, other ‘capital’ equipment)	$24,051.22
Equipment Related (fuel, maintenance, insurance, parking)	$15,622.51
Janitorial Supplies	$4,187.19
Office Supplies & Printing	$600.00
Miscellaneous	$1,200.00
Administrative Support (mgmt., travel, postage, etc.)	$11,783.33
Program Overhead	$27,709.73
Total	**$304,808**

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Schedule	Hours
Bio-Hazard Clean-Up Ambassadors	80.00
Operations Manager	40.00
Weekly Total	120.00
Annual	6,240.00
Employees	**3.00**

	Wed	Thurs	Fri	Sat	Sun	Mon	Tues	Total Hours
Cleaning Ambassador	8	8	8	8	xxxxx	xxxxx	8	40
Cleaning Ambassador	8	8	8	xxxxx	xxxxx	8	8	40
Operations Manager	8	8	8	xxxxx	xxxxx	8	8	40
Hours	**24**	**24**	**24**	**8**	**0**	**16**	**24**	**120**

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EXHIBIT A-1

Record Submission Form

Bio-Hazard Clean-Up Services

Measure	Total
Total # of bio-hazard Clean-up instances	
Total # Syringe/Drug Paraphernalia disposal instances	
Total # Power Washing Hot Spots	
Total # Trash Bags	

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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:
   $3,000,000 per occurrence/**$6,000,000** 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."

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 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

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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. 5.5**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing execution of a master license agreement with East Bay Community Energy Authority, a Joint Power Authority, for installing, operating, and maintaining Level 3 fast electric vehicle chargers at various city-owned properties.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a master license agreement with East Bay Community Energy Authority, a Joint Power Authority, for installing, operating, and maintaining Level 3 fast electric vehicle chargers at various city-owned properties at no cost to the city.

SUMMARY

This master license agreement (Agreement) will allow East Bay Community Energy Authority (EBCE), a Joint Power Authority, to install, operate, and maintain fast Level 3 electric vehicle (EV) charging stations at various city-owned properties at no cost to the City. The agreement contains a list of six city properties which EBCE will evaluate to determine if the installation of electric vehicle chargers is feasible. Two of these properties are leased by Livermore Area Recreation Park District (LARPD) so LARPD is a party to this agreement. Attachment 1 shows the locations of these sites.

Approximately 12 to 23 EV charging spaces are proposed at each site. The Agreement establishes a phased process with additional city approvals before construction can proceed. Upon approval by the City Manager, additional city properties can be added to the list of potential electric vehicle sites. The EV charging stations will be available to the public. EBCE is responsible for all costs associated with the installation, operation, and maintenance of the electric vehicle chargers including the cost of the electricity. In exchange, the city is allowing EBCE to occupy city property at no cost. This agreement allows EBCE to operate these electric vehicle chargers and associated electrical equipment for 15 years at each site. The city and EBCE can then determine whether to extend the lease at each site.

DISCUSSION

The City of Livermore is a member of EBCE, a JPA formed in 2016 pursuant to California Government Code Section 6500 et. seq, to become the default Load Serving Entity (or public power provider) in

Alameda County. In 2017, the California Public Utilities Commission certified EBCE's Community Choice Aggregator Implementation Plan. EBCE then began serving commercial, industrial, residential, and municipal electricity customers in 2018. EBCE currently serves the County of Alameda, and each of the following cities incorporated therein: Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro, and Union City. In 2021, the cities of Newark, Pleasanton, and Tracy (in San Joaquin County) also joined the JPA and became part of EBCE's service territory.

In addition to serving as the public power provider, EBCE is tasked with development and management of energy-related climate change programs that help local government JPA members, like the City of Livermore, achieve state greenhouse gas reduction goals faster. Through its Local Development Business Plan, EBCE is strategically developing distributed energy resource solutions, including deploying a network of electric vehicle fast charging infrastructure, that will provide net benefits to EBCE's customers and member agencies. EBCE is partnering with the city to install, maintain, and operate EV vehicle charging stations on city property that are available to the public.

There are more than 1.1 million light-duty passenger cars and trucks registered to drivers in Alameda County. Plug-in EVs account for just 5 percent of this total vehicle registration portfolio (approximately 57,000 EVs on the road). To achieve the state's zero emission vehicle adoption goals, this figure will need to increase to approximately 108,000 light-duty EVs by 2025, and over 360,000 light-duty EVs by 2030. To ensure sustained growth in the EV market, the California Energy Commission has estimated that 645 to 740 publicly available EV fast chargers are needed throughout Alameda County to ensure driver confidence in convenient charging infrastructure. According to the California Energy Commission, there are currently only 332 EV fast chargers in Alameda County.

This gap in charging infrastructure is not experienced equally. EBCE has conducted a detailed analysis to understand home charging access and identified critical disparities that will hinder widespread EV adoption and, therefore, the ability to achieve California's zero-emission vehicle goals. Using Department of Motor Vehicle registration data, County Assessor data and Costar data, EBCE's analysis found:

- 47% of all residents in Alameda County are renters.
- 90% of all multi-family housing properties (5+ units) are over 50 years old.
- To date there has been essentially no EV adoption among multi-family housing residents.

Due to the age of multi-family housing properties, electrical capacity upgrades will be needed across this building portfolio to support EV charging. These upgrades are the property owner's responsibility to fund and coordinate, not the tenants', representing a key barrier to deploying lower-level charging to enable at-home charging for these residents. These upgrades will not occur quickly at the scale needed to meet the state's goals.

A not-for-profit public agency like EBCE has a critical role to play in addressing the installation of EV charging to meet the needs of residents. EBCE can deliver clean electricity as a transportation fuel at a lower cost to customers and is well positioned to invest in a network of public EV fast chargers that is informed by local data and input from its JPA members, like the city. Siting EBCE's EV fast chargers at the city's municipal parking facilities will result in infrastructure that is convenient, accessible, reliable, highly utilized, and equitable for all users, including commuters traveling through the Tri-Valley, and particularly renters in Livermore's multi-family housing developments. This public-public partnership approach will ensure all of Livermore's residents can join and benefit from the transition to EVs and will enable the city to achieve its climate action goals by reducing greenhouse gas emissions from the

transportation sector.

On September 12, 2022, the City Council approved a license agreement with EBCE for installing, maintaining, and operating Level 3 fast EV chargers that will serve thirty-two parking spaces in the downtown. Sixteen of these electric vehicle charging spaces will be in the L Street Garage and sixteen will be in the surface parking lot east of the L Street Garage. These spaces should be available by the end of 2024.

This Agreement will allow EBCE to install, operate, and maintain fast Level 3 electric vehicle (EV) charging stations at additional city properties. The Agreement contains a list six city properties where existing parking stalls could be converted to electric vehicle parking stalls. Attachment 1 shows the locations of these properties. Two of these properties are leased by Livermore Area Recreation Park District (LARPD) so LARPD is a party to this agreement. These properties were selected because they are close to multi-family housing, close to points of interest, and there is excess available parking. The City Manager can approve adding additional City properties to the list of potential electric vehicle sites.

The Agreement establishes a phased process with additional city approvals before construction can proceed. First, EBCE will develop a preliminary project design at each property. Next, EBCE will submit the design to PG&E for review. Upon approval from PG&E, EBCE will develop a Notice to Proceed with project design at a property. The Notice to Proceed must be approved by the City Manager. For properties leased by LARPD, the LARPD General Manager must also sign the Notice to Proceed. The Notice to Proceed will authorize EBCE to finalize the design. The City and LARPD, if they lease the property, shall have the discretion to not approve the Notice to Proceed. Before beginning any construction work, EBCE shall provide a copy of the construction schedule and installation plans to the City for approval.

As a public agency, EBCE will issue a competitive solicitation for the development of the charging stations. EBCE shall ensure that its designated contractors, subcontractors and service providers pay prevailing wage and comply with all other applicable provisions of the Labor Code and the implementing regulations of the Department of Industrial Relations.

EBCE shall, at its sole cost, be responsible for installation of the charging stations, including hiring and coordinating vendors and contractors. EBCE shall be responsible for all electricity and communications costs of the charging stations by obtaining separately metered electricity service at each property. EBCE shall operate and maintain, and/or retain a third-party contractor to operate and maintain the charging stations. EBCE will have their own meter that serves the electric vehicles and will be billed directly for all electricity costs.

This Agreement allows EBCE to operate these electric vehicle chargers and associated electrical equipment for 15 years at each site. The City and EBCE can then determine whether to extend the lease at each site. If the lease is not extended at a site, EBCE will remove all equipment and coordinate to bring the site back to its original condition.

FISCAL AND ADMINISTRATIVE IMPACTS

This Agreement with EBCE will allow a valuable service to be provided to the public at no cost to the city. Staff time needed to coordinate the Agreement with EBCE and review and approve the construction work required to install the charging stations is within existing available staff capacity.

ATTACHMENTS

1. Location Map
2. Resolution
3. Exhibit A - EBCE Master License Agreement

Prepared by: Joel Waxdeck
Assistant City Engineer

Approved by:



Marianna Marysheva
City Manager

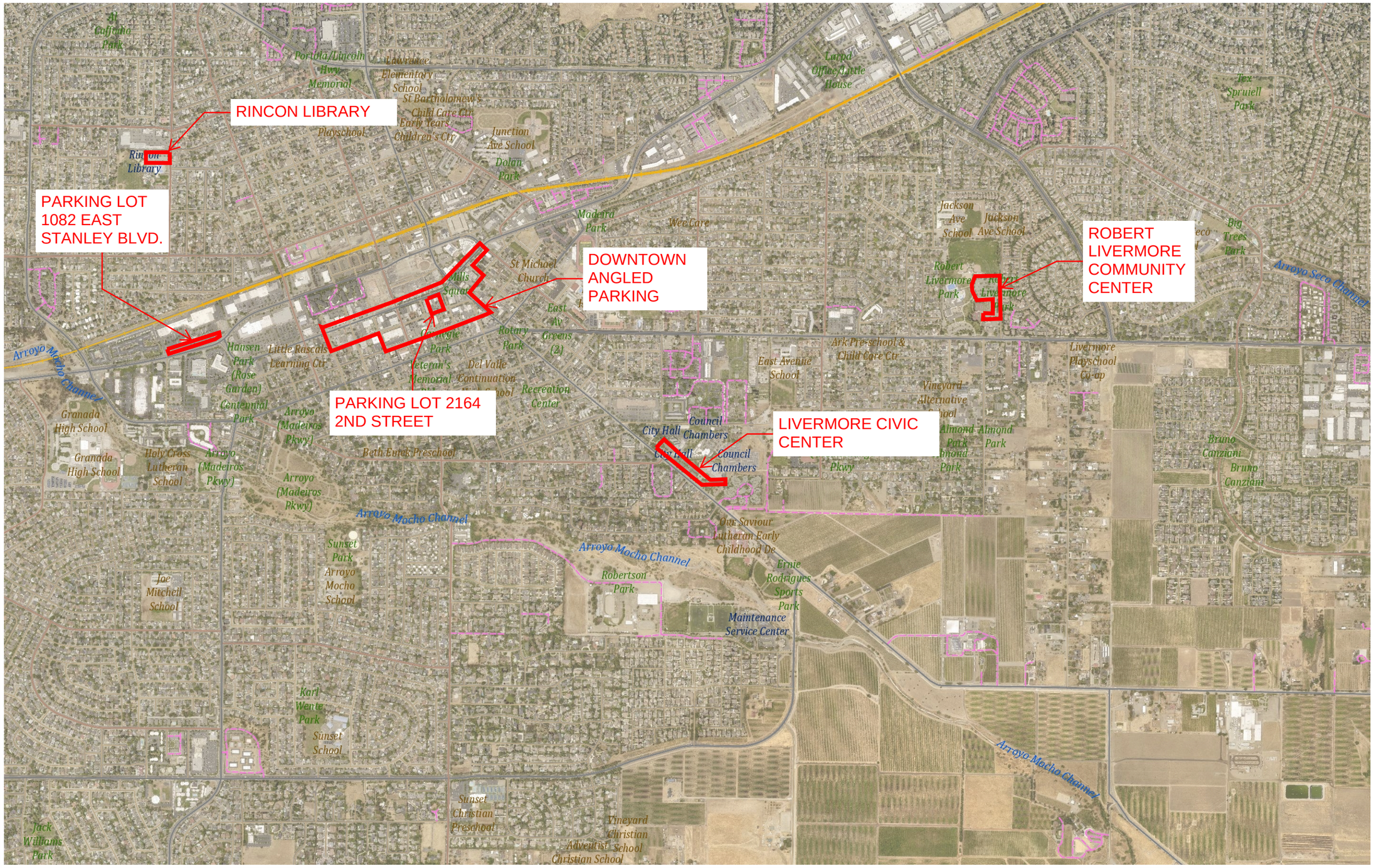
Fiscal Review by:

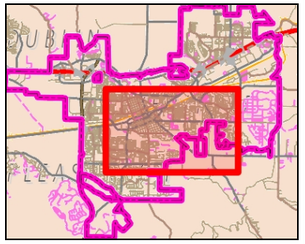


Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

Potential EBCE Fast Charger Sites





Legend

- Creeks
- Public Facilities (4500-100000)
- Park Names (4500-100,000)
- School Names (4500-24,000)
- Street Centerline
  - Interstate
  - Other Freeway or Expressway
  - Principal Arterial
  - Collector
  - Local
  - Ramp
- Private Streets
- Railroad

1: 17,623

2,937.2 0 1,468.60 2,937.2 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US
Information Technologies, GIS Division, City of Livermore

Date Printed: 1/30/2023

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 AUTHORIZING EXECUTION OF A MASTER LICENSE AGREEMENT WITH EAST BAY COMMUNITY ENERGY AUTHORITY, A JOINT POWER AUTHORITY, FOR INSTALLING, OPERATING, AND MAINTAINING LEVEL 3 ELECTRIC VEHICLE CHARGERS AT VARIOUS CITY OWNED PROPERTIES

East Bay Community Energy Authority (EBCE) is partnering with the City of Livermore (City) to install, maintain, and operate electric vehicle charging stations on City properties that are available to the public.

In addition to serving as the public power provider, EBCE is tasked with development and management of energy-related climate change programs that help local government member agencies, like the City, achieve state greenhouse gas reduction goals faster.

Through its Local Development Business Plan, EBCE is strategically developing distributed energy resource solutions, including deploying a network of electric vehicle fast charging infrastructure, that will provide net benefits to EBCE's customers and member agencies.

This Master License Agreement (Agreement) will allow EBCE to install, operate, and maintain Level 3 electric vehicle charging stations at various City owned properties at no cost to the City. The Agreement contains a list of 6 City properties which EBCE will evaluate to determine if the installation of electric vehicle chargers is feasible. Two of these properties are leased by Livermore Area Recreation Park District (LARPD) so LARPD is a party to the Agreement. Around 12 to 23 EV charging spaces are proposed at each site.

The Agreement establishes a phased process with additional City approvals before construction can proceed. Upon approval by the City Manager, additional City properties can be added to the list of potential electric vehicle sites. The EV charging stations will be available to the public. EBCE is responsible for all costs associated with the installation, operation, and maintenance of the electric vehicle chargers including the cost of the electricity. In exchange, the City is allowing EBCE to occupy City property at no cost.

This Agreement allows EBCE to operate these electric vehicle chargers and associated electrical equipment for 15 years at each site. The City and EBCE can then determine whether to extend the lease at each site.

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

1. The City Council adopts a resolution authorizing the City Manager to execute a Master License Agreement with East Bay Community Energy Authority, a Joint Power Authority, attached hereto as Exhibit A, for installing, operating, and maintaining Level 3 electric vehicle chargers at various City owned properties.

2. The City Manager is authorized to take all necessary actions 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 27, 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 – Charging Station Master License Agreement

DocuSign Envelope ID: 2F5389FA-6EB2-43EF-9070-15489CB2F9D0

CHARGING STATION MASTER SITE LICENSE AGREEMENT

This Charging Station Master Site License Agreement ("Agreement") is entered into as of the [____] day of [_____], 2023 ("Effective Date") by and between the City of Livermore, a California municipal corporation ("Host" or "City"), the East Bay Community Energy Authority, a Joint Powers Authority ("EBCE"), and the Livermore Area Recreation and Park District ("LARPD"). Host, EBCE, and LARPD are individually referred to as "Party" and collectively as "Parties".

1. Grant of License. Host is the fee simple owner of certain real property(ies) identified in Exhibit A (each a "Property"), and LARPD has a leasehold interest in several of such Properties, as specified in Exhibit A. Host, and LARPD to the extent it has a leasehold interest in a Property, grants to EBCE and its contractors and vendors for the Term of this Agreement: (i) an exclusive and irrevocable, except as specifically set forth herein, license to use and occupy a portion of each Property (each such portion of a Property shall be referred to herein as a "Site"), including the designated parking spaces for charging electric vehicles ("Charging Stalls"), as such Site and Charging Stalls shall be more particularly described for each Property in a Notice to Proceed, as provided in Section 3 below, issued pursuant to this Agreement; (ii) any necessary easements or rights for installation, maintenance, operation, access and utilities, as described herein, for the Purpose (including, but not limited to, any rights necessary for PG&E to interconnect the Charging Stalls); and (iii) the right for EBCE to issue a sublicense to its contractors and vendors that is up to, but no more than, coextensive with the license that Host and LARPD grant to EBCE herein. Host, and LARPD to the extent it has a leasehold interest in a Property, shall not allow installation or use of direct current fast Charging Stations other than those of EBCE on any Property included in Exhibit A during the Term; provided nothing herein shall preclude the Host from installing electrical vehicle charging stations that are not direct current fast charging stations. If, during the Term, Host desires to install additional direct current fast Charging Stations at a particular Property, then Host grants to EBCE a right of first refusal to design, develop, construct, install, operate and maintain such additional direct current fast Charging Stations. Upon notice by Host to EBCE, EBCE will have up to six (6) months to determine if it will develop additional direct current fast Charging Stations at the Property. Should EBCE opt not to, Host may pursue development of the additional direct current fast Charging Stations with another third-party provider. The Host's City Manager is delegated authority within his/her purchasing/spending authority and limits to approve any amendments to Exhibit A without requiring approval from Host's Council, and LARPD's General Manager is delegated authority to approve any amendments to Exhibit A involving properties in which LARPD has a leasehold interest without requiring approval from LARPD's Board of Directors.

2. Purpose. Host (and LARPD to the extent it has a leasehold interest in a Property) agree that each Site may be used by EBCE and its contractors and vendors for any lawful activity in connection with the design, development, construction, installation, maintenance, repair, replacement, removal, security, and operation of direct current fast chargers and ancillary items to fuel electric vehicles, including, without limitation, electrical equipment, hardware, software, signage and all supporting equipment and structures (which may include concrete pads and protective bollards) (collectively, a "Charging Station"), together with any other uses permitted herein ("Purpose"), on the terms and conditions set forth in this Agreement.

3. Notice to Proceed. Host, LARPD to the extent it has a leasehold interest in a Property, and EBCE shall reasonably cooperate on the development of a preliminary project design for each Property included in Exhibit A. The preliminary project design shall include the Site and number and location of Charging Stalls and a single line diagram approved by PG&E. Once the preliminary project design is agreed upon by Host (and LARPD to the extent it has a leasehold interest in a Property) and EBCE, EBCE shall submit the design to the distribution utility service supplier, PG&E, for review. To the extent the distribution utility service supplier provides revisions to the preliminary project design, EBCE shall make such revisions as are agreeable to Host (and LARPD to the extent it has a leasehold interest in a Property), and thereafter EBCE shall submit the revised project design to PG&E for approval. Upon approval, Host (and LARPD to the extent it has a leasehold interest in a Property) and EBCE shall execute a notice to proceed for the respective Property in the form of Attachment 1 (each a "Notice to Proceed"), which Notice to Proceed shall identify the Site, the number and location of Charging Stalls, and Site Access Hours for such Property. The Construction Coordination Schedule shall be subsequently added as an amendment to the Notice to Proceed for such Property. Upon execution, each Notice to Proceed shall be

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incorporated herein by this reference. Host's City Manager, or Host's designee, LARPD's General Manager (to the extent LARPD has a leasehold interest in a Property), and EBCE's Jessie Denver (Director) are delegated authority to execute a Notice to Proceed for each Property without requiring approval from Host's Council, LARPD's Board of Directors, or EBCE's Board. The Notice to Proceed shall enable EBCE to advance project development which includes: (i) detailed project design, (ii) development of a permitting package to be submitted to the Host for review, and (iii) approval through Host permitting processes. Host (and LARPD to the extent it has a leasehold interest in a Property) maintain discretion to not issue a Notice to Proceed.

4. Term; Operating Term. The term of this Agreement shall commence on the Effective Date and shall terminate fifteen (15) years from the final Commercial Operation Date for any Property subject to this Agreement (as extended or renewed from time to time, the "Term"). The "Commercial Operation Date" for each Property shall mean the date on which all Charging Stations that are to be installed at such Property pursuant to an executed Notice to Proceed are first operational. Each Property shall have a fifteen (15) year "Operating Term", which shall commence on the Commercial Operation Date for such Property and expire on date that is the fifteen (15) year anniversary of such Commercial Operation Date. The Parties shall update Exhibit A to include the Commercial Operation Date and date of Operating Term expiration for each Property. EBCE shall provide six (6) months advanced notice to Host (and LARPD to the extent LARPD has a leasehold interest in a Property) of the expiration of the initial Term and the expiration of any Operating Term stating whether EBCE will offer to extend the initial Term or an applicable Operating Term and if so, under what terms and conditions. Following such notice, the Parties may mutually agree in writing to extend either the Term of the Agreement or the Operating Term for any Property. Absent an agreement to extend the Operating Term for a Property, such Property shall be removed from this Agreement upon the expiration of the applicable Operating Term.

5. Removal of Properties. A Property identified in Exhibit A, and any Notice to Proceed executed for such Property, may be removed from this Agreement:

a. by EBCE, upon thirty (30) days' written notice to Host, in the event EBCE determines that the construction of a Charging Station is impracticable or uneconomical at such Property; or

b. by EBCE, if any portion of such Property is condemned or taken in any manner for a public or quasi-public use that could adversely affect EBCE's use of the Site at such Property, as of the date title to the condemned portion of such Property is transferred to the condemning authority; or

c. by Host, upon thirty (30) days' written notice to EBCE, in the event a Notice to Proceed for such Property has not been issued within the later of fifteen (15) months following the Effective Date or fifteen (15) months following the date on which such Property was added to Exhibit A; provided that the foregoing right shall terminate upon the date a Notice to Proceed is issued for such Property; or

d. by Host or EBCE, if any portion of such Property is damaged by fire or other casualty in a manner that adversely affects EBCE's use of the Site at such Property, within thirty (30) days of the date of such fire or other casualty.

6. Termination. This Agreement may be terminated in its entirety with respect to all Properties:

a. by Host, upon thirty (30) days' written notice to EBCE, in the event a Notice to Proceed has not been issued for any Property within forty-eight (48) months following the Effective Date; provided that the foregoing right shall terminate if a Notice to Proceed for any Property is issued prior to such deadline; or

b. by Host or EBCE if the other Party or LARPD breaches or fails to perform any of its obligations in any material respect, and such breach or failure continues uncured for ten (10) business days after receipt of written notice; provided that if such breach or failure reasonably requires more than ten (10) business days to cure, this provision shall not be triggered if such breaching Party commences to cure within such period and diligently proceeds to complete such cure; or

c. by Host or EBCE, if the other Party becomes insolvent or proceedings are instituted by or against it under any provision of any federal or state bankruptcy or insolvency laws; or

d. by Host or EBCE, if all Properties identified in Exhibit A have been removed from this Agreement either pursuant to Section 5 or upon expiration of the applicable Property's Operating Term.

7. Electricity and Communications. Unless otherwise agreed by the Parties, EBCE shall be responsible for all electricity and communications costs of the Charging Station(s) by obtaining separately metered electricity service at each Property. Host (and LARPD to the extent it has a leasehold interest in a Property) shall reasonably cooperate with EBCE's efforts regarding the provision of electricity to the Charging Station(s) at each Property. Neither Host, nor EBCE, nor LARPD (to the extent it has a leasehold interest in a Property) has any responsibility or liability for interruption, curtailment, failure, or defect in the supply or character of distribution utilities furnished to the Charging Station(s) at each Property. Host (and LARPD to the extent it has a leasehold interest in a Property) grants to EBCE the right to establish and/or receive utility services at each Property, including but not limited to electric, and the right for the distribution utility service supplier to construct, reconstruct, install, inspect, maintain, replace, remove, and use said utility services to serve each Charging Station together with the right for the utility service supplier to ingress to and egress from said utility service facilities across each Property. Host (and LARPD to the extent it has a leasehold interest in a Property) grants the right for the distribution utility and the service utility for each Property to trim, cut down, and clear away or otherwise control any trees or brush within five (5) feet of said route. In addition, Host (and LARPD to the extent it has a leasehold interest in a Property) shall not erect or construct any building or other structure or drill or operate any well under or within five (5) feet of said route.

8. Maintenance and Operation of Sites. Host (and LARPD to the extent it has a leasehold interest in a Property) shall cause each Site, including EBCE Charging Stalls, to be maintained in a clean, safe, and orderly condition, to at least the same standard as other similar areas (e.g. parking areas) at each such Property that are under Host control (or LARPD control, if applicable) are maintained. For purposes of clarification, Host (and LARPD to the extent it has a leasehold interest in a Property) shall have no responsibility to maintain EBCE's Charging Stations or related EBCE equipment, hardware, software, or signage. Host (and LARPD to the extent it has a leasehold interest in a Property) shall not retain any ownership rights in the Charging Station(s) and related EBCE equipment. EBCE and its employees, contractors, and vendors may, at any time during the Term, access each Site and each associated Property to maintain, inspect, repair, upgrade, remove or replace any portion of a Charging Station. EBCE shall operate and maintain, and/or retain a third-party contractor to operate and maintain, the Charging Station(s) in accordance with Exhibit C, attached hereto and incorporated herein by this reference ("Maintenance and Operations Plan").

9. EBCE Customers: Access. EBCE will provide Charging Station access to customers ("EBCE Customers"), which may include members of the public, as well as commercial fleet and rideshare vehicles, who shall be charged in amounts reasonably determined by EBCE, which may change from time to time in EBCE's sole discretion. EBCE Customers shall have access to each Site during the hours set forth in a Notice to Proceed for each Property (the "Site Access Hours"). Host (and LARPD to the extent it has a leasehold interest in a Property) shall notify EBCE at least forty-eight (48) hours in advance of any need to limit access to any Site due to maintenance, safety, or other unforeseen reasons, or, if possible, as soon as reasonably practical in the event of an emergency.

10. Signage & Promotional Activities. EBCE and its contractors and vendors may stripe and place appropriate signage related to electric vehicle charging at each Site and mark each Charging Station and all Charging Stalls and related EBCE equipment in EBCE's reasonable discretion, subject to Host's prior approval (or LARPD's prior approval to the extent it has a leasehold interest in a Property), not to be unreasonably withheld. In addition, subject to Host's prior approval (or LARPD's prior approval, to the extent it has a leasehold interest in a Property), not to be unreasonably withheld, EBCE and its contractors and vendors may place signage, marks, or EBCE advertising devices related to electric vehicle charging in, on, or about and around each Site within each Property at EBCE's sole cost and subject to applicable laws and regulations. At no time may Host (or LARPD

to the extent it has a leasehold interest in a Property) place any signage on EBCE Charging Stalls, Charging Stations or related EBCE equipment or in a manner that interferes with EBCE operations at each Site.

11. Promotional Activities. During the Term of the Agreement, EBCE may promote the availability of the Charging Stations through traditional and/or electronic media, including providing the address to each Property and a description thereof. No Party shall use the other Party's trade or service marks, logos, or other proprietary materials without the prior written consent of the other Party. Parties agree to coordinate promotional activities to the greatest extent possible and will establish a promotional plan, using the resources of both the Host and EBCE.

12. Construction; Permits. EBCE shall, at its sole cost and expense, be responsible for installation of the Charging Stations, including the hiring and coordination of vendors and contractors. Host, EBCE, and LARPD to the extent it has a leasehold interest in a Property, shall develop a schedule (the "Construction Coordination Schedule"), which shall set forth the details, timing and coordination of the work described above ("Construction Work"). The Construction Coordination Schedule shall be set forth in a Notice to Proceed for each Property. Before beginning any Construction Work, EBCE shall provide a copy of the construction schedule and installation plans to the Host (and LARPD to the extent it has a leasehold interest in a Property) for its approval, including pricing and bid procedure, which approval shall not be unreasonably delayed or withheld. EBCE shall ensure that it or its designated contractor(s) and/or service providers obtain from governmental authorities all licenses, permits (including encroachment and building permits), or other approvals required to conduct such installation activities (collectively, "Approvals"). Host (and LARPD to the extent it has a leasehold interest in a Property) shall reasonably cooperate with EBCE's designated contractors and service providers as required to obtain such Approvals. EBCE shall not permit or suffer any Stop Orders, mechanic's or materialmen's liens to attach to any Site. A "Stop Order" means the notice and claim procedures for payment available in California Civil Code section 9000, et seq., to laborers, subcontractors, suppliers, materialmen and other parties identified in California Civil Code 9100 that provide labor or materials to a public project. If such a Stop Order, mechanic's or materialmen's lien attaches to a Site, EBCE shall remove or bond over such Stop Order or lien at EBCE's sole cost and expense, within twenty (20) days of EBCE receiving written notice thereof from Host. EBCE shall ensure that it or its designated contractors, subcontractors and/or service providers shall pay prevailing wages for any construction, installation work or maintenance contracts related to each Charging Station and related equipment, as those wages are determined pursuant to Labor Code Section 1720 *et seq*., and Sections 1774 and 1775, to employ apprentices as required by Labor Code Section 1777.5 *et seq*., and shall cause the contractors and subcontractors to comply with all other applicable provisions of the Labor Code and the implementing regulations of the Department of Industrial Relations (the "DIR").

13. Modification. EBCE may, at any time during the Term and in its sole discretion modify, including, without limitation, upgrade, replace, and/or remove all or a portion of any Charging Station (collectively, "Modifications"), whether or not said items are considered fixtures and attachments to a Site under applicable laws; provided, however, before any such Modifications, EBCE shall provide at least sixty (60) days prior notice to Host (and LARPD to the extent it has a leasehold interest in a Property) and obtain all necessary permits prior to commencing any Modification.

14. Removal. Within ninety (90) days following either the expiration of the Operating Term at a Property or the removal of a Property from this Agreement pursuant to Section 5, as applicable, EBCE shall remove, or cause its contractors and vendors to remove, relevant Charging Station(s) and all of EBCE's other equipment and personal property from the applicable Property, but not electric infrastructure, which shall remain with each Property. EBCE shall coordinate to bring the Site back to its original condition, normal wear and tear excepted. This provision shall survive the termination of this Agreement. Removal to be signed off to the approval of Host (and LARPD to the extent it has a leasehold interest in a Property). EBCE and its contractors and vendors shall coordinate with PG&E to have the electric service and switchgear removed. Electrical conduits can be capped and abandoned in place. Wires must be disconnected and removed.

15. Representations. Warranties & Covenants. The Parties each hereby represent and warrant to the other Parties that, as of the Effective Date: (a) it has all necessary power and authority to execute, deliver, and perform its

obligations hereunder; (b) the execution, delivery, and performance of the Agreement have been duly authorized by all necessary action and do not violate any of the terms or conditions of its governing documents, any contract to which it is a party, or any law, regulation, order, or other legal determination applicable to it; (c) there is no pending or, to its knowledge, threatened litigation or proceeding that may adversely affect its ability to perform the Agreement; (d) it is duly organized and validly existing under the laws of the jurisdiction of its organization; (e) the Agreement constitutes a legal, valid and binding obligation of such Party, except as enforceability may be limited by applicable bankruptcy, insolvency or similar laws affecting creditors' rights and by general principles of equity. Each Party shall comply with all federal, state, and local laws, rules, regulations (including, without limitation, all zoning ordinances and building codes, nondiscrimination laws) and as amended from time-to-time in performing its obligations under the Agreement.

16. Indemnity. Each Party shall indemnify and hold harmless the other Parties, and their respective affiliates, representatives, agents, officers, directors, managers, members, partners, contractors, or employees, from and against all third-party claims, demands, causes of action, liabilities, costs, damages, losses, penalties, fines, judgments or expenses, including reasonable attorneys' fees and costs of collection (collectively, "Losses") that arise out of or result from (i) any willful misconduct or negligence of the indemnifying Party in connection with this Agreement, (ii) any breach by the indemnifying Party of its obligations, representations or warranties under this Agreement, or (iii) the indemnifying Party's operation of each Site or Property, except to the extent arising out of or resulting from any willful misconduct or negligence of the indemnified Party. The obligations of the Parties under this Section 16 shall survive the expiration, cancellation, or termination of this Agreement and the Term.

17. Insurance. During the Term, EBCE shall maintain insurance in full force and effect, at its cost and expense, as set forth in Exhibit B, attached hereto and incorporated herein by this reference. The insurance limits required of EBCE may be satisfied through self-insurance or a JPA, as designated in Exhibit B.

18. Limitation of Liability. In no event shall any Party be liable (in contract or in tort, including negligence and strict liability) to such other Party for any special, indirect or consequential damages relating to this Agreement. The provisions of this Section 18 shall apply to the full extent permitted by law and shall survive termination of this Agreement.

19. Miscellaneous.

a. Notice. Any notice provided or permitted to be given under the Agreement must be in writing and be served either by (i) deposit in the mail, addressed to the Party to be notified, postage prepaid, and registered or certified, with a return receipt requested, or (ii) deposit with an internationally recognized overnight delivery carrier, with notice of delivery to the recipient Party. Notice given by registered or certified mail or overnight carrier shall be deemed delivered and effective on the date of delivery shown on the return receipt or proof of receipt. Each Party may change its address for notice by giving notice thereof to the other Party. For purposes of notice the addresses of the Parties shall be as follows:

To Host:

Attention: City Engineer
CC: Representative
City Administration Building
City of Livermore
1052 South Livermore Avenue
Livermore, California 94550

To EBCE:

Attention: East Bay Community Energy
CC: Jessie Denver
1999 Harrison Street, Suite 800
Oakland, California 94612

To LARPD:

Attention: General Manager
CC: Business Services Manager
Robert Livermore Community Center
4444 East Avenue
Livermore, California 94550

b. Property Rights; Assignment. The rights granted to EBCE in this Agreement shall constitute covenants running with the land as to the interests in real property which are made subject hereto and shall bind Host's (and LARPD's, to the extent it has a leasehold interest in a Property) successors and assigns. Host and LARPD agree that they shall not, during the Term, grant any sublease or property right of any sort to any third party that conflicts with the license granted to EBCE pursuant to this Agreement. EBCE may record this Agreement, any sublicense with EBCE's contractors and vendors, or any memorandum thereof in the public records of any public office. This Agreement is binding on and inures to the benefit of the Parties and their respective heirs, successors, assigns, and personal representatives. In the event a Property is transferred or Host ceases to have the requisite level of control over a Site necessary to fulfill its obligations under the Agreement (each, a "Transfer Event"), Host shall either assign its rights and obligations under the Agreement to the person or entity which would be able to comply with Host's obligations following such Transfer Event or require such person or entity to enter into a separate agreement with EBCE that contains terms materially similar to this Agreement and that are acceptable to EBCE. Further, Host agrees that any such Transfer Event shall not affect, terminate or disturb EBCE's right to quiet enjoyment and possession of each Site under the terms of the Agreement or any of EBCE's other rights under the Agreement, so long as EBCE is not then in default under any of the terms, covenants or conditions of the Agreement. Notwithstanding any of the above, if Host separately enters into a lease or other property rights agreement with a third party with respect to a Property, then, prior to the commencement of construction on such Property, EBCE agrees to enter into a separate consent agreement amongst Host, EBCE, and the third party to govern their respective rights and obligations with respect to the Property.

c. No Agency Relationship. Nothing in the Agreement shall be deemed or construed to create a joint venture, partnership, fiduciary, or agency relationship between the Parties for any purpose set forth in this Agreement, and the employees of one party shall not be deemed to be the employees of the other Party. Except as otherwise stated in the Agreement, no Party has any right to act on behalf of the other, nor represent that it has such right or authority.

d. Severability. If any term of the Agreement is held by any court of competent jurisdiction to be invalid, such invalidity shall not invalidate the remainder of the Agreement and the Agreement shall be construed and deemed reformed to the extent necessary to render valid such term and the rights and obligations of the parties shall be enforced accordingly.

e. Governing Law. This Agreement shall be governed by the laws of California with venue in Alameda County.

f. No Waiver. The failure of a Party to insist on strict performance of any provision of the Agreement does not constitute a waiver of or estoppel against asserting the right to require performance in the future and a waiver or estoppel given in any one instance does not constitute the same with respect to a later obligation or breach.

g. Remedies. The rights and remedies provided by the Agreement are cumulative, and the use of any right or remedy by any Party does not preclude or waive its right to use any or all other remedies. These rights and remedies are given in addition to any other rights a Party may have under any applicable law, in equity or otherwise.

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h. Force Majeure. No Party is responsible for any delay or failure in performance of any part of the Agreement to the extent that delay or failure is caused by fire, flood, explosion, war, embargo, government requirement, civil or military authority, act of God, pandemic, act or omission of carriers or other similar causes beyond the Party's control.

i. Attorneys' Fees. If a Party institutes a suit against another Party for violation of or to enforce any covenant, term or condition of the Agreement, the prevailing Party shall be entitled to reimbursement of all of its costs and expenses, including, without limitation, reasonable attorneys' fees.

j. No Third-Party Beneficiaries. The Agreement does not confer any rights or remedies on any person other than the Parties and their respective successors and permitted assigns.

k. Integration; Amendments. The Agreement contains all agreements, promises and understandings between the Parties as to the subject matter of this Agreement. Any amendment, modification or other change to the Agreement shall be ineffective unless made in a writing signed by the Parties hereto.

l. Counterparts. The Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document.

m. Construction. All documents or items attached to, or referred to in, the Agreement are incorporated into the Agreement as fully as if stated within the body of the Agreement. Each Party has cooperated in the drafting, negotiation and preparation of the Agreement and nothing herein shall be construed against any Party on the basis of that Party being the drafter of such language.

[*Signature page follows on next page.*]

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In witness thereof, the Parties have entered into this Agreement as of the Effective Date set forth above.

LIVERMORE AREA RECREATION AND PARK DISTRICT

By: DocuSigned by: Mathew Fuzie 313F07FCD0764D6...
Name: Mat Fuzie
Title: General Manager

ATTEST:

By: DocuSigned by: A4F3D75FB9E8425...
Name: Jeff Schneider
Title: Business Services Manager

CITY OF LIVERMORE

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

DocuSigned by: 245F8B35F34C457...
Assistant City Attorney
City of Livermore

APPROVED AS TO INSURANCE:

DocuSigned by: 492639AA373F4CA...
Risk Management Analyst
City of Livermore

EAST BAY COMMUNITY ENERGY AUTHORITY

By: DocuSigned by: 9DF6BA3222CE44F...
Name: Nick Chaset
Title: Chief Executive Officer

ATTEST:

By: DocuSigned by: C5DC6BBBD025449...
Name: Jessie Denver
Title: Director: Transportation Electrification

APPROVED AS TO FORM:

DocuSigned by: 38687E28343646D...
Inder Khalsa, General Counsel
EBCE

Execution Version

EXHIBIT A
PROPERTY(IES)

Property #	Property Location	# Existing Parking Spaces	LARPD Lease (yes/no)	Date Site Added to MSLA	Site COD Date	Date Operating Term Expires	Site Removal Date (from Exhibit A)	Site Removal Description
1	Livermore Public Library – Civic Center 1052 South Livermore Ave., Livermore, CA 94550	Min 12 Max 23						
2	Robert Livermore Community Center 491 Loyola Way , Livermore, CA 94550	Min 12 Max 23						
3	2164 2nd Street Livermore, CA	Max 12						
4	TBD on-street angled parking spaces in the downtown area	Min 12 Max 23						
5	Parking Lot (APN 98-290-19-1) 1082 East Stanley Blvd. Livermore, CA 94550	Min 12 Max 23						
6	Rincon Library 725 Rincon Avenue Livermore, CA							

EXHIBIT A

EXHIBIT B
INSURANCE

Insurance. During the term of this Agreement, EBCE shall maintain in full force and effect, at its own cost and expense, insurance coverages either: (a) through a City-approved self-insurance pool; or (b) with insurers with an A.M. Best's rating of no less than A:VII. EBCE shall have the obligation to furnish City (and LARPD to the extent it has a leasehold interest in a Property), as additional insured, the minimum coverages identified below, or such greater or broader coverage for City (and LARPD to the extent it has a leasehold interest in a Property), if available in EBCE's policies:

a. General Liability and Bodily Injury Insurance. Commercial general liability insurance with limits of at least $5,000,000 combined limit for bodily injury and property damage that provides that the City (and LARPD to the extent it has a leasehold interest in a Property), its officers, employees and agents are named additional insureds under the policy as evidenced by an additional insured endorsement satisfactory to the City Attorney (and LARPD to the extent it has a leasehold interest in a Property). The policy shall further state in writing either on the Certificate of Insurance or attached rider that this insurance will operate as primary insurance for work performed by EBCE, its contractors and subcontractors, and that no other insurance effected by City (or LARPD to the extent it has a leasehold interest in a Property) will be called on to cover a loss.

b. Automobile Liability Insurance. Automobile liability insurance with limits not less than $2,000,000 per person/per occurrence.

c. Workers' Compensation Insurance. Workers' Compensation Insurance for all of EBCE's employees shall be in strict compliance with State laws, including a waiver of subrogation and Employer's Liability Insurance with limits of at least $1,000,000.

For work or services deemed public works, by signing this Agreement, EBCE is certifying, pursuant to Section 1861 of the California Labor Code, that: "I am aware of the provisions of Section 3700 of the Labor Code 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 of this Contract."

d. Certificate of Insurance. EBCE shall file a certificate of insurance with the City (and LARPD to the extent it has a leasehold interest in a Property) prior to engaging in any operation or activity set forth in this Agreement. The Certificate of Insurance shall provide in writing that the insurance afforded by this Certificate shall not be suspended, voided, canceled, reduced in coverage or in limits without providing notice to the City (and LARPD to the extent it has a leasehold interest in a Property) in accordance with California Insurance Code section 677.2 which requires the notice of cancellation to: 1) include the effective date of the cancellation; 2) include the reasons for the cancellation; and 3) be given at least thirty (30) days prior to the effective date of the cancellation, except that in the case of cancellation for nonpayment of premiums or for fraud, the notice shall be given no less than ten (10) days prior to the effective date of the cancellation. Notice shall be sent by certified mail, return receipt requested. In addition, the insured shall provide thirty (30) days prior written notice to the City (and LARPD to the extent it has a leasehold interest in a Property) of any cancellation, suspension, reduction of coverage or in limits, or voiding of the insurance coverage required by this agreement. The City (and LARPD to the extent it has a leasehold interest in a Property) reserves the right to require complete certified copies of policies.

e. Contractors and Subcontractors. EBCE shall include all contractors and subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each contractor and subcontractor. All coverages for contractors and subcontractors shall be subject to all of the requirements stated in this Agreement, including but not limited to naming additional insureds.

f. Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against the City (and LARPD to the extent it has a leasehold interest in a Property), its officers, employees and agents.

g. Defense Costs. Coverage shall be provided on a "pay on behalf of" basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusions.

EXHIBIT A

EXHIBIT C
MAINTENANCE AND OPERATION PLAN

OPERATIONS & MAINTENANCE

- EBCE shall maintain a minimum of ninety-seven percent (97%) operational availability (as a percent of the time) of Charging Stations at each site.
- EBCE, or its representative, will employ a network communication system with a service provider capable of monitoring the Charging Stations for any error or malfunction twenty-four (24) hours a day, seven (7) days a week.
- Maintenance of the Charging Stations shall be performed by EBCE and/or its subcontractors who have the capabilities and capacity to notify and respond to issues or malfunction.

The City and LARPD have no responsibility for the payment of maintenance costs, including any license, fees, and/or taxes. This responsibility spans from contract execution through expiration.

CUSTOMER SERVICE

EBCE currently manages a successful call center to respond to and manage questions about EBCE's electricity service and programs. EBCE will provide, or cause to be provided, the same level of customer service to EV drivers using EBCE Charging Stations. EBCE will ensure customer support is accessible in at least English and Spanish via a toll-free telephone number and email address. Both communication pathways will be clearly posted near the Charging Stations, and customer support service will be trained and equipped to provide or dispatch services to address any concerns at the Charging Stations that EBCE customers may experience. As applicable, access to these communication pathways will also be available through the contractor's online portal and/or smart phone app. As the Charging Stations will be accessible 24/7, EBCE will require that customer support service is equally accessible 24/7.

EXHIBIT A

ATTACHMENT 1 – NOTICE TO PROCEED FOR [PROPERTY #1]

[insert Property address]

I. Site Description

The Site shall include *[add written description]*.

[include map designating Site on Property and preliminary design drawings]

II. Charging Stall Description

[Example: EBCE plans to install 10-150 kilowatt dual port direct current fast chargers ("DCFC") in 20 Charging Stalls at the Property. Each DCFC will be capable of powering 2 Charging Stalls. Please note, the capacity of the DCFC equipment may change in the final project design.

Per State of California requirements, 2 of the Charging Stalls will comply with the Americans With Disabilities Act ("ADA"). To accommodate the van accessible ADA requirements, and DCFC equipment requirements generally based on final product selection, 2 additional parking spaces may be needed at the Property (for a total of up to 24 parking spaces).

To accommodate the electrical load of 10 DCFCs at the Property, EBCE will bring in a new PG&E metering service at a 2-megawatt maximum size. EBCE costs related to the new electrical service will be assumed by EBCE. The electrical service that powers the Charging Stalls will be EBCE's Renewable 100 electricity product and EBCE will be responsible for the meter. The Host and LARPD will not pay any costs associated with the electricity consumption from this new meter. A new transformer will be constructed in an area of the southwest corner of the Property by PG&E. EBCE will coordinate with PG&E through their Service Planning process, and the City Representative, to confirm this location. A 3000 Amp switchboard would be in the southwest corner of the property as well.

Through a public solicitation, EBCE has procured turnkey services from a single vendor, that includes final design, equipment, installation, load management system, ongoing maintenance services, and back-office services (e.g., communications, user account management, billing, reporting, utility interface application, etc.). The vendor will be under contract with EBCE and will:

- *Install all associated wiring and conduit that enable the operation of the Charging Stalls (following all applicable building codes, industry standards, and best practices)*
- *Install any additional lighting, if necessary, for the Charging Stations*
- *Be responsible for pouring the concrete pads on which the DCFCs will be installed and designing and installing appropriate physical barriers (barrier posts, wheel stops) for structural support and protection of the DCFCs*
- *Mount all equipment in front of the Charging Stalls and will take into consideration accessibility to cables and plugs as well as connectivity to vehicles*
- *Be required to incorporate cable management systems in each Charging Stall to keep the charging cables off the ground*
- *Ensure the installation of the DCFCs complies with ADA requirements*
- *Re-stripe the Charging Stalls as needed*
- *Provide all signage required in consultation with EBCE*
- *Procure DCFCs and incorporate load management systems*
- *Provide a credit card payment solution (i.e. kiosk) if the DCFCs procured do not have a built-in credit card reader to ensure compliance with SB 454*
- *Provide a Maintenance and Operations for inclusion to this Agreement (Exhibit B)*

EXHIBIT A

EBCE will keep the Host (and LARPD to the extent it has a leasehold interest in a Property) updated on a regular cadence of any project design changes and engage the Host (and LARPD to the extent it has a leasehold interest in a Property) in project construction meetings.]

III. Construction Coordination Schedule

[to be completed as the Parties finalize specific construction task timing]

Milestone	Expected Date for Completion

IV. Site Access Hours

[Twenty-four (24) hours per day, seven (7) days per week, and 365/365 days per year.]

CITY OF LIVERMORE

By: _____
Name: _____
Title: _____

EAST BAY COMMUNITY ENERGY AUTHORITY

By: _____
Name: _____
Title: _____

LIVERMORE AREA RECREATION AND PARK DISTRICT (IF NECESSARY)

By: _____
Name: _____
Title: _____

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing a confidentiality agreement with PlaceWorks Inc. to allow access to City tax data for the General Plan Update fiscal impact analysis and making additional designations of staff authorized to receive and review sales or transactions and use tax records.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution authorizing a Confidentiality Agreement allowing PlaceWorks Inc., the City's third-party consultant, to have access to the confidential tax information and authorizing additional staff members to receive and review sales or transactions and use tax records for the purposes of analyzing the fiscal impacts of changing land uses under the General Plan Update.

SUMMARY

On March 1, 2021, the City Council selected updating the General Plan as a priority and directed staff to seek consultant assistance and develop a 3-year work program. On September 12, 2022, the City Council directed the project team to conduct further in-depth analysis and evaluation of the draft land use alternatives. The evaluation will help to facilitate community engagement and discuss tradeoffs amongst the various land use elements. The consultant team requires access to the City's tax data to understand current conditions and analyze the potential fiscal impacts associated with the possible change in land uses designations. Sales tax data can be considered sensitive information. Therefore, a confidentiality agreement between the City and the Consultant team is required. The project team will continue to refine land use alternatives based on community input and the results of the analysis, and ultimately develop a preferred scenario which will be integrated into the overall General Plan Land Use Map.

DISCUSSION

BACKGROUND

The General Plan is the City's long-range policy document for growth, land use, sustainability, and resource and open space conservation. The current planning period for the City's General Plan is 2003-2025. The traditional planning period for updating the General Plan is 10-20 years. A comprehensive

General Plan update is in process due to the age of the current document and data that supports it (e.g. traffic and environmental impact studies).

Since the last comprehensive General Plan update, many state and regional policies have changed, which can have an influence on local policy. In addition, the comprehensive General Plan update process offers the community and City an opportunity to re-evaluate existing General Plan policies and develop new ones that address shifts in community priorities, technologies, and current land use and real estate market trends.

On March 1, 2021, the City Council set goals and priorities for Fiscal Years 2021-2023 and identified the Comprehensive General Plan Update as a priority. On June 28, 2021, City Council authorized a contract with PlaceWorks as the consultant team for the General Plan Update Project. On September 12, 2022, the City Council authorized the draft land use alternatives and directed staff to proceed with land use evaluation. (See attached September 12, 2021, City Council report for information about General Plan Draft Land Use alternatives).

LAND USE AND FISCAL IMPACT EVALUATION

A major component of the General Plan Update process is modifying the General Plan Land Use Map plan for future growth. The new General Plan Land Use Map will be developed iteratively through creation and evaluation of the draft land use alternatives to ultimately select a preferred land use scenario. The draft land use alternatives explore a range of commercial, industrial, and residential growth within four focus areas. The intent of the draft land use alternatives is to sustain and improve quality of life, accommodate future community and market needs, support local job growth, and to respond to future State mandated Regional Housing Needs Assessment (RHNA) cycles through 2045.

The evaluation considers a variety of topics including fiscal impacts. It will compare the differing outcomes of the land use alternatives against a set of metrics. The fiscal impact analysis methodology seeks to acknowledge the presence of unique local tax generating businesses within the focus areas. The evaluation of fiscal impacts requires access to the city's property, use, and sales tax data.

The fiscal impact analysis will consider existing tax generators when determining the potential for net new fiscal benefits from redevelopment under the different land use alternatives. The tax revenue data requested is specific to the focus areas and will be detailed by industry category for the analysis. The City's tax data is collected by HdL companies. This information is considered confidential under Revenue and Taxation Code Section 7056 and therefore a confidentiality agreement, which includes specific terms regarding the use of tax information, is required. Pursuant to the terms of the agreement, sharing the City's tax information with the City's consultant team is limited to analytical purposes. Further, the agreement requires the return of the sales tax data to the City of Livermore and the removal of any related data from all computers upon completion of the contracted work. Based on best practices and industry standards, and pursuant to the terms of the confidentiality agreement, the project team will ensure that confidential business information is protected.

FISCAL AND ADMINISTRATIVE IMPACTS

Allocation of City staff time and utilizing existing staff resources will be necessary to facilitate the transfer of tax data. Fiscal impact analysis of land use alternatives is within the existing scope of the General Plan professional services agreement approved by Council on June 28, 2021. The City's 2021-2023

Operating Budget includes the General Fund appropriations necessary to cover the General Plan Update consultant contract costs through the end of Fiscal Year 2022-23.

ATTACHMENTS

1. September 12, 2022 CC Staff Report
2. Resolution
3. Exhibit A - Confidentiality Agreement
4. Exhibit B - CDTFA Designation Letter

Prepared by: Andy Ross
Economic Development Manager

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.1**

DATE: September 12, 2022

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Discussion and direction regarding Comprehensive General Plan Update – Draft Land Use Alternatives

RECOMMENDED ACTION

Staff recommends the City Council review the Draft Land Use Alternatives for each of the specific focus areas, receive a presentation from staff, affirm that the draft land use alternatives represent an adequate range and mix of land use types, and direct staff to evaluate the alternatives for the General Plan Update.

SUMMARY

On March 1, 2021, the City Council selected updating the General Plan as a priority and directed staff to seek consultant assistance and develop a 3-year work program. The work program includes a variety of components including visioning, existing conditions assessment, land use planning, policy development, and environmental impact review. In January 2022, the project team began the General Plan land use alternatives process, which will inform the 2045 General Plan Land Use Map. This land use alternatives process includes receiving input from the community and General Plan Advisory Committee in identifying geographical areas that are likely to experience change (focus areas) and preparing a mix of land use alternatives for each focus area.

Following City Council direction, the project team will conduct further in-depth analysis and evaluation of the draft land use alternatives. The evaluation process will take approximately six months after which the project team will conduct extensive community engagement to share the results and discuss tradeoffs. The project team and General Plan Advisory Committee will continue to refine land use alternatives and ultimately develop a preferred scenario, which will return to the City Council for further direction and be integrated into the overall General Plan Land Use Map.

DISCUSSION

BACKGROUND

The General Plan is the City's long-range policy document for growth, land use, sustainability, and resource and open space conservation. The planning period for the City's current General Plan is 2003-2025. Adopted in 2004, the City's General Plan is almost 18 years old. The traditional planning period for updating the General Plan is 10-20 years. A comprehensive General Plan update is required due to the age of the current document and data that supports it (e.g. traffic and environmental impact studies).

Since the last comprehensive General Plan update, many state and regional policies have changed, which can have an influence on local policy. In addition, the comprehensive General Plan update process offers the community and City an opportunity to re-evaluate existing General Plan policies and develop new ones that address shifts in community priorities, technologies, and current land use and real estate market trends.

On March 1, 2021, the City Council set goals and priorities for Fiscal Years 2021-2023 and identified the Comprehensive General Plan Update as a priority. On June 28, 2021, City Council authorized a contract with PlaceWorks as the consultant team for the General Plan Update Project. On October 7, 2021, following a three-month recruitment, selection, and interview process, the City Council appointed a 19-member General Plan Advisory Committee (Committee).

On March 14, 2022, the City Council approved the General Plan Vision Statement which will be the basis for the General Plan update and describes the future of Livermore as the community would like it to be in 2045. On April 1, 2022, the project team completed the Existing Conditions Reports. The Reports analyze and summarize various conditions in Livermore, assist the community and project team in understanding the issues and opportunities facing the City as we collectively plan for the horizon year 2045, and inform future policy and land use discussions and decisions.

On May 23, 2022, the project team presented the draft General Plan 2023-2031 Housing Element (the General Plan is currently comprised of 10 separate elements) to the City Council. City Council directed staff to revise the draft document to incorporate the input received. On July 19, 2022, the project team submitted the Draft Housing Element to the California Department of Housing and Community Development for their 90-day review period.

The Vision Statement, Existing Conditions Reports, and Draft Housing Element are published on the project website (Imaginelivermore2045.org). In addition, the project website provides background information, project updates as major milestones are achieved, links to relevant documents, and information about how to become involved in the General Plan Update process. The website includes information about community events and General Plan Advisory Committee meetings and also provides access to online surveys and interactive exercises.

The comprehensive General Plan Update (including Housing Element Update and Environmental Impact Report) is anticipated to be an approximately three-year project, consisting of preparation of an assortment of technical studies, collection of local and regional data, and analysis of a broad range of policy issues and land use alternatives. Further, the update involves a variety of community engagement events and activities to ensure broad participation and community input. The project team anticipates formal adoption and project completion in early 2024. (However, the Housing Element requires a shorter approval schedule to comply with the state's January 2023 deadline, and separate environmental review).

PROJECT DESCRIPTION

A major component of the General Plan Update process is modifying the General Plan Land Use Map to align with the vision and plan for future growth. The new General Plan Land Use Map will be developed iteratively through creation and evaluation of draft land use alternatives to ultimately select a preferred land use scenario. The process will be shaped by community, Committee, and Planning Commission input. The City Council will ultimately provide direction on the preferred scenario in Spring of 2023.

To arrive at a preferred scenario, the project team is following five steps, described below. Currently, the project team is in step two and is seeking feedback and authorization to evaluate the draft land use alternatives.

1. Focus Area Identification

For many parts of Livermore, the General Plan land use designations remain valid and appropriate and are not expected to change. This task identifies areas where transformation is expected or desired, known as Focus Areas. Focus Areas are typically a combination of many parcels and are many acres in size. The draft Focus Areas are shown in Attachment 1.

2. Create Land Use Alternatives

Using Committee, property owner, and community feedback, the project team prepared three draft land use alternatives for each draft Focus Area that considers a range of different intensities and types of development that could occur over the next 25 years. The current version reflects feedback from the Committee and Planning Commission.

3. Evaluate and Compare Alternatives

Following Committee and Planning Commission review and City Council direction, the project team will begin to compare the differing outcomes of these alternatives against a set of metrics. The evaluation will take approximately six months and consider topics such as those noted below:

- Climate change and resilience
- Public safety
- Equity
- Parks
- Housing supply
- Student generation and school capacity
- Capacity of water, sewer, and storm drainage infrastructure
- Open space preservation and biological resources
- Historic resources
- Aesthetics and urban design
- Fiscal impacts
- Traffic and transportation impacts
- Commercial land use supply (adequate sites and geographic distribution)
- Commercial diversity (product, service, recreation)
- Jobs/housing balance and jobs/housing match

4. Create the Preferred Scenario

Beginning in spring 2023, the project team will present the results of the alternatives evaluation to the community, Committee, Planning Commission, and City Council to choose a preferred scenario for each

Focus Area after considering the relative benefits, trade-offs, and potential impacts of each alternative. The preferred scenario will likely be the result of mixing different combinations of land use types identified in the draft alternatives for each Focus Area.

5. Analyze the Preferred Scenario as part of the Draft General Plan

Once a preferred scenario is finalized, the project team will integrate the preferred scenarios with the citywide General Plan land use map. The Draft General Plan will cover the entire city and analyze proposed growth to understand required infrastructure improvements, the fiscal impacts, and the financing tools and policies available to finance any public costs associated with the preferred scenario. The Draft General Plan, including policies and actions in all elements, will undergo additional analysis in the Draft Environmental Impact Report.

COMMUNITY OUTREACH AND ENGAGEMENT

The project team launched an online activity and hosted eight pop-up events at the Downtown Farmers Market, a local coffee shop, winery, and Civic Center Library to hear the community's ideas about land use changes through 2045 in Livermore. From February to March 2022, Livermore community members were asked to provide input at the pop-ups, meetings with property owners, and an online activity to help identify areas of the city to study for potential change over the next 20 years. In general, the community identified focus areas that included vacant infill parcels, aging shopping centers, and industrial areas in transition.

In addition, the project team sent letters to property owners within the potential focus areas informing them of the General Plan Update process and specifically that land use changes may be considered for their property and within their area. On March 8, 2022, the project team hosted a virtual open house to provide additional information about the General Plan Update and the land use alternatives process and received input from attendees. The project team received approximately a dozen calls and emails from property owners. Most property owners asked questions about the process, others stated their openness to exploring land use changes and wanted to stay involved in the process, and others desired no land use change on their property. In addition, the project team has had dozens of one-on-one discussions with various property owners regarding land use. Staff has also had a number of conversations with local property brokers and developers to gather their feedback about viable development alternatives.

Following City Council direction and the project team's evaluation of the draft land use alternatives, the project team will employ a community engagement strategy including a series of workshops and engagement activities to gain input on the draft land use alternatives. The engagement process is anticipated to occur in the early part of 2023. Input received will help inform the Council's decision making regarding the selection of the preferred scenario.

PLANNING FOR FUTURE GROWTH

Based on regional and state forecasts, the project team anticipates that both population and job growth will continue over the next twenty-plus years and within the time horizon of the 2045 General Plan.

The project team reviewed projections from Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), the California's Department of Finance, and the US Census Bureau. The project team adjusted projection totals to capture updated existing conditions data (i.e., recent population and employment counts). Currently, Livermore has a population of approximately

91,000 residents and approximately 53,340 jobs. Applying ABAG/MTC forecasted growth rates to updated population and employment counts suggests Livermore could potentially expand to 120,000 residents and 57,000 jobs by 2040.

State law requires jurisdictions to plan for their “fair share” of the regional housing need for households of all income levels. Livermore’s ABAG Regional Housing Needs Allocation (RHNA) for the 2023-2031 planning period, known as the “6th cycle”, is 4,570 housing units, distributed among four income categories that range from Very Low Income to Above Moderate Income. The City must ensure it can accommodate the new RHNA housing unit allocation for the period from 2023 to 2031. Although the RHNA allocation is not a requirement to build housing, the General Plan and Housing Element policies and programs must ensure the City is accommodating housing development and removing common barriers to housing construction.

The City does not need to re-designate or rezone sites to comply with the 6th Cycle RHNA (2023-2031). However, the General Plan extends beyond the end of the 6th Cycle. Assuming continued 8-year RHNA cycles, and that the General Plan’s expected life cycle is until 2045, the updated General Plan should designate sufficient residential land to accommodate the future 7th and 8th cycles. The scale of future RHNA housing allocations is unknown and difficult to predict. However, it is reasonable to assume if the 7th and 8th RHNA is in the same proportion to the existing number of homes as the 6th Cycle RHNA; ABAG could allocate Livermore a combined total of approximately 11,000 new units over the 7th and 8th cycles, covering the years 2031 to 2047.

The draft land use alternatives also provide an opportunity to plan for population and job growth and respond to emerging market conditions. Beyond meeting state obligations and projected growth, planning for a mix of land uses is important to realize a well-rounded community and contribute to overall quality of life.

A healthy mix of land uses helps accomplish a range of broad civic goals such as job creation, cultural experiences, access to amenities and services, and the city's financial stability. In addition to the type and mix of land uses, an important consideration is understanding their relationships and connections to each other, to public services, and to transportation systems (among other market factors). Some land uses benefit from clustering and proximity to each other, whereas other land uses may benefit from wider distribution across the community.

DRAFT LAND USE ALTERNATIVES

The draft land use alternatives explore a range of commercial, industrial, and residential growth within four focus areas. The intent of the draft land use alternatives is to sustain and improve quality of life, accommodate future community and market needs, support local job growth, and to respond to future State mandated RHNA cycles through 2045. This section describes the land use alternatives for each focus area:

- East Avenue - Vasco Focus Area
- Las Positas Court Focus Area
- Laughlin Road Focus Area
- Southfront - Vasco Focus Area

Three different alternatives have been developed for each focus area. Attachment 2 includes maps of

the Draft Land Use alternatives for each of the focus areas and development projections. The draft land use alternatives are based on land use categories described and illustrated in the Place Types Menu in Attachment 3. The Place Types are representative examples. The land use categories within the Focus Areas are not existing General Plan land use designations. At a future phase when a preferred scenario is selected, the land use categories will be refined to either use existing designations, modified designations, or new designations in the General Plan.

The draft land use alternatives provide broad ideas on the types and intensity of development that could occur in the future. Once the City Council selects the preferred land use scenario, the Draft General Plan will include additional policy guidance for these areas to improve circulation, community character, safety, and protect natural resources among other topics.

In addition to the focus areas, current regulations allow for future growth in the Isabel Neighborhood Specific Plan area, Downtown, and other infill sites distributed throughout the City. Further, the project team may also propose to the City Council other small scale land use designation changes to the General Plan Land Use Map. These may be initiated by community input, property owners and/or needed to improve compatibility with existing land uses or neighborhoods. These recommendations will be developed and presented to Council next year, around the time the preferred alternatives are being selected for each focus area.

Development Projections

Each of the draft alternatives prepared for the focus areas is accompanied by a table that summarizes the range of potential net new jobs, housing units, and population each alternative could create. The project team generated the development estimates calculating the minimum and maximum density range allowed by each Place Type. These calculations assume that every parcel would redevelop through the 2045 horizon, a scenario that is unlikely given historic development trends and potential parcel-level site constraints that cannot be projected at this large-scale analysis. In addition, the project team applied an industry standard factor that assumed a portion of each parcel would not be developed to account for roads, landscape setbacks, parking areas, and utilities.

These estimates are meant to provide an array of possibilities that could occur under these draft land use alternatives to help determine whether there is a sufficient range of land use alternatives. The impacts of future growth in jobs and housing will be evaluated once the City Council provides final direction on the range of draft alternatives. The results of this evaluation will be presented to the community, Committee, Planning Commission, and City Council to illustrate tradeoffs and inform the selection of the preferred land use scenario. The project team anticipates presenting the results in Spring 2023.

Below is a summary of each proposed Focus Area identified above and shown in Attachments 1 and 2.

East Avenue - Vasco Focus Area

The East Avenue and South Vasco Road focus area is approximately 40 acres and currently includes a mix of existing predominately light industrial uses and a few rural residential uses. The emergence of commercial uses from winery and brewery businesses have created a new vibrancy to this area that was not originally anticipated by the existing General Plan. The proposed vision for this focus area is a visitor

destination that supports production maker spaces and wine country commercial uses and serves as a gateway to South Livermore Wine region. All three draft alternatives explore variations of a commercial and production maker village that accommodates the sale and cultivation of local products such as coffee, cheese, wine, and beer, along with related dining and entertainment uses. The maker village is activated by differing mixes of new residential uses and parks and open spaces.

Las Positas Court Focus Area

The Las Positas Court focus area is approximately 75 acres and currently includes low-lying industrial/office buildings and undeveloped land that fronts I-580 along with highway-oriented retail commercial uses. Considerations for the northern portion of this focus area include Arroyo Las Positas, flood plain limitations, limited access across the creek and biological resources. All of the alternatives propose adding residential south of Las Positas Court along with a new open space corridor, while preserving or expanding the existing commercial and industrial/office space north of Las Positas Court.

Laughlin Road Focus Area

The Laughlin Road focus area is approximately 270 acres and currently consists of primarily vacant, undeveloped land with minimal light industrial and open space/recreational uses. Much of this focus area is outside of the city limits, but within the Urban Growth Boundary. On the current General Plan map, this focus area is identified as a transit-oriented development in anticipation of a future BART station and maintenance facilities. BART formally decided not to extend service to Livermore. However, the new Valley Link rail system has identified transit stations in Livermore at Isabel Ave and Southfront Road. Therefore, the current urban land use designations may not be appropriate at this location. Considering biological resources and earthquake fault lines in the undeveloped part of this focus area outside the city limits, all three draft alternatives anticipate preserving the majority of the focus area's open space and explore different variations of residential, industrial, and commercial uses along I-580 at the southern and western edges of the focus area.

Southfront-Vasco Focus Area

The Southfront-Vasco focus area is approximately 630 acres and currently includes a mix of existing commercial, office, industrial, and residential land uses. The predominant existing land use is low intensity, light industrial. The existing Altamont Corridor Express (ACE) Vasco train station is located in the southeastern portion of the focus area near the existing Brisa residential neighborhood. In addition, a planned Valley Link train station is proposed within this focus area located within the I-580 median approximately midway between the First Street Interchange and Vasco Road Interchange. The vision for this focus area is a transit oriented, complete neighborhood, with a mix of housing, jobs, and services. Each alternative includes a mix of residential and job supporting land uses in varying proportions. Alternative A is focused on job growth, Alternative B is focused on housing growth, and Alternative C includes a balanced mix of both jobs and housing.

GENERAL PLAN ADVISORY COMMITTEE and PLANNING COMMISSION FEEDBACK

On June 8th and 9th, 2022, the General Plan Advisory Committee met to review and provide feedback on the draft land use alternatives. The Committee is comprised of 19 members that represent the Livermore community in the development of the Livermore 2045 General Plan. The Committee's role is to ensure continuous and balanced public representation and provide feedback that conveys the

community's perspectives and local knowledge. The Committee provides feedback on work products, serves as liaison to the broader community, and advises the project team on effective outreach and engagement.

On June 21, 2022, the Planning Commission met to review and provide feedback on the draft land use alternatives. The role of the Planning Commission is to advise the City Council on the adoption and on-going review of the General Plan and serve as an advisory body to the Council on matters related to city growth and development. In addition, the Commission promotes public interest in planning and encourages citizen participation in the formation of the General Plan.

The Committee and Planning Commission both found the draft land use alternatives to be an appropriate range to pursue further study. In addition, the Committee and Planning Commission provided feedback on the draft land use alternatives that is summarized in Attachment 4. The Committee and Commission recommended modest changes and additions to the mix of land use alternatives within each of the focus areas. The draft land use alternatives have been updated to reflect both Committee and Commission feedback.

FISCAL AND ADMINISTRATIVE IMPACTS

On June 28, 2021, Council authorized a professional services agreement in an amount not to exceed $2,800,000 for a contract term beginning July 1, 2021 and ending July 1, 2024. The City's 2021-2023 Operating Budget includes the General Fund appropriations necessary to cover consultant contract costs through the end of Fiscal Year 2022-23. The development and evaluation of a range of land use alternatives is a task identified in the contract. City staff time and resources has been programmed to participate in the document review, research and analysis, and community outreach related to the evaluation and review of the different possible outcomes resulting for the range of land use alternatives.

ATTACHMENTS

1. Citywide Focus Area Map
2. General Plan Draft Land Use Alternative
3. Land Use Place Types Menu
4. Planning Commission and GPAC Feedback Summary

Prepared by: Andy Ross
Senior Planner

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 EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS UNDER REVENUE AND TAXATION CODE 7056, AND THE EXECUTION OF A CONFIDENTIALITY AGREEMENT WITH PLACEWORKS, INC. TO SHARE CITY TAX DATA IN ORDER TO CONDUCT ANALYSIS PURSUANT TO THE UPDATE OF THE LIVERMORE GENERAL PLAN AND HOUSING ELEMENT

On March 1, 2021, the City Council identified the Livermore General Plan and Housing Element Update as a goal and priority.

The current General Plan was adopted in 2004 and the current Housing Element was adopted in 2015. Both policy documents are in need of a comprehensive update to reflect current data, comply with legislative changes, and address changes in community preferences and market conditions.

On June 28, 2021, the City Council authorized a contract with PlaceWorks, Inc. as the consultant team to support staff in the Livermore General Plan and Housing Element Update.

The project scope of work includes fiscal impact analysis of land use alternatives, which requires access to City property, use, and sales tax data.

Sales tax and use data is considered sensitive and confidential and therefore requires a confidentiality agreement to ensure sensitive information is protected.

On March 26, 2018, the City Council adopted Resolution 2018-034, designating City staff and independent contractors be authorized to receive and review sales or transactions and use tax records for the City of Livermore. That resolution also delegated authority to the City Manager to designate in writing other officers, employees, and consultants, to represent the City with the authority to examine these records, but solely for purposes related to the collection of those taxes. The City Council now desires to make the following additional designations of staff and independent contractors authorized to receive and review sales or transactions and use tax records for the City of Livermore to review an analysis of revenue forecasting associated with the differing land use alternatives being compared for the City's General Plan Update, which designations shall expire with the completion of that project.

Staff Members

Planning Manager
Senior Planner

Independent Contractors

PlaceWorks, Inc.
Economic Planning Systems, Inc., subcontractor to PlaceWorks, Inc.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the following staff and independent contractors are authorized to receive and review sales and transactions and use tax records for the City of Livermore from the State of California and the California Department of Fee & Tax Administration, which designation and authorization is concurrent with the City's General Plan Update project and the designations shall expire when that project is concluded:

Staff Members

Planning Manager
Senior Planner

Independent Contractors

PlaceWorks, Inc.
Economic Planning Systems, Inc, subcontractor to PlaceWorks, Inc.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore that hereby authorizes the City Manager to execute a Confidentiality Agreement with PlaceWorks, Inc., attached hereto as Exhibit A, allowing PlaceWorks, Inc., and its subcontractor Economic Planning Systems, Inc. to access and use the City's tax related data to conduct fiscal impact analysis as part of the General Plan land use evaluation, contingent upon PlaceWorks, Inc. adhering to the requirements in California Government Code section 7056(b)(1) which are incorporated into that agreement whether or not set forth in full.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore that staff is hereby directed to send a designation letter to the California Department of Tax and Fee, substantially in the same form as the letter attached hereto as Exhibit B.

On motion of Council Member_____, seconded by Council Member_____, the foregoing resolution was passed and adopted on February 27, 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 – Confidentiality Agreement
Exhibit B – California Department of Tax and Fee Designation Letter

RESOLUTION NO._____

December 13, 2022

Andy Ross, Senior Planner
City of Livermore
1052 S. Livermore Ave
Livermore, CA 94550

Subject: Confidentiality/Proprietary Agreement

Dear Andy:

This letter acknowledges receipt from the City of Livermore of the confidential sales tax data for the City of Livermore.

PlaceWorks agrees that pursuant to its agreement with the City, and this letter agreement to comply Revenue and Taxation Code Section 7056, the sales tax data is confidential and will be handled to the guidelines noted in the code, and has contracted with its subcontractor Economic and Planning Systems, Inc., such that PlaceWorks and its subcontractor are:

1. Required to disclose information contained in, or derived from, those sales or transaction and use tax records only to officers, employees, or independent officers authorized by the City to examine the information; and
2. Prohibited by those contracts from performing any other consulting services for a retailer that uses any of the data furnished; and
3. Prohibited by those contracts from retaining the information contained in, or derived from those sales or use tax records, after that contract has expired; and

PlaceWorks further agrees that none of its employees, agents, independent contractors or other persons or organizations over which it has control, will at any time directly or indirectly use any of the sales tax data for any purpose not associated with the specific contracted work with the City of Livermore.

PlaceWorks also agrees to return the sales tax data to the City of Livermore and to remove any related data from all computers upon completion of the contracted work for the City of Livermore.



12-14-22

_____ _____

Name/Title: Joanna Jansen, Managing Principal
PlaceWorks

Date

LIVERMORE
CALIFORNIA

Date: January 9, 2023

California Department of Tax and Fee Administration
Anh Huang
Anh.Huang@cdtfa.ca.gov
Local Revenue Branch
450 N Street, MIC 27
Sacramento, CA 95814

Subject: City of Livermore Tax Area Code #01004

Authorization to Review Confidential Sales and Use Tax Information Section 7056 of the Revenue and Taxation Code.

Dear Ms. Huang:

The City Council of the City of Livermore has adopted Resolution No. _____, to authorize the City Manager to send this designation letter in writing to the California Department of Tax and Fee Administration (CDTFA)to advise that the Planning Manager and Senior Planner staff members for the City, and its independent contractor PlaceWorks Inc., and PlaceWorks Inc. subcontractor Economic and Planning System Inc. have been designated by the City and authorized to examine sales and use tax records for the jurisdiction for the City's General Plan Update project.

Accordingly, PlaceWorks, Inc. and it's subconsultants working on behalf of the City of Livermore is hereby authorized to receive and review sales or transactions and use tax records for the City of Livermore from the California Department of Tax and Fee Administration.

Sincerely,

_____
Marianna Marysheva
City Manager
City of Livermore

CC: Mary Hubbell, HdL Companies

Encl. Resolution No. _____

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing a Second Amendment to the agreement with Housing Consortium of the East Bay (HCEB) for property management services at certain City-owned commercial and residential properties and authorizing an appropriation of $95,000 in Housing Trust Funds for the additional scope of work described in the second amendment.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager, or her designee, to execute a Second Amendment to the agreement with Housing Consortium of the East Bay for property management services for 141-149 North Livermore Avenue, 241 North M Street, and 2500 Railroad Avenue, adding a scope of work for hazard remediation and rehabilitation of 141-A North Livermore Avenue, extending the term of the agreement through June 30, 2023, and including a budget not-to-exceed $150,000; and,
2. Authorizing an appropriation of $95,000 from the Housing Trust Fund (F611) to pay for the additional scope of work.

SUMMARY

On March 22, 2021, the City entered into an agreement with Housing Consortium of the East Bay (HCEB) to manage three City-owned residential and commercial properties located at 241 North M Street, 141-149 N. Livermore Avenue and 2500 Railroad Avenue. The City Manager later executed an amendment to the agreement extending the term through December 31, 2022. The residential unit at 141 N. Livermore Avenue recently required remediation for hazardous conditions and an extensive rehabilitation. The work exceeded the original contract budget of $55,000. Staff recommends City Council authorize the City Manager to execute a Second Amendment to Professional Services Agreement with Housing Consortium of the East Bay to increase the total budget to $150,000, add a scope of work reconciling all expenses incurred for the hazard remediation and rehabilitation of the residential unit, and to extend the term through June 30, 2023, so that all expenses can be reimbursed,

and a new agreement can be negotiated.

DISCUSSION

The City owns three residential and commercial properties located in the downtown area that require property management services. Two properties at 241 North M Street and 141-149 N. Livermore Avenue are designated as housing assets and are operating or being held for the future development of affordable housing. A third property, located at 2500 Railroad Avenue (Train Depot) is partially occupied by Livermore Amador Valley Transit Authority (Wheels) for transit center operations.

On March 22, 2021, the City and entered into a one-year property management services agreement with Housing Consortium of the East Bay (HCEB). The City Manager executed a first amendment to the agreement on July 27, 2022 to extend the term through December 31, 2022. As the property management agent for the City, HCEB collects rents, coordinates and contracts for security, maintenance, janitorial, utility and repair services, pays all property expenses and serves as a liaison to tenants as a 24-hour/365-day point-of-contact.

The original budget of $55,000 was sufficient to cover regular, ongoing property management expenses over the contract period with a small contingency for repairs. However, in the past six months, the emergency remediation of hazardous conditions was required for the residential unit addressed at 141-A N. Livermore Avenue. Severe water damage, mold growth, and a pest (bed bug) infestation were discovered during an annual unit inspection which prompted immediate abatement, along with the temporary relocation/rehousing of the senior tenant. Interior damage was extensive and required replacement of drywall and flooring throughout the unit. HCEB staff coordinated multiple contractors to abate conditions and repair the unit, while supporting the tenant during the temporary relocation period. All work has been completed, and the tenant has been rehoused in her unit.

The second amendment to the agreement includes an additional scope of work that reconciles all associated expenses, including relocation and temporary housing of the tenant, hazard/pest remediation, cleaning, interior demolition and rehabilitation work. The amendment also extends the term of the agreement for an additional six months through June 30, 2023, to allow for reimbursement of the expenses paid for by HCEB and the negotiation of a new property management services agreement.

FISCAL AND ADMINISTRATIVE IMPACTS

The proposed not-to-exceed budget cap of $150,000 is sufficient to cover all regular operating expenses for the downtown properties through a proposed term ending June 30th, and to reimburse HCEB for the additional scope of work for emergency repairs on 141-A N. Livermore Avenue. Staff recommends an appropriation of an additional $95,000 from the Housing Trust Fund (F611) to pay for the additional scope, as the residential unit is affordable and restricted for occupancy by households earning no more than 30% of the Area Median Income (AMI). No other budget modifications are recommended.

Any revenues and associated expenditures for properties that were acquired through the Housing Trust Fund are deposited or accounted to In Lieu Housing Fund (F611). All other commercial property revenues are accounted or deposited to the General Fund (F001).

ATTACHMENTS

1. Resolution
2. Exhibit A - Second Amendment to Professional Services Agreement

Prepared by: Fran Reisner
Acting Housing and Human Services Manager

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 THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH HOUSING CONSORTIUM OF THE EAST BAY FOR PROPERTY MANAGEMENT OF CERTAIN CITY-OWNED PROPERTIES AND APPROPRIATION OF AN ADDITIONAL $95,000 IN HOUSING TRUST FUNDS (F611) TO PAY FOR AN ADDITIONAL SCOPE OF WORK UNDER THE SECOND AMENDMENT

On March 22, 2021, the City of Livermore ("City") entered into a professional services agreement with Housing Consortium of the East Bay (HCEB) for property management services for a one-year term beginning on January 1, 2021, and ending December 31, 2021, with the option of a one-year term extension. The subject properties are located at 241 North M Street, 141-149 North Livermore Avenue and 2500 Railroad Avenue.

The agreement was amended on July 27, 2022, to extend the term through December 31, 2022. Under the agreement, HCEB collects tenant rents, pays expenses, contracts for security, maintenance, janitorial, utility and repair services, and serves as a liaison to tenants.

The original budget is capped at a not-to-exceed amount of $55,000, however, the unanticipated remediation of severe water damage, mold, and pest infestation along with a significant interior reconstruction was required for the residential unit located at 141-A North Livermore Avenue, exceeding the original budget.

Now, the parties wish to enter into a second amendment to the agreement to increase the budget to a not-to-exceed amount of $150,000 and add a scope of work that reconciles all emergency tenant relocation/rehousing expenses, hazard remediation and reconstruction/rehabilitation work performed for the residential unit. The second amendment also extends the term of the agreement to an additional six months through June 30, 2023, to allow for reimbursement of these expenses and to extend the period for solicitation by the City for a new services agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the City Manager, or her designee, is authorized to execute a Second Amendment to the Professional Services Agreement with Housing Consortium of the East Bay for property management services for the 141-149 North Livermore Avenue, 241 North M Street and 2500 Railroad Avenue properties, including a budget not-to-exceed $150,000, and an additional scope of work for remediation and repairs to the residential unit at 141-A North Livermore Avenue.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore to approve an additional appropriation of $95,000 in Housing Trust Funds (F611) to pay for the additional scope of work for 141-A North Livermore Avenue, described in the Second Amendment.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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 – Second Amendment to Professional Services Agreement

DocuSign Envelope ID: 4D6FE0DC-43C5-4E96-A166-C741DB02409E

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT is made and entered into this ____ day of _____, 2023, by and between the City of Livermore (“City”), a municipal corporation, and Housing Consortium of the East Bay (HCEB). (“Consultant”), a California non-profit corporation.

RECITALS

On March 22, 2021, City and Consultant entered into an agreement for Consultant to provide professional property management services to City. On July 27, 2022, City and Consultant entered into a First Amendment to Professional Services Agreement to extend the Term the through December 31, 2022, collectively with the original agreement describing services to City (“Original Agreement”). Section 21 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

The City and Consultant now desire to amend the Original Agreement to include an additional scope of services which details specific costs associated with the urgent hazard remediation and reconstruction of the residential unit located at 141-A N. Livermore Avenue. The associated budget will reimburse Consultant for the emergency remediation of pest and mold intrusion in the unit and relocation of the tenant during the remediation and reconstruction period. This is Second Amendment to the Original Agreement.

AGREEMENT

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

1. The Original Agreement is amended as follows:

   A. Section 5 (a) of the Original Agreement is amended to read as follows:

      The total compensation payable by the City to the Consultant for the Services **SHALL NOT EXCEED** the sum of $ 150,000 ("not-to-exceed amount").

      1. The compensation payable by the City to the Consultant for the Services required by Exhibit "A" to the Original Agreement SHALL NOT EXCEED the sum of $55,000.
      2. The compensation payable by the City to the Consultant for the Services required by Exhibit "A-1", attached hereto, SHALL NOT EXCEED the sum of $95,000.

      City shall compensate Consultant for the Services rendered at the hourly

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rates or task amounts set forth in Exhibit "A" to the Original Agreement and Exhibit "A-1" to this Second Amendment up to the not-to-exceed amount. Except as provided in the body of the Agreement, the hourly rates or task amounts are intended to be Consultant's only compensation for the Services and are 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. Section 6 of the Original Agreement is amended to read as follows:

Term. The term of this Agreement commences on January 1, 2021 and terminates upon completion of Services or June 30, 2023, whichever occurs first.

C. Exhibit A, Section 2 of the Original Agreement is amended to include the following:

Consultant shall perform annual inspections of the residential unit located at 141-A N. Livermore Avenue to assess the unit habitability condition, need for repairs, and operability of smoke/carbon monoxide detectors.

2. These amendments are prospective and only apply to the Services rendered by Consultant after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

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:
032AC6E96D17425...
2/10/2023 | 7:06 AM PST

By: Darin Lounds
Title: Executive Director

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Jason Alcala
AGD09D4E252C458...
DS

Assistant/City Attorney

Attachments:

Exhibit "A-1" - Additional Scope of Services and Budget for 141-A N. Livermore Ave.

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EXHIBIT A.1

ADDITIONAL SCOPE OF WORK AND BUDGET FOR 141-A N. LIVERMORE AVENUE

Consultant shall conduct repairs to address habitability conditions required to pass the Section 8 Program Housing Quality Standards Inspection (HQS) conducted by the Livermore Housing Authority and shall remediate pest infestation damage in the unit. The City's project manager shall approve any proposals or invoices for the work.

Item/Category	**Budget**	
Testing	$	1,575
Asbestos Abatement	$	22,058
Bed Bug Abatement	$	13,701
Furnishings	$	3,209
Washer & Dryer Unit	$	1,617
Security	$	100
Transportation - Tenant	$	52
Temporary Relocation	$	14,042
Storage - Tenant	$	1,202
Reconstruction	$	29,322
Other repairs	$	2,928
Project/Construction Cost	$	89,806
Construction Management Fee to HCEB (5%)	$	4,490
TOTAL	$	94,296

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 Tenant-Based Rental Assistance (TBRA) program.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 Tenant-Based Rental Assistance (TBRA) program.

SUMMARY

On April 25, 2022, the City Council awarded Abode Services $74,000 from the FY 2022-23 HOME Funds for rental subsidies for their Tenant-Based Rental Assistance (TBRA) program. Abode Services secured housing for eight low-income clients in the first part of the fiscal year and continues to have success helping them stay housed through rental assistance support from the HOME grant funds. Abode Services is requesting an additional $25,000, which staff recommends be allocated from prior year, unexpended HOME funds, to the FY 2022-23 grant program so Abode can continue serving the eight households enrolled in their TBRA program through the FY 2022-23 grant cycle, ending June 30, 2023.

DISCUSSION

The City's Tenant-Based Rental Assistance (TBRA) program uses a combination of Community Development Block Grant (CDBG) Program funding, which provides case management and support services for clients who are at risk of becoming homeless, and tenant-based rental assistance funded through the HOME Investment Partnerships (HOME) Program for direct rent related subsidies. Clients are allowed up to 24 months of rental subsides, and the level of subsides are based on the income level of the household. With the help of the case management and support services offered with the program, the goal is to have each household take over the full contract rent when the subsidy period concludes.

Every year the City receives an allocation of federal HOME funds through the Alameda County HOME Consortium. Eligible activities for the HOME funds include acquisition, residential rehabilitation, residential new construction, homebuyer assistance, and tenant-based rental assistance (TBRA) that benefit low-income persons.

On April 25, 2022, the City Council approved Resolution No. 2022-058 to award Abode Services $74,000 from the FY 2022-23 HOME Funds for rental subsidies for their TBRA program. Abode Services had a goal of serving eight very-low and low-income unduplicated Livermore residents during the fiscal year for this program.

Abode Services secured housing for eight low-income clients in the first part of the fiscal year and continues to have success helping them stay housed through rental subsidies support from the HOME grant funds. Due to the success of the program, combined with the high rental cost in Livermore and surrounding areas, Abode Services is requesting an additional $25,000 from unspent prior year HOME funds to continue supporting the eight clients currently enrolled in the program through the end of the fiscal year, which ends June 30, 2023. This would bring Abode Services' HOME grant agreement total for rental subsidies to $99,000 for FY 2022-23.

Staff recommends the City Council adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 TBRA program.

FISCAL AND ADMINISTATIVE IMPACTS

The budget for Abode Services TBRA agreement is included in the adopted FY 2022-23 budget in fund 671, a special revenue fund for the federal HOME grant program.

ATTACHMENTS

1. Resolution

Prepared by: Amy Walker
Management Analyst 1

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 THE CITY MANAGER, OR HER DESIGNEE, TO NEGOTIATE AND EXECUTE ANY RELATED DOCUMENTS, AGREEMENTS, AND MODIFICATIONS WITH ALAMEDA COUNTY AND THE SUBGRANTEE, ABODE SERVICES, FOR THE ALLOCATION OF AN ADDITIONAL $25,000 OF PRIOR YEAR UNEXPENDED HOME GRANT FUNDS TO THE FY 2022-23 TENANT-BASED RENTAL ASSISTANCE (TBRA) PROGRAM

Every year the City receives an allocation of federal HOME funds through the Alameda County HOME Consortium. Eligible activities for the HOME funds include acquisition, residential rehabilitation, residential new construction, homebuyer assistance, and tenant-based rental assistance (TBRA) that benefit low-income persons.

On April 25, 2022, the Livermore City Council approved Resolution No. 2022-058 to award Abode Services $74,000 from the FY 2022-23 HOME Funds for rental subsidies for their TBRA program. Abode Services had a goal of serving eight very-low and low-income unduplicated Livermore residents during the fiscal year for this program.

Abode Services secured housing for eight low-income clients in the first part of the fiscal year and continues to have success helping them stay housed through rental subsidies support from the HOME grant funds. Due to the success of the program, combined with the high rental cost in Livermore and surrounding areas, Abode Services is requesting an additional $25,000 from unspent prior year HOME funds to continue supporting the eight clients currently enrolled in the program through the end of the fiscal year, which ends June 30, 2023. This would bring Abode Services' HOME grant agreement total for rental subsidies to $99,000 for FY 2022-23.

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

1. Authorize the City Manager, or her designee, to negotiate and execute any related documents, agreements, and modifications with Alameda County and the subgrantee, Abode Services, for the allocation of an additional $25,000 of prior year unexpended HOME grant funds to the FY 2022-23 TBRA program.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.9**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Scott Lanphier, Public Works Director

SUBJECT: Resolution approving the Altamont Settlement Agreement Education Advisory Board's $650,000 Expenditure Plan for FY 2023-24.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution approving the Altamont Settlement Agreement Education Advisory Board's $650,000 Expenditure Plan for FY 2023-24.

SUMMARY

In 1999, the Settlement Agreement between and among the County of Alameda, the City of Livermore, the City of Pleasanton, Sierra Club, Northern California Recycling Association, Altamont Landowners Against Rural Mismanagement and Waste Management of Alameda County, Inc. (Altamont Settlement Agreement) was ratified by the named parties.

The Altamont Settlement Agreement stipulates that a per ton solid waste surcharge be collected in order to support recycling education programs and job training in the field of waste prevention and recycling and to mitigate the impacts of the landfill operations on the affected community. The Altamont Settlement Agreement also created the Altamont Settlement Agreement Education Advisory Board (EAB) to oversee funds generated by the surcharge. To accomplish this task, the EAB solicits competitive grants from applicants that plan to implement recycling and environmental awareness programs.

The proposed FY 2023-24 Expenditure Plan in Attachment 1 outlines the EAB's recommended grant awards and expenditures. City Council approval of the Expenditure Plan totaling $650,000 is required per the terms of the Altamont Settlement Agreement.

DISCUSSION

In 1999, the County of Alameda, the cities of Livermore and Pleasanton, the Sierra Club, the Northern California Recycling Association, and Altamont Landowners Against Rural Mismanagement entered into an agreement with Waste Management of Alameda County, Inc. This agreement, known as the Altamont

Settlement Agreement, created the Altamont Settlement Agreement Education Advisory Board, or EAB.

The EAB convenes monthly and has five voting members. Two members are appointed by the Northern California Recycling Association, one member is the Environmental Educator appointee on the Alameda County Source Reduction and Recycling Board, and the Livermore City Council and the Pleasanton City Council each appoint one member. The Livermore City Council appointed Fenna Gatty, a science teacher at Altamont Creek Elementary School, as the Livermore representative on the EAB. The Pleasanton City Council appointed Tony Dennis, an engineering teacher at Amador Valley High School, as the Pleasanton representative on the EAB.

The Altamont Settlement Agreement stipulates that a surcharge be collected to create an Education Account to support recycling education programs and job training in the field of waste prevention and recycling and to mitigate the impacts of the landfill operations on the affected community. The $0.45 per ton surcharge on incoming waste at Waste Management's Altamont landfill and the $0.42 from Republic's Vasco Road landfill generates approximately $465,000 per year and had an account balance of approximately $1 million as of December 31, 2021.

Funds are collected from the landfills by the Alameda County Treasurer. The Alameda County Treasurer then transfers the annual allocation to the City of Livermore. The City of Livermore provides financial and administrative management to the EAB and will continue to do so indefinitely. The EAB works with an independent contractor to provide administrative support and process dispersal of funds to grant recipients.

The EAB creates an Annual Report to detail the prior year grant funded programs and it also compiles an annual Expenditure Plan by April 1 each year. Per the terms of the Altamont Settlement Agreement, the Expenditure Plan must be approved by each voting member agency's governing body. Therefore, the Livermore City Council must approve the Expenditure Plan prior to disbursement of the FY 2023-24 grant funds. Approval will also be sought from the Pleasanton City Council, The Northern California Recycling Association Board of Directors, and the Alameda County Board of Supervisors.

On December 5, 2022, the EAB unanimously approved the proposed FY 2023-24 Expenditure Plan found in Exhibit A. The proposed Expenditure Plan outlines the funding needs and objectives, the EAB initiated projects, and support costs paid to the City of Livermore.

The proposed Expenditure Plan also notes that unexpended funds from previous grant years will be carried over and, if necessary, applied to the FY 2023-24 grant year. The current unexpended funds balance is approximately $25,000.

For FY 2023-24, the EAB is proposing the following schedule for disbursement of funds, totaling $650,000:

- $5,000 for EAB communications, website
- $125,000 in mini grants
- $250,000 in project grants
- $50,000 in EAB initiated projects
- $160,000 in multi-year grants
- $0 for landfill mitigation projects
- $30,000 for financial management and administrative support from City of Livermore

- $30,000 Fund Administration

Staff is recommending that the City Council adopt a resolution approving the $650,000 Expenditure Plan for FY 2023-24, as required per the Altamont Settlement Agreement.

The 2022 Annual Report that outlines the previous year's grant awards can be found in Attachment 1.

FISCAL AND ADMINISTRATIVE IMPACTS

There is no impact to the General Fund. The EAB will provide the City with $30,000 for costs associated with the financial management and administrative support of the EAB.

ATTACHMENTS

1. 2022 Annual Report
2. Resolution
3. Exhibit A - 2023 Expenditure Plan

Prepared by: Kathy Hughes
Administrative Assistant

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director



EDUCATION ADVISORY BOARD
Altamont Landfill Settlement Agreement
2022 Annual Report

NCRA
Chair
Ruth Abbe

City of Livermore
Vice-chair
Fenna Gatty

City of Pleasanton
Devin Jackson

NCRA
Vacant

Alameda County
Recycling Board
Eric Havel

Board Assistant
Lauren Jenkins

Background

In 1999, the cities of Livermore and Pleasanton, the Sierra Club and the Northern California Recycling Association (NCRA) entered into a settlement agreement with Alameda County and Altamont Landfill. The Altamont Landfill Settlement Agreement created the Altamont Education Advisory Board to propose allocation of funds in the Education Account for recycling education programs, job training in the field of waste prevention and recycling and mitigating the impacts of the landfill operations in the affected community. Funds generated from the $0.34 per ton surcharge amount to approximately $500,000 annually.

There are five voting members on the Education Advisory Board: one appointed by the Livermore City Council; one appointed by the Pleasanton City Council; two appointed by NCRA; and the Alameda County Recycling Board's Environmental Educator.

The role of the Education Advisory Board is to annually propose the allocation of funds from the Education Account by submitting an Expenditure Plan by April 1 of each year. Concurrence of Alameda County, the cities of Livermore and Pleasanton, and NCRA on the Expenditure Plan is necessary before funds are allocated.

Funds are collected from the Altamont Landfill by the Alameda County Treasurer. The County then remits the annual allocation to the agency administering the funds (07-08 City of Pleasanton, 08-13 and out years, City of Livermore) for disbursal to grant recipients.

2022 Activities

The 2022 Expenditure Plan was approved by each of the parties in the spring of 2022. The Expenditure Plan proposed the following allocations:

Board Communications, website	$5,000
Mini-Grants	$125,000
Project Grants	$280,000
Board Initiated Project Grants	$75,000
Multi-Year Grants	$85,000
ALARM mitigation projects	$0,000
Fund administration	$30,000
TOTAL	**$600,000**

Based on the allocation established by the Expenditure Plan, the Education Advisory Board released a Request for Grant Applications for mini-grants, project grants, board initiated project grants and multi-year grants pursuant to the guidelines established in the settlement agreement.

Mini-grants

The Education Advisory Board awarded 13 Mini-Grants for projects meeting the grant criteria, as follows:

Mini-Grant #: 22-01 Oakland Leaf Foundation, Love Cultivating Schoolyards Grant, Oakland, West County, $3,000.00 - Funds will be used to develop the waste prevention skills and knowledge of 15 East Oakland High School Students; sustain a zero waste youth-led one acre urban farm and local food distribution initiative; and positively influence the culture of the students and their peers and families related to waste and consumption.

Mini-Grant #: 22-02 Fixit Clinic, Ubiquitous Community-Wide Repair, Berkeley, West County, $3,000.00 - Funds will be used to hold Fixit Clinics in conjunction with weekly Hardware Hacking Tuesday events that will leverage the workspace, tools and electronics expertise, making those resources available to Alameda County residents to troubleshoot, disassemble and repair their household appliances and consumer electronics.

Mini-Grant #: 22-03 Fixit Clinic, Fremont's Fixing High School, Berkeley, West County, $3,000.00 - Funds will be used to support students at Fremont's Irvington High School in learning repair through repairing throughout their community, developing valuable critical thinking and troubleshooting skills.

Mini-Grant #: 22-04 KIDS for the BAY, Blue Watershed Classrooms Program, Berkeley, West County, $3,000.00 - Funds will be used as a part of a teacher follow-up support program for under-resourced elementary school students in low-income areas to shirt the culture and practice of waste prevention and waste management in their schools.

Mini-Grant #: 22-05 Re-Up Refills, Zero Waste Storefront & Educational Signage, Oakland, West County, $3,000.00 - Funds will be used to support the creation of signage that will expose a greater audience to the waste reduction service, as well as educate visitors on ecological issues in order to help them make more sustainable consumption choices.

2022 Funding Expenditures

Total Expenditures for 2022 were as follows:

Board Communications, website	$5,000.00
Mini-Grants	$35,868.10
Project Grants	$304,423.00
Multi-Year Grants	$215,000.00
Board Initiated Project Grants	$0,000.00
ALARM mitigation projects	$0,000.00
Fund administration	$30,000.00
Total 2022 Expenditures	$590,291.10

Mini-Grant #: 22-06 2 A Good Cause, Inc., Second Helping, Oakland, West County, $3,000.00 - Funds will be used to establish a pilot program that would eventually spread throughout the county distributing books and unclaimed lost and found items, keeping items out of the landfills and into the hands of those who need them.

Mini-Grant #: 22-07 Valley Montessori School, Compost & Waste Diversion Education, Livermore, East County, $3,000.00 - Funds will be used to provide compost diversion education and training for teachers, staff, students and parents by a Master Composter consultant.

Mini-Grant #: 22-08 Ecology Center, Plastic Free July 2022, Berkeley, West County, $3,000.00 - Funds will be used to utilize a "global" lens, thinking globally while acting locally, to lead and create meaningful opportunities for lasting change in the fight to address the plastics pollution, during the month of July in which an annual and global movement helps millions of people be part of the solution to plastic pollution.

Mini-Grant #: 22-09 Jennifer Abbe, Equipment and Materials for Alameda, San Leandro and Newark Schools, Alameda, West County, $368.10 - Funds will be used to purchase replacement recycling bins, stickers, trash pickers, aprons and reusable lesson plans for each district, to replace what materials have been lost or degraded over the years.

Mini-Grant #: 22-10 Jennifer Abbe, Equipment and Materials for Alameda, San Leandro and New Schools-Part 2, Alameda, West County, $3,000.00 - Funds will be used to purchase replacement recycling bins, stickers, trash pickers, aprons and reusable lesson plans for each district, to replace what materials have been lost or degraded over the years.

Mini-Grant #: 22-11 Bio-Link Depot, Inc,, Increased Support for Hands-On STEM Education in Underserved Schools within Altamont EAB Region, Oakland, West County, $3,000.00 - Funds will be used to sponsor an extra Open House event this Fall, which will be reserved only for Title 1 schools and Community Colleges within Alameda County as well as the cities of Livermore and Pleasanton.

Mini-Grant #: 22-12 Community Action for a Sustainable Alameda, CASA Youth Social Media Internship, Part 2, Alameda, West County, $3,000.00 - Funds will be used to continue the progress with CASA's social media platforms on Instagram, Facebook and Twitter, spreading awareness and inspiring action for their zero-waste programs currently running and those being rolled out.

Mini-Grant #: 22-13 Center for Recycling Research, Obstacles to Zero Waste, Oakland, West County, $2,500.00 - Funds will be used to construct temporary towers, eight feet tall, with the top four feet being a wire cage enclosing the advertised products and materials, with signage saying "Obstacles to Zero Waste." At the base of the towers, there will be handouts indicating how positive force can be placed on the users and manufacturers to either change the product to create markets for the now-unused P&M or switch to other P&Ms.

The total 2022 Expenditure Plan budget of $125,000 for Mini-Grants was approved by the Board along with the option to carry over all unexpended funds from previous grant years and expend if necessary. A total of $35,868.10 in Mini-Grants was approved.

Project Grants

The Education Advisory Board awarded 9 Project Grants to the following projects:

Project Grant #: 22-14 Castro Valley Sanitary District, Castro Valley High School Composting Stations Part 3, Castro Valley, West County, $23,800.00- Funds from this grant will be used to install 14 more stations around the campus at Castro Valley High School by October 2022 to expand accessibility of source-separation to students and staff; support recent reduction in garbage service so the school can maintain it.

Project Grant #: 22-15 Fixit Clinic, San Lorenzo Loves Repairing, Berkeley, West County, $14,750.00- Funds from this grant will be used to hold a Fixit Clinic at the San Lorenzo Library in which they will host additional repair-related activities.

Project Grant #: 22-16 Food Shift, PAWsitive Food Recovery & Upcycling, Berkeley, West County, $20,000.00- Funds from this grant will be used to improve and codify best practices in upcycling food production waste into commercial food products and provide more job opportunities.

Project Grant #: 22-17 Resource Area for Teaching (RAFT), RAFT Diversion and Delivery of Hands-on STEAM Learning Materials, San Jose, West County, $15,000.00- Funds from this grant will be used to support the collection of donated materials from Alameda County and San Ramon businesses for use as hands-on learning STEAM materials, which will be repurposed as hands-on STEAM Project Kits and bulk creative reuse materials to be delivered to up to 5 schools.

Project Grant #: 22-18 Center for Environmental Health, The Road to Reusables, Oakland, West County, $30,000.00- Funds from this grant will be used to support the efforts to transition Alameda County K-12 schools to the most sustainable food ware option-reusables-by starting the conversation through the lens of protecting children's health.

Project Grant #: 22-19 The Berkeley Food Network, Deepening Youth Engagement in Food Recovery Program, Berkeley, West County, $30,000.00- Funds from this grant will be used to increase the capacity to rescue food and support the implementation of SB 1383, while at the same time, educate and engage local youth in the work of food recovery and hunger relief.

Project Grant #: 22-20 The Go Green Initiative Association, Developing District-Wide AB 341, AB 827 and SB 1383 Compliance Programs in Livermore Valley Joint Unified School District and Albany Unified School District, Pleasanton, East County, $30,000.00- Funds from this grant will be used to work with senior administrators to establish a District-level Green Team, and train them in regularly scheduled meetings to evaluate their schools' compliance with AB 341, AB 827 and SB 1383 and implement source reduction and achieve uncontaminated waste diversion.

Project Grant #: 22-21 East Bay Depot for Creative Reuse, Community Education in Reuse and Repair, Oakland, West County, $30,000.00- Funds from this grant will be used to educate the community in the many ways items can be reused or repaired, supply hands-on instruction and a physical space to create art and conduct repairs, make reuse and repair accessible to everyone in the community, keep reusable materials out of the landfills, facilitate collection and redistribution of items which the community has donated and make reusable or repairable goods available to those in need.

Project Grant #: 22-22 The Go Green Initiative Association, Creating a Shareable Toolkit for School Districts: Data-Driven Waste Reduction and Diversion Optimization, Pleasanton, East County, $13,200.00- Funds from this grant will be used to provide incentives and support for Green Teams, quantify success and achieve school savings and develop a toolkit for replication in other districts.

Project Grant #: 22-23 Re-Up Refills, Waste Diversion Education Coordinator, Oakland, West County, $26,000.00- Funds from this grant will be used to formalize the position of a Waste Diversion Education Coordinator within the organization, by helping support the salary and materials budget for this position.

Project Grant #: 22-24 Race to Zero Waste, Coalition Building, San Francisco, West County, $30,000.00- Funds from this grant will be used to conduct outreach to cafes and restaurants to understand their needs, sticking points, challenges and possible past attempts at reducing single-use service-ware.

Project Grant #: 22-25 San Lorenzo Unified School District, Maximize Resource Recovery, San Lorenzo, West County, $50,000.00- Funds from this grant will be used to maximize diversion efforts, provide custodians the proper equipment needed to collect and transport the sorted materials to the appropriate service containers and provide a learning environment that is both welcoming and sustaining.

The total 2022 Expenditure Plan budget of $280,000 for Project Grants was approved by the Board along with the option to carry over all unexpended funds from previous grant years and expend if necessary. A total of $304,423.00 in Project Grants was awarded.

Multi-Year Grants

The Education Advisory Board awarded 3 Multi-Year Grants in the 2022 cycle.

Multi-Year Grant #: 22-26(1) Kid Scoop News, Urgently Needed Waste Prevention Education Project to meet SB 1383, Sonoma, West County, $50,000.00- Funds from this grant will be used to get Earth Tips pages and activity books into the hands of district curriculum coordinators and key educators at each school as a response to the school requests for resources to restart their waste prevention and sorting culture.

Multi-Year Grant #: 22-27(1) Ecology Center, Zero Waste Youth Job Training, Berkeley, West County, $30,000.00- Funds from this grant will be used to inspire and engage youth ages 15-24 to be the next generation of environmental justice advocates by preparing them to tackle plastic waste through community engagement, education and advocacy. It will also urge Berkeley to phase out single-use plastic bags from grocery stores and restaurants.

Multi-Year Grant #: 22-28(1) The Go Green Initiative Association, Institutionalizing AB 341, 1826 and SB 1383 in Hayward Unified School District (HUSD), Berkeley, West County, $50,000.00- Funds from this grant will be used to implement a source reduction and waste diversion program that ensure high-quality, uncontaminated streams of recovered materials, recycling and organics throughout Hayward Unified School District (HUSD); provide bins for the lunch area on campus; provide educational tools and training to teachers, students and administrators; create leadership opportunities for students; create a sustainable Integrated Waste Management program.

The total 2022 Expenditure Plan budget of $85,000 for Multi-Year Grants was approved by the Board along with the option to carry over all unexpended funds from previous grant years and expend if necessary. A total of $130,000.00 in Multi-Year Grants was awarded.

ALARM Mitigation Projects

Pursuant to the terms of the settlement agreement, the 2022 Expenditure Plan set aside $0 for mitigation projects for landowners in the vicinity of the landfill. The Education Advisory Board corresponded with ALARM (Altamont Landowners Against Rural Mismanagement) to notify them of the available funding. No applications were submitted for consideration during the 2022 funding cycle. The Board will continue to communicate with ALARM regarding appropriate projects for funding.

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION APPROVING THE ALTAMONT SETTLEMENT AGREEMENT EDUCATION ADVISORY BOARD'S EXPENDITURE PLAN FOR FY 2023-24

The Settlement Agreement between and among the County of Alameda, City of Livermore, City of Pleasanton, Sierra Club, Northern California Recycling Association ("NCRA"), Altamont Landowners Against Rural Management, and Waste Management of Alameda County, Inc. dated November 30, 1999 ("Settlement Agreement") provides for collection of a per ton fee from the Altamont Landfill and Resource Recovery Facility for impacts on the communities due to expansion of the landfill.

The per ton fee provided for under the Settlement Agreement increases annually based on the Consumer Price Index. A portion of the fee collected, currently $0.45 cents per ton from Waste Management's Altamont Landfill, and $0.42 cents per ton from Republic's Vasco Road Landfill, is set aside to fund the Education Account overseen by the Education Advisory Board ("EAB"). The EAB consists of five voting members: two members chosen by the NCRA, one member chosen by the City of Livermore, one member chosen by the City of Pleasanton, and one member chosen by the Alameda County Recycling Board's environmental educator. The EAB proposes disbursement of the Education Account contingent upon approval of all members.

The attached FY 2023-24 Expenditure Plan outlines the EAB's proposed plan, summary, and funding allocations for FY 2023-24. The EAB may award funds to qualified applicants that implement recycling and environmental awareness programs based on a competitive grant process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that it hereby approves the FY 2023-24 Expenditure Plan, attached hereto as Exhibit A, that is proposed by the Altamont Settlement Agreement Education Advisory Board for the expenditure of $650,000.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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 – 2023-24 Expenditure Plan

2023/2024 Expenditure Plan

Altamont Settlement Agreement
Education Advisory Board

January 17, 2023

Plan Summary

The Altamont Landfill Settlement Agreement created the Altamont Education Advisory Board to propose allocation of funds in the Education Account for diversion education programs, job training in the field of waste diversion and recycling and mitigating the impacts of the landfill operations on the affected neighboring community. Funds generated from the $0.45 per ton surcharge originating from the Altamont Landfill and $0.42 originating from the Vasco Road Landfill, which are expected to amount to approximately $500,000 annually. This per ton surcharge fee will be increased based on the consumer price index effective January 1, 2023.

The Need

The Altamont Landfill and Vasco Road Landfill accept material for disposal from Alameda County jurisdictions, and from the city of San Ramon. Funding programs in diversion education and job training in waste diversion and recycling throughout the landfill service area will preserve the life of the landfill and save resources.

Target Sectors

- Environmental education programs that serve schools
- Non-formal environmental education programs, serving students K-12
- Community-based environmental education programs
- Job training programs in the field of waste diversion and recycling
- Support to institutions and communities required to conform to new state laws, such as SB 1383

Funding Goals

- Allocate $500,000 per year for education and job training programs in waste prevention, source reduction, reuse, recycling, composting, and procurement of recycled content products.
- Report measurable results to the Northern California Recycling Association (NCRA), Alameda County Board of Supervisors and cities of Livermore and Pleasanton on an annual basis.
- Provide up to two cents ($0.02) of every forty-five cents ($0.45) of the Education Account to Alameda Landowners Against Mismanagement (ALARM) for landfill mitigation projects (pursuant to Settlement Agreement sec. 7.3.3)
- Provide up to two percent (2%) of the funds received in the Education Account to the City of Livermore for financial management of the account (pursuant to Settlement Agreement sec. 7.6.2)

Objectives

Grants and projects:

- Mini-grants – The mini-grant program awards up to $4,000 to all eligible projects that meet award criteria up to the funding allocation amount. In 2022-23, mini-grants supported environmental science programs and school recycling and composting infrastructure projects.
- Project grants – The annual grant program would award competitive grants up to $50,000 for projects that would make significant contributions to the development of sustainable diversion education programs and job training in waste prevention and recycling. Types of projects could include: curriculum development, district-wide diversion education programs, job training programs, and community-based programs.
- Multiple year grants – Allow applicants for the annual grant program, to propose multiple year grants for up to three years of on-going support.
- Board initiated projects – Board initiated projects include projects for which a separate solicitation will need to be performed or special projects to be developed by the Board that fulfill a special niche or program area not addressed by the grants program. Types of projects could include job training partnerships, outreach programs, video and website development, and joint projects with other agencies.

Deliverables and Major Milestones

2023-24 Continue to develop job-training partnerships with education institutions, state and community colleges.

1/2023 Initiate development of 2023-24 expenditure plan.

1/2023 Release Request for Grant Applications.

3/2023 Annual expenditure plan to NCRA, Board of Supervisors and cities of Livermore and Pleasanton.

5/2023 Award project grants for 2023-24 school year.

Assumptions

- The environmental education community perceives a need for diversion education programs and can develop grant proposals that meet the goals and objectives of the parties to the settlement agreement and the Education Advisory Board.
- The Education Advisory Board can identify appropriate partners for enhancing or developing job training programs in waste prevention and recycling.

2023/2024 Expenditure Plan

Altamont Settlement Agreement
Education Advisory Board

January 17, 2023

Constraints

- COVID pandemic has required flexibility and adaptability in required timelines and milestones.
- Teachers and others involved in environmental education are very busy and may not respond to grant solicitations.
- Other funding agencies, such as the Alameda County Waste Management Authority and Source Reduction and Recycling Board may have differing priorities that dominate the program offerings.
- The Education Account has limited funds that must be stretched over a large service area.

Proposed Allocations

Board communications, website	$5,000
Mini-grants	$125,000
Project grants	$250,000
Board initiated projects	$50,000
Multi-year grants	$160,000
ALARM mitigation projects*	$00,000
Staff Support	$30,000
Fund management and support	$30,000
TOTAL	**$650,000**

All unexpended funds from previous grant years will be carried over and, if necessary, applied to the 2023-2024 grant year.

*ALARM fund has reached maximum amount of $100,000

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.10**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Tina Olson, Administrative Services Director

SUBJECT: Resolution accepting the Annual Comprehensive Financial Report (ACFR) and Other Audit Reports for the Fiscal Year ended June 30, 2022.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution accepting the following reports for Fiscal Year 2021-22 as completed:

- Annual Comprehensive Financial Report, and ratify and approve the audited financial statements presented therein in accordance with Government Code §37208;
- Alameda County Transportation Commission Measure B Program Financial Statements;
- Alameda County Transportation Commission Measure BB Program Financial Statements;
- Alameda County Transportation Commission Vehicle Registration Fee (VRF) Measure F Program Financial Statements;
- Agreed Upon Procedures for Compliance with the Proposition 111 2021-22 Appropriations Limit Increment.
- Memorandum of Internal Control;
- Required Communications.

SUMMARY

The Annual Comprehensive Financial Report (ACFR), which contains the Auditor's Opinion, for the fiscal year ending June 30, 2022, is complete and ready for City Council acceptance. The auditors have given the City an unmodified or "clean" opinion on the ACFR. This is shown as the Independent Auditors' Opinion letter in the audit report (page 1). This is the 41st consecutive year the City has received an unmodified opinion. In addition to the ACFR, there are six other audit compliance reports being presented for acceptance.

DISCUSSION

The audited ACFR and other required audit compliance reports are being presented to the City Council in accordance with the Livermore Municipal Code §2.28.020 and Government Code §37208. This year's

audits were performed by the City's independent auditors, Eide Bailley LLP. The auditors have given the City an unmodified or "clean" opinion on the ACFR. This is shown as the Independent Auditors' Opinion letter in the audit report (page 1). This is the 41st consecutive year the City has received an unmodified opinion.

Government Code §37208 provides that a city council is not required to approve payroll and other budgeted demands prior to issuing payment, they may be presented to the City Council for ratification and approval, in the form of an ACFR.

The City has submitted the FY 2021-22 ACFR for the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting award program. In the past, the City has received the GFOA award and believes that the recent ACFR meets the stringent requirements to again merit GFOA recognition.

In addition to the ACFR, there are six other reports for review:

- Alameda County Transportation Commission Measure B Program Financial Statements is required by the Master Program Funding Agreement with the Alameda County Transportation Commission (ACTC) and confirms that the City has complied with the provisions of Measure B. Alameda County voters approved the half-cent transportation sales tax in November 2000. The sales tax collection began on April 1, 2002 and extended through March 31, 2022. ACTC administers Measure B funds to deliver essential transportation improvements and services.

- Alameda County Transportation Commission Measure BB Program Financial Statements is required by the Master Program Funding Agreement with the Alameda County Transportation Commission (ACTC) and confirms that the City has complied with the provisions of Measure BB. Alameda County voters approved Measure BB in November 2014 and collection of the half-cent transportation sales tax by the Board of Equalization began on April 1, 2015 and extended through March 31, 2022. The full one-cent sales tax authorized by Measure BB began April 1, 2022 and will extend through March 31, 2045. Local jurisdictions began to receive the flow of funds in July 2015. ACTC administers Measure BB funds for essential transportation improvements in every city throughout Alameda County.

- Alameda County Transportation Commission Vehicle Registration Fee Measure F Program Financial Statements is required by the Master Programs Funding Agreement between the City and Alameda County Transportation Commission and confirms that the City has complied with the laws, regulations, contracts, and grant agreements as specified and applicable to Measure F. Measure F is the Alameda County Vehicle Registration Fee Program which was approved by voters November of 2010 and generates $10 per vehicle each year. The collection of these funds began in May 2011 will continue to be imposed annually unless repealed. The revenue generated is used for local road improvement and repair, transit congestion relief, local transportation technology, and pedestrian & bicyclist access & safety programs.

- Agreed Upon Procedures for Compliance with the Proposition 111 2020-21 Appropriation Limit Increment is required by Section 1.5 of Article XIIIB of the California Constitution. This report shows the auditors applied specific procedures, which were suggested by the League of California Cities and presented in their Article XIIIB Appropriation Limitation Uniform Guidelines, to validate the City's calculation of the Appropriations Limit. No exceptions were noted.

- Memorandum on Internal Control: In planning and performing the audit of the financial statements Eide Bailley LLP considered the City's internal control over financial reporting as a basis for designing the auditing procedures for the purpose of expressing opinions on the financial statements. The auditors are required to communicate to the City Council any internal control matters that come to their attention during the audit. The City's auditors, Eide Bailley LLP, have provided such a report in their Memorandum on Internal Control (MOIC) for the fiscal year ended June 30, 2022. The report states that the audit we did not identify any deficiencies in the City's internal control.

- Required Communications: Under generally accepted auditing standards, the City's external auditors are required to formally communicate with the governing body to convey audit matters, the scope of work, difficulties, adjustments to financial statements, or any possible disagreements with management. Professional standards require the auditor to evaluate the financial statements and assess the risk that a material misstatement could occur. Areas that are potentially more susceptible to misstatements, and thereby require special audit considerations, are designated as "significant risks". The auditors identified no areas of significant risks.

FISCAL AND ADMINISTRATIVE IMPACTS

There is no direct fiscal impact in accepting the FY 2021-22 audit reports. Total audit and report preparation costs of $154,400 are within budget and are allocated to the General Fund, enterprise funds, Measure B funds, Measure BB funds and transportation funds as the audits and reports are completed. The total fee also includes preparation costs of certain reports not requiring City Council acceptance that are transmitted directly to the California State Controller, including the Special Districts Financial Transactions Report for the Livermore Capital Projects Financing Authority (LCPFA), the Cities Financial Transactions Report for the City of Livermore, and the Livermore Annual Streets and Roads Report.

ATTACHMENTS

1. Resolution
2. Exhibit A - FY 2021-22 Annual Comprehensive Financial Report
3. Exhibit B - FY 2021-22 Measure B
4. Exhibit C - FY 2021-22 Measure BB
5. Exhibit D - FY 2021-22 Vehicle Registration Fee Measure F
6. Exhibit E - FY 2021-22 Appropriation Limit Report
7. Exhibit F - FY 2021-22 Memorandum on Internal Control
8. Exhibit G - FY 2021-22 Required Communication

Prepared by: Erik Peterson
Finance Manager

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 ACCEPTING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND OTHER ANNUAL REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2022

At its meeting on February 27, 2023, the audited Annual Comprehensive Financial Report and other required audit compliance reports for the fiscal year ended June 30, 2022, were presented to the City Council in accordance with Livermore Municipal Code section § 2.28.020.

California Government Code § 37208(c) provides that budgeted payrolls and demands paid by warrants or checks may be presented to the legislative body for ratification and approval in the form of an audited annual comprehensive financial report.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it has received and hereby accepts as completed the following financial statements and annual reports for the fiscal year ended June 30, 2022, attached hereto:

1. Annual Comprehensive Financial Report, attached as Exhibit A;

2. Alameda County Transportation Commission Measure B Funds Financial Statements, attached as Exhibit B;

3. Alameda County Transportation Commission Measure BB Funds Financial Statements, attached as Exhibit C;

4. Alameda County Transportation Commission Vehicle Registration Fee Program (VRF) Financial Statements, attached as Exhibit D;

5. Independent Accountant's Report on Applying Agreed Upon Procedures Related to the Article XIII-B Appropriations Limit Calculation, attached as Exhibit E;

6. Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters, attached as Exhibit F; and,

7. Required Communications, attached as Exhibit G.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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 - Annual Comprehensive Financial Report
Exhibit B- Alameda County Transportation Commission Measure B Funds Financial Statements
Exhibit C - Alameda County Transportation Commission Measure BB Funds Financial Statements
Exhibit D - Alameda County Transportation Commission Vehicle Registration Fee Program (VRF) Financial Statements
Exhibit E - Independent Accountant's Report on Applying Agreed Upon Procedures Related to the Article XIII-B Appropriations Limit Calculation
Exhibit F - Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters
Exhibit G - Required Communications

EXHIBIT A

CITY OF LIVERMORE CALIFORNIA

ANNUAL COMPREHENSIVE FINANCIAL REPORT

FISCAL YEAR ENDED JUNE 30, 2022



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LIVERMORE
CALIFORNIA

Annual Comprehensive Financial Report

For the Year Ended June 30, 2022

Prepared By

Finance Division

Tina Olson
Administrative Service Director

Ann Furtado
Accounting Supervisor

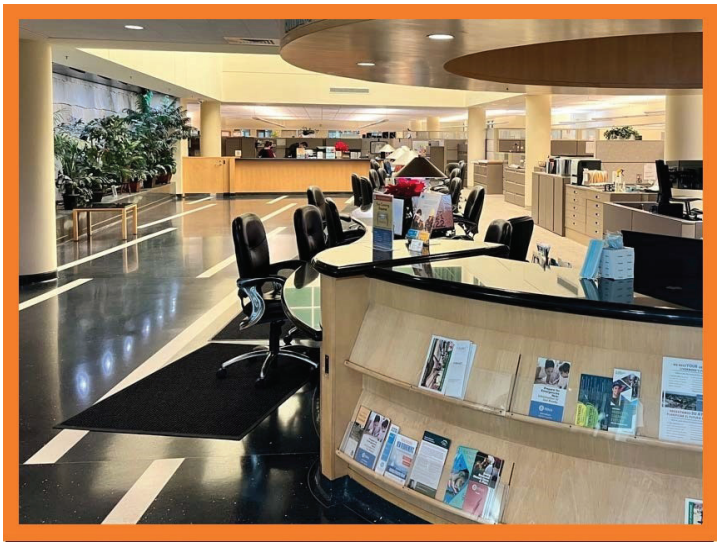
David Doyle
Accounting Supervisor

Laurie Ong
Administrative Specialist

Erik Peterson
Accounting Supervisor

Ki Lam
Management Analyst

Natalia Gilina
Division Clerk



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Introductory Section
June 30, 2022

City of Livermore

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LIVERMORE
CALIFORNIA

January 31, 2023

Honorable Mayor and Members of the City Council:

I am pleased to present the City's Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022. State law requires that every general-purpose local government publish, within six months of the close of each fiscal year, a complete set of audited financial statements. This report fulfills that requirement for the fiscal year ended June 30, 2022.

Management assumes full responsibility for the completeness and reliability of the information contained in this report, based upon a comprehensive framework of internal control that it has established for this purpose. Because the cost of internal control should not exceed anticipated benefits, the objective is to provide reasonable, rather than absolute, assurance that the financial statements are free of any material misstatements.

The data in this report is presented in a manner that is designed to fairly set forth the financial position and results of operations of the City of Livermore (the City). It contains the disclosures necessary to promote in-depth understanding of the City's financial affairs and evaluate its financial condition.

The City's financial statements have been audited by Eide Bailly LLP located in Menlo Park, California. The independent auditors concluded, based on their audit, that there was a reasonable basis for rendering an unmodified (or "clean") opinion that the City of Livermore's financial statements for the fiscal year (FY) ended June 30, 2022 are fairly presented in conformity with generally accepted accounting principles. The independent auditor's report is the first item presented in the financial section of this report.

In addition to the financial audit, each year the City is required to undergo an audit of federal grant expenditures. That report is commonly referred to as a Single Audit report and is issued as a separate document and is not included herein. The Single Audit report includes the Schedule of Expenditures of Federal Awards, Findings and Recommendations, and an auditor's report on the internal control structure and compliance with applicable laws and regulations.

The provisions of Governmental Accounting Standards Board (GASB) Statement 34, "Basic Financial Statements—and Management's Discussion & Analysis—for State and Local Governments" requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements entitled, "Management Discussion & Analysis" (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with the MD&A, which can be found immediately following the report of the independent auditors in the financial section of the ACFR.

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Profile of the City of Livermore

The City of Livermore, incorporated on April 1, 1876, is located on the southeasterly boundary of Alameda County. The City of Livermore is a General Law city and has the power to make and enforce ordinances and regulations with respect to municipal affairs to the extent expressly permitted or implied by the California constitution or specific legislation. The City is organized as a council-manager form of local municipal government. The five-member City Council is elected at large for overlapping four-year terms. The City Council includes an elected Mayor whose term of office is two years.

On November 26, 2018, the City adopted an ordinance to transition from an at-large to district-based election system to comply with the California Voting Rights Act (California Government Code Section 34886 and 34871(c)). The City Council selected a district map dividing the City into four single member districts. Starting with the general municipal election in November 2020, City Council members are elected in City Council districts 3 and 4. Council members will be elected in City Council districts 1 and 2 beginning at the general municipal election in November 2022. The Mayor will continue to be elected on an at large basis.

The City Council appoints the City Manager and City Attorney to carry out its adopted policies. In addition, the City Council appoints members of advisory Commissions, Committees, and Boards.

The City Council sets priorities and adopts the biennial budget on or before June 30 for each of the ensuing two fiscal years, which serves as the foundation for the City's financial planning and control. The level of budgetary control (that is, the level at which expenditures cannot legally exceed the appropriated amount) is maintained at the fund level. The City Manager may transfer resources within a fund. Supplemental appropriations and budget transfers between funds and projects, however, need approval from the City Council. The City's budgetary procedures are further discussed in Note 2 of the notes to the basic financial statements.

The City, with 414.10 full-time equivalent employees, provides a wide range of services to a residential population of 86,149[1]. These services include public safety (police, fire, building inspection, water, and sewer); street and landscape maintenance; street lighting; planning and public improvements; public libraries; general administrative services, and municipal airport services. Fire safety services are provided by a Joint Powers Authority, Livermore Pleasanton Fire Department (LPFD). Recreational services are provided to residents by the Livermore Area Recreation and Park District (LARPD), a special district governed by a separately elected board.

The City is also financially accountable for a legally separate Livermore Capital Projects Financing Authority (LCPFA), which is reported within the City's financial statements as a blended component unit. Additional information on this legally separate entity can be found in the notes to the financial statements (see Note 1).

Economic Factors and Local Economy

The information presented in the financial statements is perhaps better understood when it is considered from the broader perspective of the specific environment within which the City operates.

[1] Data source: State of California, Department of Finance

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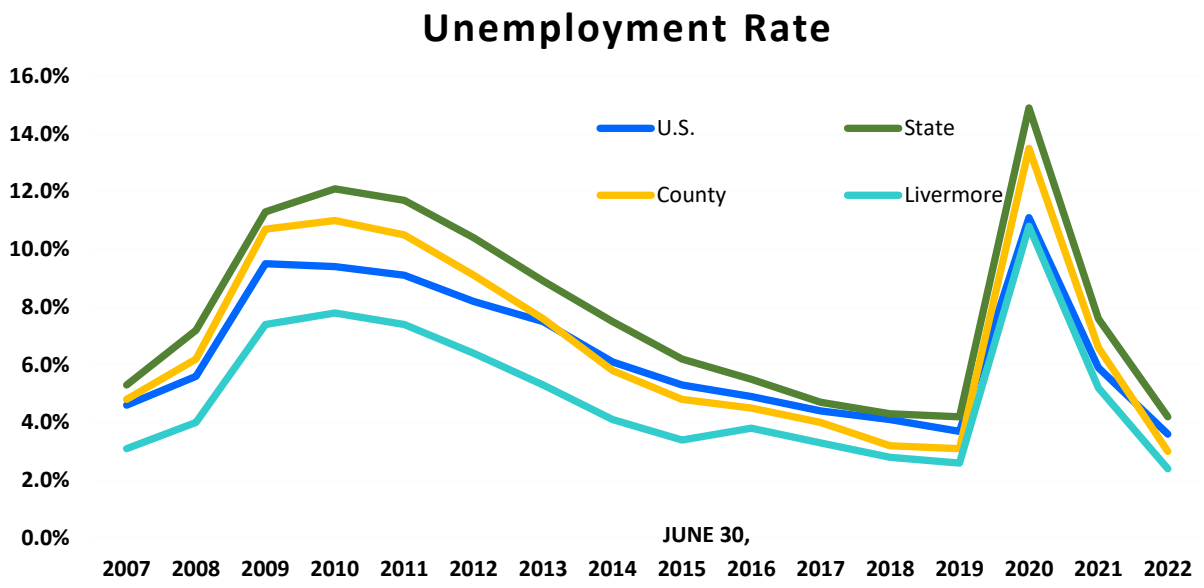
The City is the easternmost city in the San Francisco Bay Area situated in the growing Tri-Valley area which contains the cities of Pleasanton, Livermore, Dublin, and San Ramon. Livermore is conveniently located near two major freeways, I-580 and I-680, and is close to the metropolitan areas of San Francisco, Oakland, and San Jose. In addition to its proximity to the Oakland, San Francisco and San Jose International Airports, the City of Livermore owns and operates the Livermore Municipal Airport. This general aviation airport services private and corporate customers, and records more than 155,000 takeoffs and landings annually.

Livermore Valley Wine Country is one of the oldest wine regions in California. On November 22, 2021, the Livermore Valley Wine Heritage District was formed to provide funding for marketing and education efforts to increase winery sales revenue, and other improvements and activities for the 46 assessed wineries in Livermore Valley. Livermore is surrounded by award-winning wineries, farmlands, and ranches that mirror the valley's history. Less than an hour east of San Francisco, Livermore Valley Wine Country's picturesque canyons and ridges welcome locals and visitors to the valley's vineyards and tasting rooms, which are an integral part of Livermore's quality of life. Popular wine bars, tasting rooms and boutique wine shops thrive in downtown Livermore as well.

Livermore is the home of two world-renowned national laboratories: Lawrence Livermore National Laboratory (LLNL) and Sandia National Laboratories (SNL). The laboratories are premier science and technology research facilities, which conduct some of the nation's most innovative research related to several national programs, including security, combustion and renewable energy, water resources and biosciences. The presence of the laboratories attracts other technology and industrial companies as well as professional services businesses. In addition, one of the largest retail outlet malls in California is located in Livermore and is home to over 180 leading designer and name brand outlet stores, as well as a growing number of small retailers.

The longest economic expansion in US history came abruptly to an end in March 2020 with emergence of the COVID-19 global pandemic. Once thriving businesses saw their ability to generate revenue disappear overnight as the simple act of gathering with others had become a threat to public health. The State of California and the Alameda County issued Shelter in place directives to slow the spread of COVID-19 pandemic which continued in the current fiscal year. COVID restrictions were finally lifted in Alameda County in March 2022, allowing businesses to operate normally.

In June 2022 the City's unemployment rate of 2.4% continued to rank below the average unemployment rates of the nation (3.6%), county (3.0%) and state (4.2%). Employment in Livermore has historically been less volatile due to the presence of major public sector employers and their contractors. Besides the City itself, two national laboratories, a school district, a community college, and a park and recreation district are major employers in the City. The following chart shows a 15-year comparison of unemployment rates in the state and local areas as well as the U.S. by fiscal year.



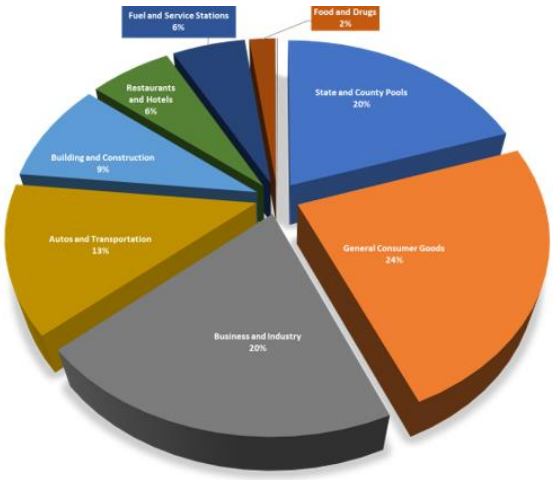
Source: State of CA – Employment Development Department

A key indicator of the local economy is retail sales. Sales tax revenues are highly sensitive to economic conditions such as levels of unemployment, job growth, consumer confidence, per-capita income, and tourism.

It is important to be aware that the 20% of the City's sales tax revenue is derived from the San Francisco Premium Outlets which focuses on high-end consumer goods. Many of the shoppers are tourists visiting the San Francisco Bay area. Out of the 4.8 million Livermore visitors in the last 12 months, 2.7 million or 56% visited the San Francisco Premium Outlets (source: Placer AI). The 2022 sales tax revenue figures for the Outlets show that sales are slowly going back to pre-pandemic levels.

With the lifting of COVID restrictions, the local economy exhibited signs of improvement during the fiscal year ended June 30, 2022. Livermore's taxable sales in second quarter of 2022 were 9.2% higher than the same quarter in 2021 with majority of gains coming from the fuel and service stations category. This increase is due to the relatively high fuel prices occurring during this quarter. The chart below illustrates the City's sales tax revenue for FY 2021-22 by major industry group.

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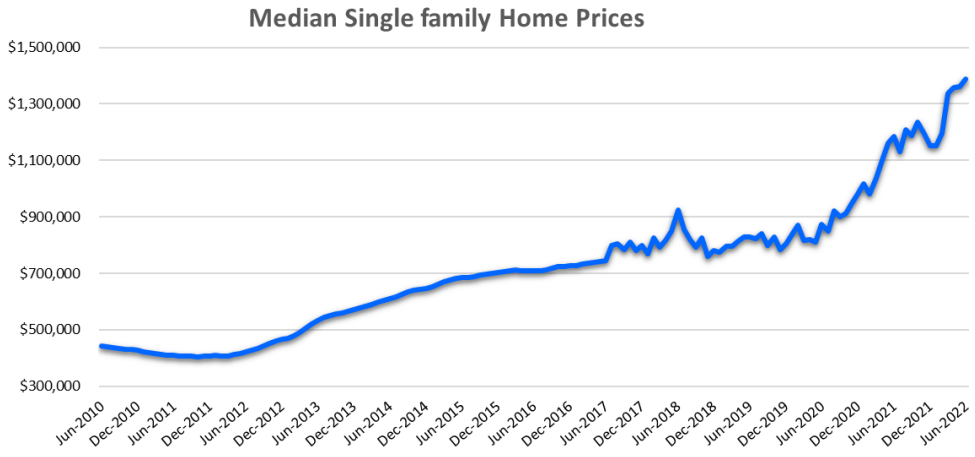


Source: HdL

The local real estate market and property value assessments are key indicators of the local economy. Property tax is less volatile compared to sales tax. The City's assessed property valuation increased by 5% to $22.7 billion in FY 2021-22 compared to a similar 5% increase in the previous fiscal year.

Livermore's real estate market continued to strengthen during FY 2021-22. As reported by the East Bay Association of Realtors, the median sales price for a single-family residence in Livermore increased 17 percent to $1,387,619 in June 2022 from $1,185,714 in June 2021 largely due to housing shortage combined with low interest rates.

Recently California passed the Senate Bill 9, which compels local governments to allow high-density housing. This law is intended to help ease the housing shortage in coming years.



Source: East Bay Association of Realtors

v

In its November 9, 2022 Publications, the Conference Board forecasts that economic weakness will intensify and spread more broadly throughout the US economy over the coming months with a recession to begin around the end of 2022. Their outlook is associated with persistent inflation and rising hawkishness by the Federal Reserve. They also forecast that 2022 Real GDP growth will come in at 1.8 percent year-over-year and 2023 growth will slow to zero percent year-over-year.

Long-Term Financial Planning

Although Livermore's current financial picture is positive, there are plenty of reasons for concern when we look out further on the financial horizon. The City is on a steady financial course, but still strives to achieve long-term financial stability, which is linked to adequately funding its long-term liabilities. While General Fund reserves are currently fully funded, future liabilities, investment in downtown development, homelessness crisis, increasing employee costs, and deferred infrastructure maintenance temper the City's progress.

The single largest unaddressed financial challenge the City faces is the maintenance and replacement of its infrastructure. The City is in the process of developing a comprehensive infrastructure repair and replacement plan so that adequate resources are available when needed. In the meantime, Council directed staff to establish an Infrastructure Repair and Replacement Reserve to begin accumulating the resources necessary to address the City's aging infrastructure as part of the Council goal and priority of Asset Management.

One of the City's strategies to contain costs and leverage the buying power was to save, while the economy was doing well, so that resources are available during the economic downturn to take advantage of better pricing which typically occurs in this part of the cycle. If the City had to replace all infrastructure, it is estimated the City would need approximately two billion dollars to replace general government infrastructure in addition to another billion dollars to replace infrastructure maintained by the enterprise funds. Staff currently estimates that the City (like many local governmental agencies in the nation) is underfunding infrastructure maintenance by several million dollars per year. The City has started funding a reserve with at least $2.0 million annually from General Fund. At the end of the Fiscal Year, there was a budgetary savings of $8.3 million which the City placed in the reserve which has $22.3 million as of June 30, 2022.

Rising pension costs will continue to be a challenge for most public agencies. The City contributes to the California Public Employees' Retirement System (CalPERS) for its Miscellaneous and Safety Police retirement plans. CalPERS implemented a 20-year rate amortization and a five-year phase-in effective from fiscal year 2016-17. The City's "second tier" pension plan (2% at 60) coupled with the Public Employee Pension Reform Act (PEPRA) will reduce employee pension costs in the long-term. City staff will continue to monitor CalPERS changes and suggest prudent strategies to address these increases as the opportunities arise.

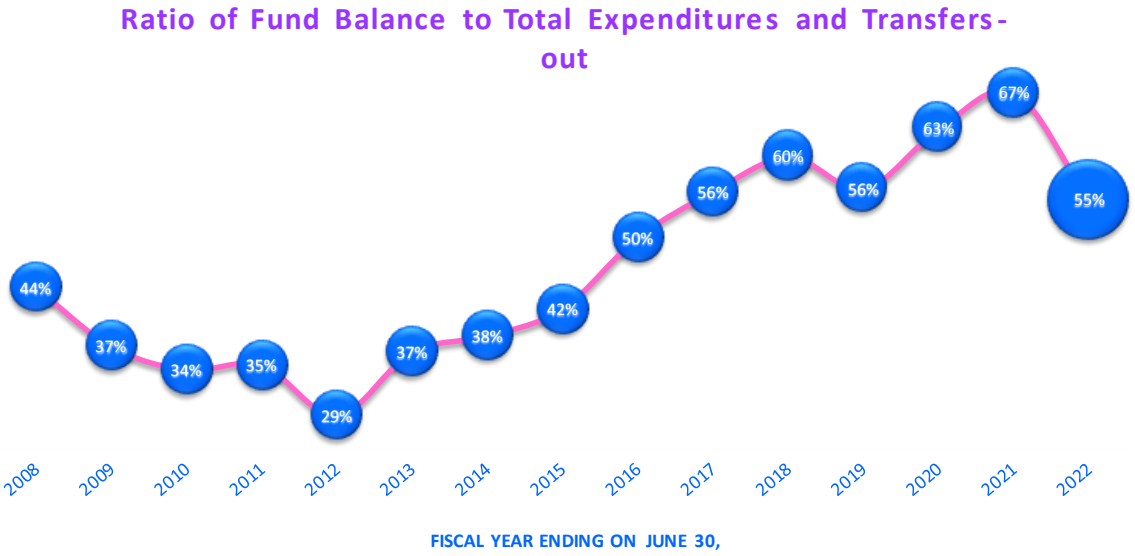
The FY 2021-23 Financial Plan Update allocated approximately $13.5 million for General Fund resources for capital improvements, representing a significant investment in the Downtown in order to address the adopted City Council Goals and Priorities. With the I-Street Garage extension and Livermorium Park construction now complete, the remaining Downtown Development Plan projects to be funded by a General Fund backed bond issuance are construction of the L Street parking structure, and Downtown surface parking.

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The City of Livermore, along with the San Francisco Bay Area and much of California, is in the middle of a homelessness crisis. The prolonged economic expansion, low interest rates, and housing shortage has led to median home values skyrocketing throughout the Bay Area. As mentioned above, the median home price for a single-family home in Livermore is $1,387,619 on June 30, 2022. To purchase a median priced home with 10% down requires approximately $138,762 for down payment, $41,629 for closing costs, and approximately $243,000 in annual household income. The average rent in Livermore for a two-bedroom apartment is approximately $2,500 per month. A household will need an annual average income of $100,000 to afford this level of rent.

A five-year General Fund Financial Plan is included in the City's adopted budget. This is a valuable financial planning management tool, especially in challenging financial times, which assists the City Council in setting priorities and educating the community on the long-term state of the City's finances. Inflation and historical growth rates are used to predict levels of expenditures. The expenditure base and revenue base are then adjusted for discrete changes that may occur within the five-year forecast period such as the completion of a major project, addition of a major employer or retail center, or the loss of revenues due to State take-aways.

Perhaps the best measure of the City's ability to withstand an economic downturn while maintaining current service levels and building sustained growth for the future is its fund balance reserves. In general, a city should maintain sufficient reserves to mitigate potential emergency scenarios. The City had committed to building and maintaining General Fund reserves equal to at least 30% of annual General Fund budgeted expenditures and transfers related to debt service.



Major Initiatives and Future Projects

As part of the biennial budget process, the City Council sets goals and priorities for the two-year budget cycle. Council goals include high-priority tasks or programs that the City Council intends to address during the budget plan cycle, though attainment of these goals may take several years. The key initiatives included in the adopted biennial budget for FY 2021-23 are as follows:

1. Asset Management and Stormwater: Establish a comprehensive Asset Management Program with a focus on stormwater, ensuring the community continues to receive vital services through a sustainable infrastructure strategy.

2. Downtown: Enhance the City's vibrancy by completing critical projects downtown, ensuring the right balance of local amenities to support quality of life.

3. General Plan Update: Comprehensively Update the Livermore General Plan, including the Housing Element and Programmatic Environmental Impact Report (EIR), to address changes in regional and state policy, market trends, and community preferences, to plan for growth and conservation for the next 25 years to support and enhance Livermore's quality of life.

4. Homelessness and Affordable Housing: Establish a homelessness strategy, engaging local partners to develop a coordinated response, and expand diversity of affordable housing opportunities.

5. Modernization, Training and Workplace Enhancements: Develop a systematic approach to modernizing the City's aging business systems, reviewing processes for alignment with industry best practices, and providing the City's workforce with the tools and training necessary to effectively and efficiently deliver services to the community.

Three of the above priorities, Downtown, Asset Management, and Homeless and Affordable Housing are returning priorities from the previous budget cycle. The City has made extensive progress towards each of these priorities. Some of the achievements realized during the current fiscal year are as follows:

- The Downtown Hotel, Eden Housing, Black Box Theater, and Blacksmith Square expansion Development Agreements were all completed and the property has been sold to each of these community partners. Blacksmith Square expansion is expected to start construction in Spring 2023.



- Construction of I Street Parking Garage was completed with the parking garage opened for operation.

- The L Street parking will be under construction from January 2023 to July 2024.

- Livermorium Plaza was completed and opened for public use, with the new water ball operating as the center piece of this new public plaza.

- Vineyard 2.0 Homeless Housing Project commenced construction and will be open for operation by Summer 2023.

- The Multi-Service center was also re-opened for operations after completion of upgrades to improve accessibility, upgrade the HVAC system, and refresh the building's interior.

Other major projects include the following:

- Completion of the Iron Horse Trail gap closure from Isabel to Murrieta. This new trail is now open for bicycle and pedestrian use.

- Installation of a new emergency generator for the Water Resources Plant.

- City Council approval of 112 new housing units in the Isabel Neighborhood Specific Plan at North Canyons Parkway and Triad Place. This project by DeNova Homes supports the City's long-term vision for the development of a complete neighborhood near the future Valley Link station.

- Completion of the Police Department's Real Time Awareness Center

- Completion of flood proofing for the Fixed Base Operator at the Livermore Airport.

- Planning Commission approval of the Pacific Avenue Affordable Housing Project consisting of 140 affordable senior housing rental units at the end of Pacific Avenue. Phase 1 of this project is expected to begin construction in the second half of 2023.

- City Council approval of a 128-unit, 112,195 square foot senior assisted living and memory care health facility located on the northern portion of the Sunset Office Plaza.

- 25,000 square foot warehouse building consisting of approximately 1,800 square feet of office space at 6776 Patterson Pass Road.

- The City Council has approved an updated Climate Action Plan which outlines a program to work with the Livermore community to increase climate resilience and reduce greenhouse gas emissions.

- The City is also in the midst of a General Plan and Housing Element update. The Housing Element will be completed in early 2023 and the General Plan update will be completed in 2024.

City Hall 1052 South Livermore Avenue Livermore, CA 94550 www.cityoflivermore.net TDD: (925) 960-4104

Relevant Financial Policies

Fund Balance Policy In June 2016, the City Council adopted a resolution updating the Livermore Fund Balance Policy to maintain the fiscal stability of the organization, to help maintain the City's credit worthiness, and to provide funds for economic uncertainties, contingencies, and cash flow requirements. The General Fund Financial Stabilization Operating Reserve is set at 15 percent of budgeted operating expenditures plus debt service transfers to be used in a catastrophic event or in a major emergency or in periods of severe fiscal crisis. The General Fund Economic Uncertainty Reserve is set at 13.5 percent of budgeted operating expenditures plus debt service transfers to be used during times of severe economic distress such as protracted recessionary periods, State raids on local resources, or other impactful unforeseen events which greatly diminish the financial ability of the City to deliver core services. Minimum unassigned fund balance is set at 1.5 percent of the budgeted operating expenditures plus transfers for debt service.

Infrastructure Repair and Replacement Funding Beginning with the 2015-16 fiscal year, the Council established an informal Infrastructure Repair and Replacement Reserve to begin accumulating the resources necessary to address the City's aging infrastructure and facilities. The City has started to set aside at least $2 million annually of General Fund discretionary resources towards Infrastructure Repair and Replacement Reserve.

Debt Management and Disclosure policy The City's Debt Management and Disclosure Policy is intended to ensure compliance by the City with all applicable federal and state securities laws and regulations; to achieve the highest practical credit ratings within the context of the City's financing needs and financing capabilities; and to establish maximum limits on the amounts of debt outstanding and the amount of annual debt service the City will consider. This policy sets a ceiling for the cumulative annual payments related to debt from the General Fund at 7.5 percent of the previous fiscal year's General Fund revenue.

Timeliness of Financial Reporting Practices The City believes that time is of the essence in the publication of Budget and Annual Comprehensive Financial Report documents. The budget is adopted before June 30 and loaded into the financial system on the first day of the new fiscal year. The ACFR publication date is generally within 180 days of the close of the fiscal year. The City's major financial documents are available on the web at www.livermoreca.gov.

Achievement Awards

GFOA Financial Reporting Certificate of Achievement

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Livermore for its annual comprehensive financial report for the fiscal year ended June 30, 2021. This was the 33rd consecutive year that the City of Livermore has achieved this prestigious award. To be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized annual comprehensive financial report. This report must satisfy both generally accepted accounting principles (GAAP) and applicable legal requirements.

x

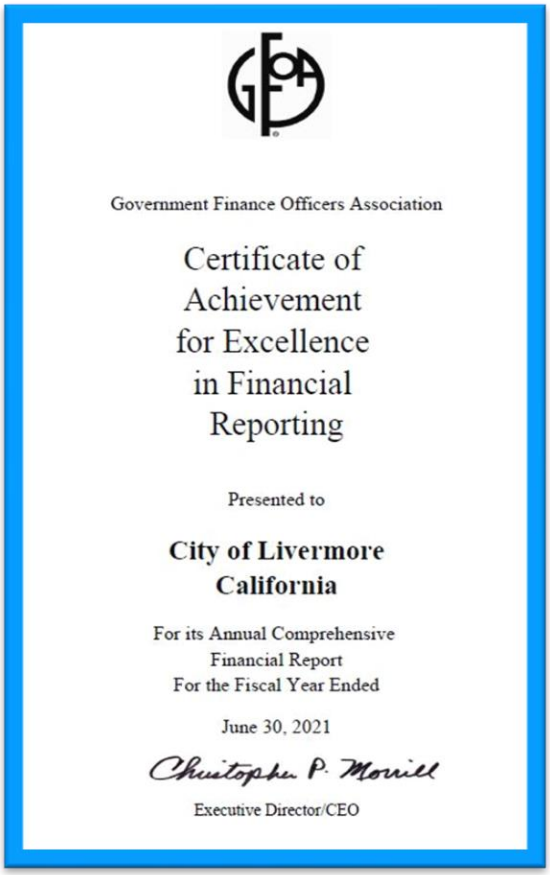
A Certificate of Achievement is valid for a period of one year only. We believe that our current annual comprehensive financial report continues to meet the Certificate of Achievement Program's requirements, and we are submitting it to GFOA to determine its eligibility for another certificate.

Acknowledgments

This report represents the culmination of dedicated efforts by City staff both inside and outside of the Finance Division. The preparation of this report on a timely basis could not have been accomplished without the hard work and team effort of the entire financial reporting team. I wish to thank all departments for their assistance in providing the data necessary to prepare this report. I would like to express my appreciation and thanks to Ahmad Gharaibeh and his staff at Eide Bailly LLP. Credit is also due to the mayor and the City Council members for their unfailing support for maintaining the highest standards of professionalism in the management of the City's finances.

Very truly yours,

Tina Olson
Administrative Services Director



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Livermore
California

For its Annual Comprehensive Financial Report
For the Fiscal Year Ended

June 30, 2021

Christopher P. Morrill

Executive Director/CEO

City Hall
1052 South Livermore Avenue
Livermore, CA 94550
www.cityoflivermore.net
TDD: (925) 960-4104

Directory of City Officials
As of June 30, 2022

Elected Officials



Mayor
Bob Woerner



Vice Mayor
Regina Bonanno



Council Member
Trish Munro



Council Member
Robert W Carling



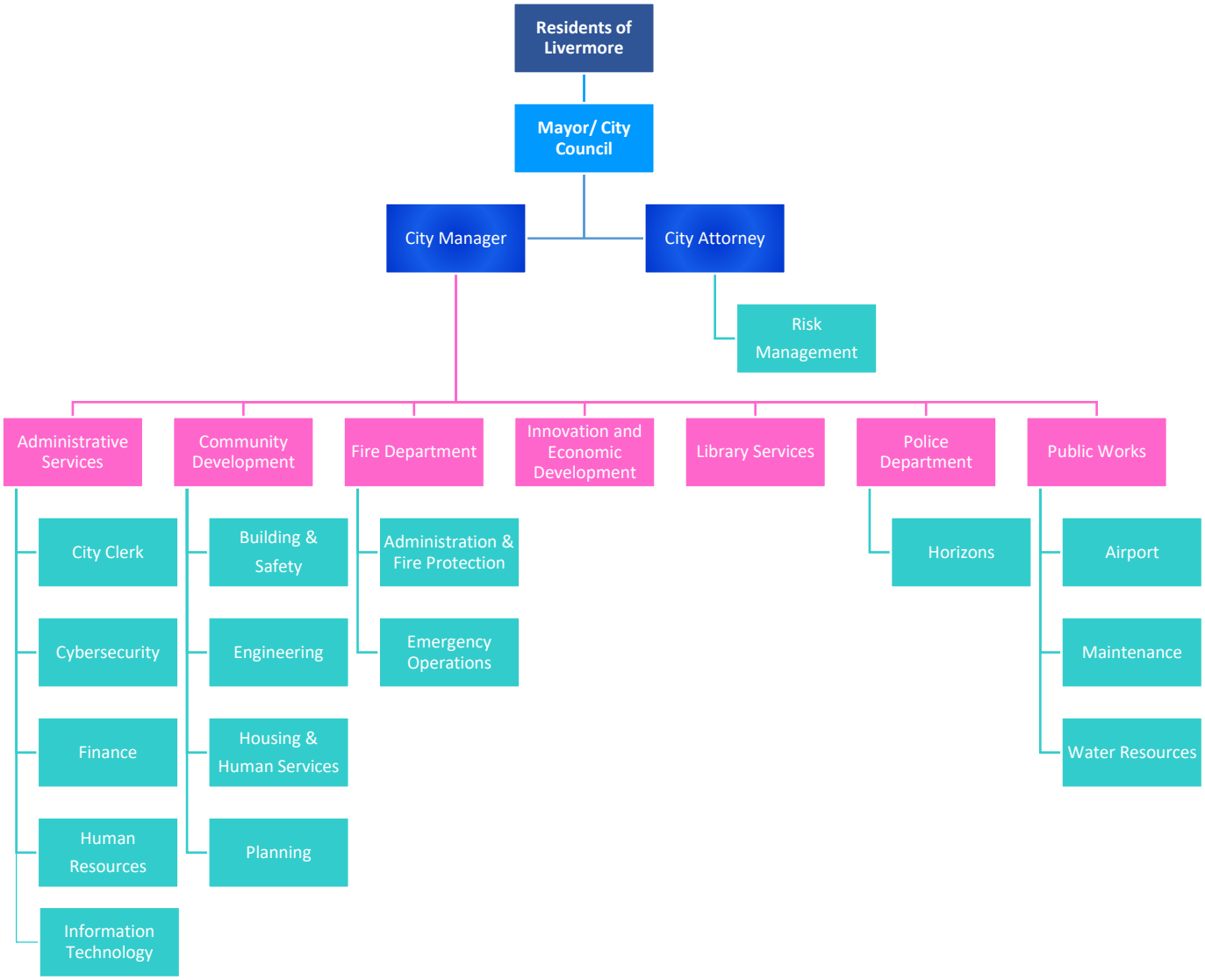
Council Member
Brittni Kiick

Executive Team

Marianna Marysheva City Manager	Jason Alcala City Attorney

Director of Administrative Services	Tina Olson
Director of Community Development	Paul Spence
Director of Innovation & Economic Development	Brandon Cardwell
Director of Library Services	Anwan Baker
Director of Public Works	Scott Lanphier
Interim Fire Chief	Joe Testa
Police Chief	Jeramy Young

Organization Chart
As of June 30, 2022



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Financial Section
June 30, 2022

City of Livermore

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CPAs & BUSINESS ADVISORS

Independent Auditor's Report

To Honorable Mayor and Members
of the City Council of the City of Livermore
Livermore, California

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business- type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2022, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States *(Government Auditing Standards)*. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Adoption of a New Accounting Standard

As discussed in Note 1 to the financial statements, the City has adopted the provisions of Government Accounting Standards Board (GASB) Statement No. 87, *Leases*, for the year ended June 30, 2022. Accordingly, a restatement has been made to the General fund balance and the Airport fund and Water fund net position as of July 1, 2021, to restate the beginning fund balance and net position. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual, Schedule of Changes in the Net Pension Liability and Related Ratios, Schedule of the Plan's Proportionate Share of the Net Pension Liability and Related Ratios, Schedule of Pension Contributions, Schedule of Changes in the City's Net OPEB Liability and Related Ratios, and Schedule of OPEB Contributions be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual fund financial statements and schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual fund financial statements and schedules are the responsibility of management and were derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund financial statements and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 31, 2023 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control overfinancial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City's internal control over financial reporting and compliance.

Eide Bailly LLP

Menlo Park, California
January 31, 2023

Management's Discussion and Analysis

The purpose of the Management's Discussion and Analysis is to offer to the reader of the City's financial statements a narrative overview and analysis of the financial activities of the City of Livermore for the fiscal year ended June 30, 2022. The reader is encouraged to consider the information presented here in conjunction with the additional information furnished in the letter of transmittal, which can be found on pages i-xi of this report.

Financial Highlights

- The assets and deferred outflows of resources of the City of Livermore exceeded its liabilities and deferred inflows of resources at the close of the fiscal year 2022 by $654.8 million (net position). Of this amount, $46.6 million represents unrestricted net position, which may be used to meet the City's ongoing obligations to citizens and creditors.

- The City's net position increased 2.2 percent (or $13.8 million) for the current fiscal year to $654.8 million from a net position balance of $641.0 million in the prior fiscal year of which $10.6 million was generated by governmental activities and approximately $3.2 million was generated by business-type activities.

- The City's Net Pension liability decreased $57.5 million from $141.0 million in the prior year to $83.5 million in the current fiscal year, largely due to net investment income exceeding projections in fiscal year 2021. CalPERS reports have a measurement date one year behind the financials, and the City is expecting the Net Pension liability to increase in next year's financials due to investment losses in fiscal year 2022.

- The City's Net OPEB liability increased $8 million from $34.9 million in the prior year to $42.9 million in the current fiscal year, largely due to net investment losses of $5.7 million in fiscal year 2022.

- The City had a total unrealized loss on investments for the year of $15.2 million for fiscal year 2022. This is coming from the City's portfolio having a market value gain of $2.1 million in fiscal year 2021, and a loss of $13.1 million in fiscal year 2022. The quick decline is due to the federal rate hikes to combat inflation. The City should see this number narrow in future years as maturing investments are reinvested at higher rates.

- At the close of the current fiscal year, the City's governmental funds reported combined fund balances of $179.0 million, a decrease of $17.0 million from the prior fiscal year's fund balance of $196.0 million due to capital project expenditures. Approximately 1.0 percent of this amount ($1.8 million) is available for spending at the government's discretion (unassigned fund balance).

- At the end of the current fiscal year, unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) for the General Fund was $62.9 million, or approximately 46.1 percent of total general fund expenditures, and transfers out.

Overview of the Financial Statements

This discussion and analysis are intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements are comprised of three components: government-wide financial statements, fund financial statements, and notes to the basic financial statements. This report also contains supplementary information in addition to the basic financial statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide the reader with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all the City's assets, deferred outflows, liabilities, and deferred inflows with the difference reported as Net Position. Over time, increases or decreases in Net Position may serve as a useful indicator of whether the financial position of the City is improving or declining.

The *Statement of Activities* presents information showing how the City's Net Position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods. This is known as the full accrual basis of accounting.

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or most of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include the following functions: General Government (city council, city manager, city attorney, city clerk, finance, human resources), fire, police, public services, community development, economic development, and library. The business-type activities of the City include airport, water, sewer, and stormwater.

The government-wide financial statements include not only the City itself (known as the primary government) but also the activities of its legally separate component unit, the Livermore Capital Projects Financing Authority (LCPFA). Since the City Council acts as the governing board for LCPFA and because this component unit functions as part of the City government, its activities are blended with those of the primary government. The government-wide financial statements can be found on pages 23-24 of this report.

Fund Financial Statements

A *fund* is a grouping of related accounts that is used to maintain control over resources that have been designated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All the funds of the City can be divided into three categories: governmental funds, proprietary funds and fiduciary funds.

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. This information may be useful in evaluating the City's near-term financial requirements. The basis of accounting in governmental funds is known as the modified accrual basis.

The focus of fund financial statements is narrower than that of government-wide financial statements. It is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, the reader may better understand the long-term impact of the City's near-term financing decisions.

Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate the comparison between governmental funds and governmental activities. This is required because the government-wide statements are prepared on the full accrual basis of accounting while the fund statements are prepared on the modified accrual basis of accounting.

The governmental fund financial statements provide separate information for all major funds, while non-major funds are combined in a single column. In the FY 2021-22, the City identified two major governmental funds, which are the General Fund, and the Low-Income Housing Fund.

Proprietary Funds

The City maintains two different types of proprietary funds. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City uses enterprise funds to account for its airport, water, sewer, and stormwater activities. *Internal service funds* are used to accumulate and allocate costs internally among the City's various functions. The City uses internal service funds to account for the management of its retained risk for general liability and workers' compensation, and for its fleet and equipment services, information technology, cybersecurity, and facilities rehabilitation.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for all four of the City's enterprise funds. These funds are Airport, Water, Sewer, and Stormwater. All of the City's internal service funds are combined into a single, aggregated presentation in the propriety fund financial statements. Individual fund data for the internal service funds is provided in the *Supplemental Information* section of this report.

Fiduciary Statements

Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds activities are excluded from the City's government-wide financial statements because the City cannot use these assets to finance its own operations.

The City maintains two different types of fiduciary funds. The Private-Purpose Trust Fund is used to account for the assets and liabilities held in trust for the Successor Agency to the former Redevelopment Agency; and Custodial Funds are used to account for monies collected and disbursed in a custodial capacity for the Livermore Pleasanton Fire District JPA and other agencies. The fiduciary fund financial statements can be found on pages 35-36.

Notes to the Basic Financial Statements

The notes to the basic financial statements provide important additional information that is essential to a full understanding of the data reported in the government-wide and fund financial statements. The notes to the basic financial Statements are found on pages 37-90.

Other Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information related to the City's changes in net pension liability, employer's contribution to the pension plans, the Schedule of Changes in the City's OPEB Liability, the Schedule of Contributions for other post-employment benefits, and the budgetary comparison schedules for major governmental funds. Required supplementary information can be found on pages 91-100.

Individual fund data for non-major governmental funds, internal services funds, and fiduciary funds are presented immediately following the required supplementary information beginning on pages 101-130 of this report.

Government-wide Financial Analysis

As noted earlier, the City's net position may serve over time as a useful indicator of whether the City's financial position is improving or deteriorating. Other factors, such as market conditions, should be considered when measuring the City's overall financial position. This analysis focuses on the net position and changes in net position of the City as a whole. As shown in the chart below, total government-wide assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by $654.8 million, at the close of the most recent fiscal year.

Long-term liabilities, which consists mostly of claims, debt, compensated absences, pension, and postemployment benefit obligations, decreased by $61.5 million from the previous year for governmental and business-type activities combined. The City's debt decreased by $5.1 million primarily due to the scheduled principal payments, as discussed later under Debt Administration section. The claims liability increased $2.2 million due to increases in actuarially determined claims liability. The decrease in the City's total pension liability of $57.5 million was partially offset by an increase of $8.0 million in net OPEB liability.

City of Livermore Net Position (in Millions)

	Governmental actitivies		Business-type activities		Total	
	2022	2021	2022	2021	2022	2021
Assets:						
Current and other assets	$ 218.9	$ 229.1	$ 165.5	$ 141.4	$ 384.4	$ 370.5
Capital assets	383.9	375.2	147.8	152.5	531.7	527.7
Total assets	**602.8**	**604.3**	**313.3**	**293.9**	**916.1**	**898.2**
Total Deferred outflows of resources	**25.6**	**25.2**	**3.1**	**3.5**	**28.7**	**28.7**
Liabilities:						
Long-term liabilities outstanding	167.2	220.6	25.1	33.3	192.3	253.9
Other liabilities	25.5	17.0	11.1	4.4	36.6	21.4
Total liabilities	**192.7**	**237.6**	**36.2**	**37.7**	**228.9**	**275.3**
Total Deferred inflows of resources	**42.5**	**9.3**	**18.6**	**1.3**	**61.1**	**10.6**
Net position:						
Net investment in capital assets	329.9	316.6	140.4	144.5	470.3	461.1
Restricted	137.9	145.9	-	-	137.9	145.9
Unrestricted	(74.6)	(79.9)	121.2	113.9	46.6	34.0
Total net position	**$ 393.2**	**$ 382.6**	**$ 261.6**	**$ 258.4**	**$ 654.8**	**$ 641.0**

By far, the largest portion of the City's net position ($470.3 million or 71.8 percent) reflects its investment in capital assets (e.g., land, buildings, machinery, equipment, vehicles, and infrastructure), less any related outstanding debt that was used to acquire those assets. The City uses these capital assets to provide a variety of services to its citizens. Accordingly, these assets are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources used to repay this debt must be provided from other sources, since the City is unlikely to use the capital assets themselves to liquidate these liabilities.

An additional portion of the City's net position ($137.9 million or 21.1 percent) represents resources that may be used only for specified capital projects, special revenue programs, or landscape and maintenance. The restrictions on these funds were placed there by outside agencies and are not subject to change by the City.

At the end of the current fiscal year, except for unrestricted net position, the City is able to report positive balances in all reported categories of net position, both for the government as a whole, as well as for its separate business-type activities. The unrestricted category for governmental activities had a deficit balance of $74.6 million as of the end of the current fiscal year. The deficit is caused primarily by the approximately $90.2 million for the unfunded pension liabilities and $34.7 million in postemployment liabilities including the related deferred inflows and outflows of resources. The unfunded net pension liabilities and net OPEB liabilities will be funded annually in accordance with actuarially determined contribution rates. The positive component of the governmental unrestricted net position, excluding the effects of pension and OPEB liabilities, is $50.3 million and may be used to meet the City's ongoing obligations to citizens and creditors.

Overall, the City's net position increased by $13.8 million to $654.8 million in the current fiscal year from $641.0 million for the prior fiscal year. The reasons for this overall increase are discussed in the following sections for governmental activities and business-type activities.

Changes in Net Position (in Millions)	Governmental Activities		Business-Type Activities		Total	
	2022	2021	2022	2021	2022	2021
Revenues						
Program revenues:						
Charges for services	$ 16.2	$ 13.3	$ 50.6	$ 48.1	$ 66.8	$ 61.4
Operating contributions and grants	17.8	19.8	0.5	0.4	18.3	20.2
Capital grants and contributions	4.9	9.5	1.7	3.0	6.6	12.5
Total program revenues	38.9	42.6	52.8	51.5	91.7	94.1
General revenues:						
Property taxes	40.8	38.9	-	-	40.8	38.9
Sales taxes	39.9	35.4	-	-	39.9	35.4
Other taxes	18.4	16.2	-	-	18.4	16.2
Intergovernmental	10.0	9.4	-	-	10.0	9.4
Investment income	(7.7)	1.6	(3.0)	0.4	(10.7)	2.0
Miscellaneous	8.0	6.4	-	-	8.0	6.4
Total general revenues	109.4	107.9	(3.0)	0.4	106.4	108.3
Total Revenues	148.3	150.5	49.8	51.9	198.1	202.4
Expenses						
General Government	14.3	15.6	-	-	14.3	15.6
Fire	21.1	24.4	-	-	21.1	24.4
Police	39.0	40.4	-	-	39.0	40.4
Public Works	23.8	21.7	-	-	23.8	21.7
Community Development	26.6	24.8	-	-	26.6	24.8
Economic Development	2.6	4.4	-	-	2.6	4.4
Library	6.3	6.3	-	-	6.3	6.3
Interest on long term debt	1.1	1.2	-	-	1.1	1.2
Airport	-	-	3.5	4.0	3.5	4.0
Water	-	-	17.1	18.8	17.1	18.8
Sewer	-	-	23.8	24.0	23.8	24.0
Stormwater	-	-	5.1	5.3	5.1	5.3
Total expenses	134.8	138.8	49.5	52.1	184.3	190.9
Increase (Decrease) in Net Position before transfers	13.5	11.7	0.3	(0.2)	13.8	11.5
Transfers, net	(2.9)	(1.7)	2.9	1.7	-	-
Changes in net position	**10.6**	**10.0**	**3.2**	**1.5**	**13.8**	**11.5**
Net position - Beginning	382.6	372.6	258.4	256.9	641.0	629.5
Net position - Ending	$ 393.2	$ 382.6	$ 261.6	$ 258.4	$ 654.8	$ 641.0

Governmental Activities

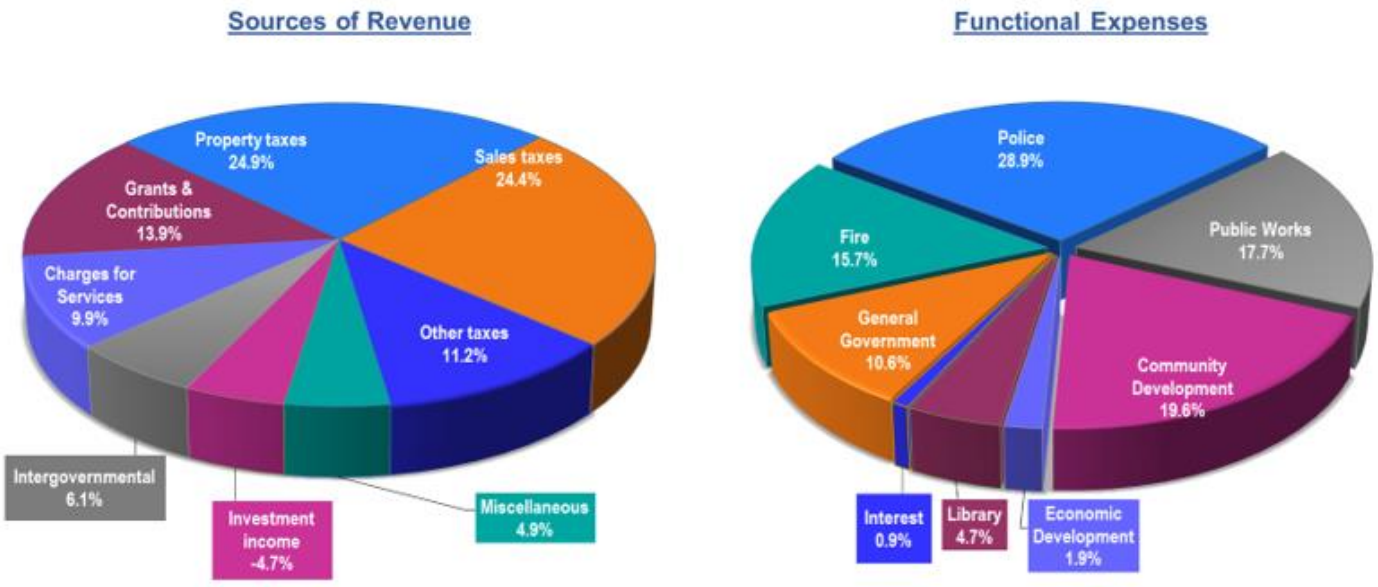
The *Statement of Activities* presents program revenues and expenses, and general revenues in detail. The City's governmental Net Position was $393.2 million on June 30, 2022, an increase of $10.6 million over the 2021 balance of $382.6 million.

Total revenues of governmental activities were $148.3 million. The largest component of total revenue is taxes at $99.1 million, making up 66.9 percent of total revenues. As shown in table on the previous page, $38.9 million, or 26.2 percent, of the City's Governmental revenue in the current year came from program revenues out of which charges for services accounted for 10.9 percent of total governmental revenues while Operating and Capital Grants made up 15.3 percent of the total governmental revenues.

Program revenues for governmental activities decreased by $3.7 million during the year due to a reduction of $6.6 million for total grants and contributions, offset by a $2.9 million increase in charges for services. General revenues experienced an increase of $1.5 million in the current year primarily due to an increase of $8.6 million in taxes, $1.6 million in miscellaneous, offset by a decrease of $9.3 million in investment income. You can find additional details under the Fund Financial Statements Analysis.

The sources of the revenues shown previously are portrayed in the chart below by percentage for the Governmental Activities. The City's reliance upon tax revenues is evident from the sources of revenue chart, indicating that more than half of the City's total governmental activities revenue comes from general tax revenues. This is consistent with the nature and purpose of governmental funds, particularly in the General Fund, where programs are largely supported by general taxes.

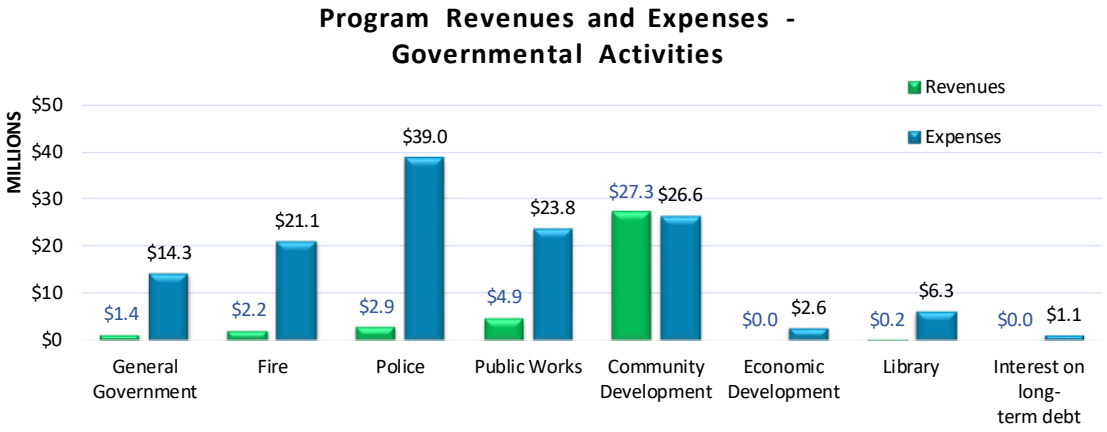
Citywide Governmental Activities



Total expenses were $134.8 million in the current fiscal year, a decrease of $4.0 million from the prior year. The largest decrease was in public safety for Police and Fire of $3.7 million, while the largest increases were in Public Works and Community Development of $2.1 and $1.8 million, respectively.

The Functional Expenses chart above shows Police and Fire accounted for 44.6 percent of total governmental expenses while Community Development accounted for 19.6 percent, Public Works 17.7 percent and other governmental programs 18.1 percent.

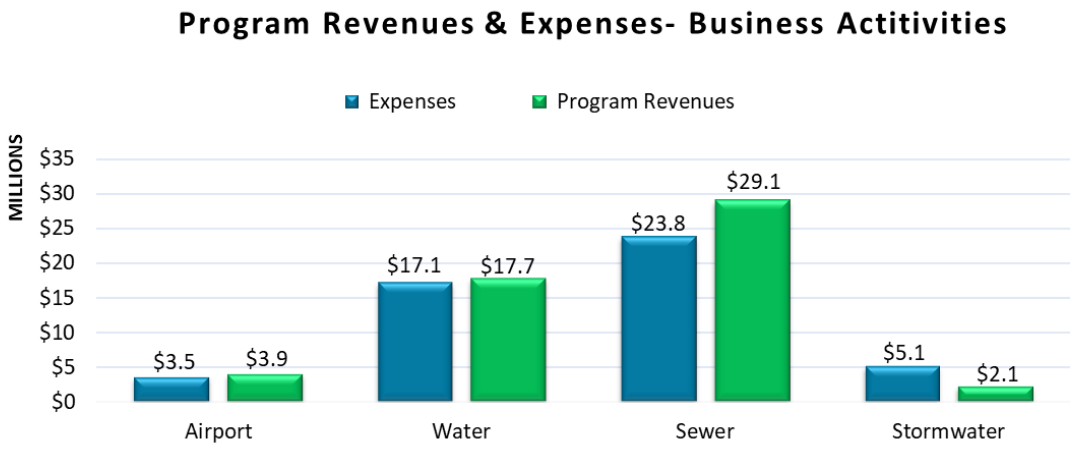
As shown in the graph below, during the current fiscal year, the cost of all activities except for Community Development exceeded the revenue generated by those programs. This is to be expected as other general sources of revenues such as property taxes, sales taxes, other taxes, and investment income are used to subsidize the gap between program expenditures and program revenues.



Business-type Activities

For the City's business-type activities, the results for the current fiscal year were positive in that the overall net position increased to reach an ending balance of $261.6 million. The total increase in net position for business-type activities was $3.2 million or 1.2 percent from the prior fiscal year. Overall business type program revenues increased by $1.3 million from the prior year level of $51.5 million to $52.8 million in the current fiscal year. The increase was mostly due to an increase of $2.5 million in charges for services partially offset by a decrease of $1.2 million in grants and contributions.

Program expenses decreased by $2.6 million to a total of $49.5 million in the current year. The reason for decrease is related to reduced pension expense in the fiscal year coming from higher than expected investment earnings for CalPERS in FY 21.



Analysis of the Fund Statements

The table below summarizes the activities and balances of governmental funds. As of June 30, 2022, the City's governmental funds reported combined fund balances of $179.0 million, a decrease of $17.0 million from the prior year ending fund balance of $196.0 million. Approximately 1.2 percent of this amount ($1.8 million) is available for spending at the government's discretion (unassigned fund balance). See Note 9 for detailed classifications of the City's governmental fund balances.

During the current fiscal year, the City experienced an overall decrease of $2.1 million in revenues for the governmental funds primarily due to the rise in the property tax and sales tax offset by the decline in interest income revenues.

Financial Highlights at Fund Level at June 30 (in Millions)

Governmental Funds	2022	2021
Total assets	$ 229.6	$ 245.5
Total liabilities	19.6	19.8
Total deferred inflows	31.0	29.7
Total fund balances	179.0	196.0
Total revenues	147.7	149.8
Total expenditures	162.9	134.7
Total other financing sources (uses)	(1.8)	(1.8)

The following are contributing factors affecting the revenues this fiscal year:

- Property tax revenues grew $2.4 million in the current fiscal year primarily from assessed valuation growth.
- Overall sales tax revenues increased approximately $4.5 million compared to the prior fiscal year as businesses started to recover from the COVID-19 pandemic, and the City received the sales tax payments from small businesses that were deferred due to the COVID-19 pandemic.
- Charges for services increased by $1.2 million mainly due to an increase of $1.0 million in Low Income Housing Fees.

In fiscal year 2021-22 expenditures for governmental funds totaled $162.9 million, an increase of $28.2 million (or 20.9%) from the fiscal year 2020-21 total of $134.7 million. Over half of this increase was due to an increase of $12.0 million in capital projects and $3.5 million in debt service. There was no debt service principal payment due in fiscal year 2021. The rest of the increases were due to restoring service levels to pre-pandemic levels with Community Development leading the way with an increase of $5.1 million followed by public safety Police and Fire with an increase of $3.5 million.

Analyses of Major Governmental Funds

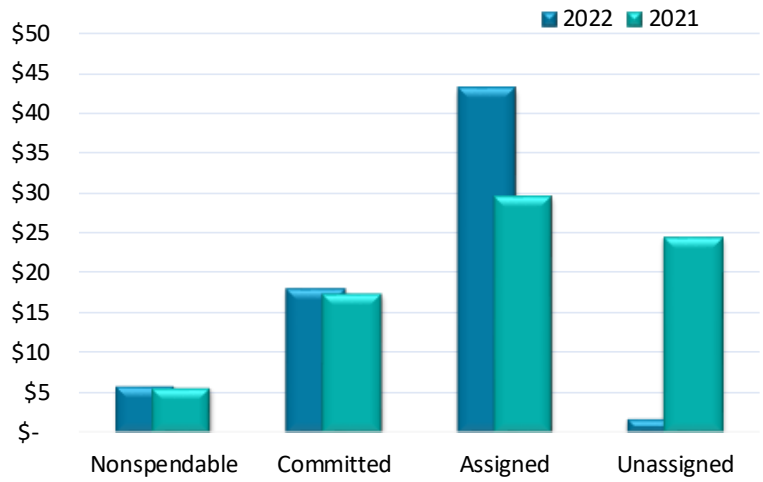
General Fund

The General Fund is the chief operating fund of the City of Livermore. At the end of the current fiscal year, the total fund balance of the General Fund was $68.8 million, out of which $1.8 million was unassigned.

As a measure of the General Fund liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total General Fund expenditures and transfers-out. The unassigned fund balance of $1.8 million represents approximately 1.3 percent of total General Fund expenditures and transfers out, while the total fund balance of $68.8 million represents approximately 50.5 percent of the same amount.

The non-spendable fund balance of $5.8 million represents balances set aside for specific items and therefore, are unavailable. The Committed Fund Balance of $18.1 million represents Financial Stabilization Operating Reserve which can only be used in a catastrophic event, major emergency, or in periods of severe fiscal crisis. The Assigned General Fund Balance of $43.0 million represents the Economic Uncertainty Reserve, CIP, and Infrastructure Replacement reserve. The Economic Uncertainty Reserve will be used during times of protracted recessionary periods. The shift in Unassigned Reserves in fiscal year 2020-21 to Assigned Reserves in fiscal year 2021-22 comes from Council's approval of Assigning the budgetary surplus to the Infrastructure Reserve in fiscal year 2021-22. See Note 10 for further information.

Fund Balance Categories- General Fund



Local taxes, including property tax, sales taxes, transient occupancy tax, and business license taxes are the primary revenue source for the General Fund, constituting 78.0 percent of revenues in the fiscal year 2021-22. These revenue sources are highly susceptible to economic fluctuations.

The General Fund revenues were $127.0 million in the fiscal year 2021-22, a $2.4 million increase from the prior fiscal year amount of $124.6 million. As discussed in detail under "The City's Fund Financial Statements", increase mainly came from property tax, sales tax, and intergovernmental revenue categories while use of money and property and charges for services decreased from the prior year. The increase in intergovernmental revenues is largely associated with the American Rescue Plan Act (ARPA) funding of $5.5 million recognized as revenue in current fiscal year, up from $4.2 million in the previous year. The City has now recognized all ARPA revenues received from the Treasury. We will likely see a decline in this category next year.

General Fund Statement of Revenues, Expenditures And Changes In Fund Balances (in Millions)	2022	2021
REVENUES		
Property taxes and special assessments	$40.8	$38.9
Sales Taxes	39.9	35.4
Other taxes	18.4	16.2
Licenses and permits	4.2	2.6
Intergovernmental	16.8	15.3
Contributions from outside sources	0.0	3.0
Fines and forfeitures	0.4	0.4
Charges for current services	7.3	8.0
Use of money and property	-2.6	4.4
Miscellaneous	1.7	0.4
Total Revenues	127.0	124.6
EXPENDITURES		
Current:		
General Government:	15.8	13.8
Fire	24.3	22.8
Police	40.2	38.1
Public Works	11.1	7.9
Community Development	19.0	17.8
Economic Development	2.8	4.4
Library	6.3	5.5
Capital Outlay:		
Capital Outlay	10.4	3.5
Debt service:		
Principal	0.0	0.0
Interest and fiscal charges	0.0	0.0
Total Expenditures	129.8	113.7
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	-2.8	10.9
OTHER FINANCING SOURCES (USES)		
Transfers in	0.8	0.5
Transfers (out)	-6.4	-4.2
Total Other Financing Sources (Uses)	-5.6	-3.7
NET CHANGE IN FUND BALANCES	-8.4	7.2
FUND BALANCES- BEGINNING	77.2	70.0
FUND BALANCES- ENDING	$68.8	$77.2

The table on the following page shows the original budget, final amended budget, and the actual results for the current fiscal year. The original budget was amended to reflect the change in economic expectations between the adoption of the original and final budget. The variances computed are between the final budget and actual results.

General Fund sales tax revenues were $2.3 million higher than the budgeted amounts. This was primarily due to businesses continuing to recover from the pandemic and receipts of deferred tax amounts from the prior year sales which helped businesses to mitigate cash flow issues arising from the pandemic. Contributions from outside sources was $1.5 million under budget due to delays in the Vineyard 2.0 project. Use of money and property was $6.7 million under budget and this was due to the yearly unrealized market value adjustment of nearly $7.8 million that is not budgeted. Miscellaneous Revenue saw an increase of $1.1 million mostly due to the recognition of liquidated damages from a legal settlement with the newly constructed meeting hall.

From an expenditure perspective, total expenditures and transfers out came under budget. Expenditures for most departments were under budget for the fiscal year primarily due to vacant positions. The General Government, Community Development and capital outlay out accounted for $4.0 million under budget. The other departments variances totaled $0.8 million under budget, with Fire being the only department over budget by $0.2 million for additional equipment that was purchased during the year.

General Fund Budgetary and Actual Variance Analysis (in Millions)

	Original Budget	Final Budget	Actual	Variance Final Budget to Actual Positive/ (Negative)	Variance Final Budget to Actual (%)
Revenues and transfers in:					
Property taxes	$41.4	$40.5	$40.8	$0.3	0.7%
Sales taxes	34.1	37.6	39.9	2.4	6.28%
Other taxes	15.3	19.1	18.4	-0.7	-3.56%
Licenses and permits	2.6	3.3	4.2	0.9	27.80%
Intergovernmental	16.3	17.0	16.8	-0.2	-1.14%
Contritbutions from outside sources	0.0	1.5	0.0	-1.5	-100.00%
Fines and forfeitures	0.4	0.3	0.4	0.1	28.70%
Charges for current services	8.1	8.7	7.3	-1.3	-15.46%
Use of money and property	3.8	4.1	-2.6	-6.7	-163.25%
Miscellaneous	0.5	0.6	1.7	1.1	185.97%
Total revenues	122.4	132.6	127.0	-5.6	-4.3%
Transfers in	4.3	0.7	0.8	0.1	12.03%
Total revenues and transfers in	$126.7	$133.4	$127.8	-$5.6	-4.17%
Expenditures and transfers out:					
General Government:	$15.4	$16.8	$15.8	$1.0	6.0%
Fire	23.8	24.0	24.3	-0.2	-1.0%
Police	41.6	40.7	40.2	0.5	1.3%
Public Works	9.1	11.3	11.1	0.3	2.4%
Community Development	17.7	20.2	19.0	1.2	5.9%
Economic Development	3.1	2.9	2.8	0.1	4.3%
Library	6.3	6.5	6.3	0.2	2.6%
Capital projects	13.4	12.2	10.4	1.8	14.6%
Total expenditures	130.4	134.6	129.8	4.8	3.6%
Transfers out	6.8	6.3	6.4	-0.1	-1.2%
Total expenditures and transfers out	$137.2	$140.9	$136.2	$4.7	3.37%

Low Income Housing Fund
This fund is established to account for the receipt and disbursement of in-lieu low-income housing impact fees collected from developers and used to finance affordable housing developed offsite. In the current year revenues and expenditures increased by $0.4 million and $4.0 million, respectively, over the prior year. Use of money and property revenues were down by $0.3 million in the current fiscal year; the variance is mainly due to lower market yields. The increase in expenditures is cyclical in nature; in the prior year, lower level of new housing development loans was issued which was not the case in the current year.

Analysis of Major Enterprise Funds

Airport Fund
The Livermore Municipal Airport is a General Aviation Reliever Airport, which serves private, business and corporate tenants and customers. Airport revenues are primarily comprised of short and medium-term hangar and tie-down space rents as well as Fixed Base Operator (FBO) and approved non-aeronautical ground rents. The Airport leases 393 hangar units and has approximately 150 aircraft tie-down spaces. Approximately 470 aircraft are currently based at the Airport and all hangar units are occupied.

Capital grants revenue decreased by $280K from the prior fiscal year. This revenue decrease was largely offset by a decrease of $205K in contracted services expense. The grant revenue stemmed from FAA grants for airfield geometry improvement design and pavement management programs that were both completed in fiscal year 2020-21. The large fiscal year 2020-21 contracted service expenses included engineering expenditures related to the two grant programs plus roof recoating and pipe repair.

Water Fund
The Water Enterprise purchases potable water from water wholesaler Zone 7 Water Agency, and then distributes the water to customers in the Livermore Municipal Water service area. The City's municipal water service area has a combined residential and commercial customer base of approximately 10,600 water accounts. Each water bill consists of a flat rate City meter service charge based on the size of meter that is located at the property (fixed charge), a City consumption charge for water used at the property (variable charge), and pass-through of wholesale water charges. Effective January 1, 2017, the wholesale rate structure was changed by Zone 7 to include fixed and volume-based rates.

Water revenues were flat at $17.6 million for both fiscal years as rate increases were offset by decreased consumption due to stage 1 drought restrictions. Operating expenses were $1.5 million lower compared to the prior year, primarily due to decreased pension expense of $1.6 million that reflects high CalPERS investment returns from fiscal year 2020-21. Nonoperating revenue (expenses) dropped by $1.1 million due to year end market value adjustment of the City's investments. Connection fees revenue stayed depressed which was likely due to a continued slowdown in construction activity.

Sewer Fund
The Sewer Enterprise is responsible for the operation, maintenance, and periodic replacement of the City's sewer, collection system, wastewater treatment and recycled water production systems. It operates and maintains the Livermore Water Reclamation Plant, which provides wastewater treatment and disposal, and produces recycled water for landscape irrigation and other uses. The Plant currently treats approximately 5.3 million gallons of wastewater each day from throughout the Livermore area.

The Sewer Fund's net operating income was $3.8 million in the current fiscal year compared to $1.9 million in fiscal year 2020-21. Operating revenues were $2.1 million higher in the current year, primarily due to an increase in sewer rates. In addition, the fiscal year 2020-21 rate increases were postponed by six months because of the pandemic. Revenue is expected to continue to rise as the City Council approved rate increases in each of the next three fiscal years. Operating expenses of $23.9 million experienced a slight increase from $23.6 million in the prior year.

Nonoperating revenues (expenses) declined by $2 million due to year-end market value adjustment of the City's investments. Sewer connection fees revenue experienced a significant drop of $1.3 million while contribution revenue for conveyed properties increased by $0.9 million compared to the prior year. Connection fee swings reflect the timing of issuance of permits and completion of residential and commercial development projects. Conveyed properties revenue increased due to Pleasant View Lane annexation improvements.

Stormwater Fund

The Stormwater Enterprise is responsible for costs associated with the implementation of the City's stormwater management and discharge control program along with the operation and periodic replacement of the stormwater conveyance system. Operating revenues of $1.1 million remained flat while capital grants revenue rose by $0.8 million. The capital grants revenue reflected additional FEMA funding for the 2017 Storm Damage project.

Operational expenses of $5.1 million was comparable to those in the previous fiscal year. Cost of sales, salaries, and benefits decreased by $0.6 million which was partially offset by an increase of $0.3 million in contracted services Personnel related expenses in the current fiscal year were lower primarily due to decreased pension expense that reflects high CalPERS investment returns from fiscal year 2020-21. In contracted services, the storm maintenance program expenses ramped up.

Capital Assets

GASB 34 requires the City to record all its capital assets including infrastructure. Infrastructure includes roads, bridges, signals, and similar assets used by the entire population. The City depreciates all its capital assets over their estimated useful lives, as required by GASB 34. The purpose of depreciation is to spread the cost of a capital asset over the years of its useful life so that an allocable portion of the cost of the asset is borne by all users.

The City's investment in capital assets for its governmental and business-type activities as of June 30, 2022, amounts to $531.7 million (net of accumulated depreciation). This investment in capital assets includes land, buildings, machinery, equipment, vehicles, roads, highways, and the water reclamation plant. At the end of fiscal years 2021-22 and 2020-21, the cost of capital assets recorded on the City's financial statements was as shown in the table as following:

Capital Assets at Year-end (in Millions)

	Governmental actitivies		Business-type activities		Total	
	2022	2021	2022	2021	2022	2021
Land and Land Improvements	$ 43.8	$ 39.0	$ 14.0	$ 14.0	$ 57.8	$ 53.0
Intangible Assets	4.5	4.5	-	-	4.5	4.5
Construction in progress	73.4	97.2	8.1	36.1	81.5	133.3
Buildings	123.7	118.1	22.7	22.7	146.4	140.8
Equipment and vehicles	36.6	41.2	9.9	4.6	46.5	45.8
Infrastructure	373.0	340.8	-	-	373.0	340.8
Airport Infrastructure	-	-	12.8	11.6	12.8	11.6
Water Infrastructure	-	-	59.9	50.9	59.9	50.9
Sewer Infrastructure	-	-	143.0	133.3	143.0	133.3
Stormwater Infrastructure	-	-	112.1	106.6	112.1	106.6
Less accumulated depreciation	(271.2)	(265.6)	(234.6)	(227.3)	(505.8)	(492.9)
Totals	**$ 383.8**	**$ 375.2**	**$ 147.9**	**$ 152.5**	**$ 531.7**	**$ 527.7**

The total capital assets for the current fiscal year increased approximately $4.0 million (or 0.8 percent) due to depreciation being less than new assets added. Major capital asset events during fiscal year 2021-22 included the following:

- Construction in progress for governmental activities decreased by $23.8 million due to completion of major projects including $19.3 million for El Charro Infrastructure and $3.9 million for Stockmen's Park.

- There was a similar decrease in construction in progress of $28.0 million in business-type activities due to completion of major projects including $8.5 million for Dalton Water Storage Tank replacement, $6.6 million for WRP Phase II Aeration Tank Modifications, $5.4 million for WRP Plant Process Improvements, and $4.0 million for 2017 Storm Damage Repairs.

Additional information on capital assets may be found in Note 7 on pages 56-58 of this report.

Debt Administration

Each of the City's debt issues is discussed in detail in Note 8 to the financial statements. As of June 30, 2022, and 2021, the City's debt comprised the following:

Outstanding Debt (in Millions)

	Governmental actitivies		Business-type activities		Total	
	2022	2021	2022	2021	2022	2021
Certificates of Participation	$ 47.0	$ 50.3	$ 7.2	$ 7.7	$ 54.2	$ 58.0
Notes payable	0.8	1.4	-	-	0.8	1.4
Capital Leases	6.1	6.9	0.2	0.3	6.3	7.2
Totals	**$ 53.9**	**$ 58.6**	**$ 7.4**	**$ 8.0**	**$ 61.3**	**$ 66.6**

The outstanding debt in the current fiscal year decreased by $4.7 million and $0.6 million for the governmental activities and business type activities respectively. This decrease is primarily due to the first principal payment and the amortization of the premium for the 2020 Certificates of Participation (COP), and scheduled principal payments for the notes payable and capital loan. Refer to note 8 for further information.

In June 2020, the S&P global rating services reaffirmed the City's bond ratings at AA despite the risk of recessionary impact of COVID-19 on the City's revenues. The credit reports highlighted the City's consistent positive financial performance, strong reserves, and unassigned fund balance, as well as strong management throughout economic cycles.

Economic Factors and Next Year's Budget

The economic factors affecting the City and its long-term financial plan are discussed in detail in the accompanying Transmittal Letter.

The total appropriation for fiscal year 2022-23 is $343.7 million for all City activities, including funding for fund balance reserves. The fiscal year 2022-23 budget continues to provide resources for the City's long-term obligations, including fleet and information technology replacement needs, capital improvements, and other post-employment benefits.

Property tax revenue in fiscal year 2022-23 is projected to be $43.0 million, an increase of 6%, or $2.6 million, compared to current year's budgeted revenue as property values are expected to continue to rise because of additional development and increased property value. Sales tax is projected to be $39.0 million, an increase of 4%, or $1.5 million, for the next fiscal year compared to the current year's budgeted revenue. The City will evaluate the local economic conditions as well as the City's portfolio of the sales tax producers, and revise the sales tax forecast in next budget cycle, as appropriate. Transient occupancy tax is expected to be $3.65 million, an increase of 22%, or $0.65 million, for the next fiscal year compared to the current year's budgeted revenue. Other revenues have also been projected slightly upwards to reflect anticipated increase in demand for services.

The General Fund budget for fiscal year 2022-23 provides $132.5 million in resources, and $139.3 million in uses, including $1.9 million for the Capital Improvement Plan (CIP). The Proposed Financial Plan Update shows a General Fund budget shortfall of $6.8 million in fiscal year 2022-23 that will require use of the accumulated fund balance. This shortfall reflects the additional resources needed for making technology improvements across the City, including using $2.0 million ERP reserve to assist in the funding of implementing the new Tyler ERP system. The City also has some capital infrastructure improvements related to the development of the City-owned catalyst sites in Downtown, as well as contribution to the Stormwater Enterprise Fund for unfunded mandates imposed by the State.

The General Fund's operating expenditures are projected to grow by $5.9 million to $127.0 million from fiscal year 2021-22 budgeted expenditures of $121.1 million with anticipated increases in employment-related costs, consulting services and other costs associated with the downtown development process, as well as the undertaking of other important projects such as the General Plan Update, Housing Plan Update, ERP implementation and asset management-related efforts.

The fund balance for the General Fund at the end of operations for FY 2022-23 is estimated at $69.8 million with $68.3 million in reserves and $1.5 million in spendable fund balance available for appropriations.

Requests for Information

The Annual Comprehensive Financial Report is intended to provide a general overview of the City's finances for readers of the financial statements. Questions concerning any of the information in this report or requests for additional financial information should be addressed to the *Administrative Services Director, 1052 South Livermore Avenue, Livermore, CA 94550-4899.*

Statement of Net Position and Activities

The Statement of Net Position and the Statement of Activities summarize the entire City's financial activities and financial position. They are prepared on the same basis as is used by most businesses, which means they include all the City's assets, deferred outflows, liabilities, and deferred inflows as well as all its revenues and expenses. This is known as the full accrual basis—the effect of all the City's transactions is considered, regardless of whether or when cash changes hands, but all material internal transactions between City funds have been eliminated.

The Statement of Net Position reports the City's total assets, liabilities, and deferred inflows of resources, deferred outflows of resources and includes all the City's capital assets and all its long-term obligations. The Statement of Net Position presents similar information in a way that focuses the reader on the composition of the City's Net Position, by subtracting total liabilities and deferred inflows of resources from total assets and deferred outflows of resources.

The Statement of Net Position summarizes the financial position of the entire City's Governmental Activities in a single column and the financial position of the entire City's Business-Type Activities in a single column. These columns are followed by a Total column that presents the financial position of the entire City.

The City's Governmental Activities include the activities of its General Fund, along with all its Special Revenue, Capital Projects, and Debt Service Funds. Since the City's Internal Service Funds service these Funds, their activities are consolidated with Governmental Activities, after eliminating inter-fund transactions and balances. The City's Business-Type Activities include all its Enterprise Fund activities and a portion of the Internal Services Funds.

The Statement of Activities reports increases and decreases in the City's Net Position. It is also prepared on the full accrual basis, which means it includes all the City's revenues and all its expenses, regardless of when cash changes hands. This differs from the "modified accrual" basis used in the governmental Fund financial statements, which reflect only current assets, current liabilities, measurable and available revenues, and expenditures.

The format of the Statement of Activities presents the City's expenses first, listed by program, and follows these with the expenses of its business-type activities. Program revenues—that is, revenues which are generated directly by these programs—are then deducted from program expenses to arrive at the net expense of each governmental and business-type program. The City's general revenues are then listed in the Governmental Activities or Business-type Activities column, as appropriate, and the Change in Net Position is computed and reconciled with the Statement of Net Position.

Both these Statements include the financial activities of the City as well as the Livermore Capital Projects Financing Authority, which is a legally separate but is a component unit of the City because it is controlled by the City, which is financially accountable for its activities.

These financial statements along with the fund financial statements and notes are called *Basic Financial Statements*.

City of Livermore
Statement of Net Position
June 30, 2022

STATEMENT OF NET POSITION JUNE 30, 2022	Governmental Activities	Business-Type Activities	Total
ASSETS			
Cash and investments in City Treasury (Note 3)	$ 201,402,814	$ 122,353,081	$ 323,755,895
Cash and investments with Trustees (Note 3)	576,451	-	576,451
Accounts receivables, net	12,794,334	8,006,120	20,800,454
Interest receivable	1,377,642	-	1,377,642
Lease receivables	635,131	12,914,975	13,550,106
Inventory	350,181	-	350,181
Internal balances (Note 4)	(175,128)	175,128	-
Prepaids, deposits and supplies	507,829	2,216,423	2,724,252
Notes receivable (Note 5)	30,891,264	-	30,891,264
Investment (Deficit) in JPA Equity (Note 14)	(40,821,173)	19,866,754	(20,954,419)
Land held for investment (Note 1)	11,321,586	-	11,321,586
Land, easements and construction in progress (Note 7)	121,830,012	22,104,174	143,934,186
Capital assets, net of accumulated depreciation (Note 7)	262,026,149	125,739,389	387,765,538
Total Assets	602,717,092	313,376,044	916,093,136
DEFERRED OUTFLOWS OF RESOURCES			
Related to pension (Notes 11)	22,679,474	2,662,580	25,342,054
Related to OPEB (Notes 12)	2,914,735	487,372	3,402,107
Total Deferred Outflows of Resources	25,594,209	3,149,952	28,744,161
LIABILITIES			
Accounts payable and other accruals	7,471,334	9,412,533	16,883,867
Accrued payroll	1,994,106	333,239	2,327,345
Interest payable	415,244	61,701	476,945
Deposit payable and unearned revenue	7,342,299	567,898	7,910,197
Non-current liabilities:			
Due within one year:			
Claims payable (Note 15)	2,691,000	-	2,691,000
Accrued compensated absences (Note 8)	1,266,330	224,942	1,491,272
Long-term debt (Note 8)	4,285,382	531,222	4,816,604
Due in more than one year:			
Claims payable (Note 14B)	6,164,131	-	6,164,131
Accrued compensated absences (Note 8)	2,760,475	407,898	3,168,373
Long-term debt (Note 8)	49,680,189	6,923,627	56,603,816
Net pension liability (Note 11)	71,766,120	11,727,383	83,493,503
Net OPEB liabilities (Note 12)	36,765,749	6,147,590	42,913,339
Total Liabilities	192,602,359	36,338,033	228,940,392
DEFERRED INFLOWS OF RESOURCES			
Related to pension (Notes 11)	41,090,503	5,791,401	46,881,904
Related to OPEB (Notes 12)	815,632	136,382	952,014
Related to leases (Notes 6)	616,165	12,666,252	13,282,417
Total Deferred Inflows of Resources	42,522,300	18,594,035	61,116,335
NET POSITION (Note 10)			
Net investment in capital assets	329,890,590	140,388,714	470,279,304
Restricted:			
Capital improvement programs	38,973,124	-	38,973,124
Landscape and Maintenance	15,342,775	-	15,342,775
Affordable Housing	46,818,598	-	46,818,598
Park fee	3,755,527	-	3,755,527
Art programs	3,322,111	-	3,322,111
Grant programs	6,290,611	-	6,290,611
Gas tax and other transportation programs	19,835,345	-	19,835,345
Community services	3,018,063	-	3,018,063
Nonexpendable endowment fund	577,287	-	577,287
Unrestricted	(74,637,389)	121,205,214	46,567,825
Total Net Position	$ 393,186,642	$ 261,593,928	$ 654,780,570

See Notes to Financial Statements

STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2022

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Position: Governmental Activities	Net (Expense) Revenue and Changes in Net Position: Business-type Activities	Total
Governmental Activities:							
General Government	$ 14,261,204	$ 682,277	$ 716,749	$ -	$ (12,862,178)	$ -	$ (12,862,178)
Fire	21,113,001	2,202,529	-	-	(18,910,472)	-	(18,910,472)
Police	38,985,776	1,848,328	929,952	120,677	(36,086,819)	-	(36,086,819)
Public Works	23,798,519	240,778	4,684,959	-	(18,872,782)	-	(18,872,782)
Community Development	26,558,158	11,234,653	11,258,858	4,827,311	762,664	-	762,664
Economic Development	2,596,471	-	-	-	(2,596,471)	-	(2,596,471)
Library	6,302,537	5,257	160,416	-	(6,136,864)	-	(6,136,864)
Interest on long term debt	1,127,846	-	-	-	(1,127,846)	-	(1,127,846)
Total Governmental Activities	134,743,512	16,213,822	17,750,934	4,947,988	(95,830,768)	-	(95,830,768)
Business-type Activities:							
Airport	3,498,840	3,426,583	465,065	-	-	392,808	392,808
Water	17,126,698	17,640,764	47,097	4,839	-	566,002	566,002
Sewer	23,822,392	28,379,195	-	689,915	-	5,246,718	5,246,718
Stormwater	5,075,457	1,145,489	-	985,236	-	(2,944,732)	(2,944,732)
Total Business-type Activities	49,523,387	50,592,031	512,162	1,679,990	-	3,260,796	3,260,796
Total primary government	$ 184,266,899	$ 66,805,853	$ 18,263,096	$ 6,627,978	(95,830,768)	3,260,796	(92,569,972)
General revenues:							
Property taxes					40,754,977	-	40,754,977
Sales taxes					39,907,361	-	39,907,361
Business license taxes					7,766,099	-	7,766,099
Transient occupancy, franchise and other taxes					10,623,495	-	10,623,495
Intergovernmental, unrestricted					10,029,277	-	10,029,277
Investment income					(7,655,464)	(3,028,966)	(10,684,430)
Miscellaneous					7,960,003	-	7,960,003
Transfers, net (Notes 4 & 5)					(2,943,272)	2,943,272	-
Total general revenues and transfers					106,442,476	(85,694)	106,356,782
Change in Net Position					10,611,708	3,175,102	13,786,810
Net Position-Beginning, as restated					382,574,934	258,418,826	640,993,760
Net Position-Ending					$ 393,186,642	$ 261,593,928	$ 654,780,570

Fund Financial Statements

Only individual major funds are presented in the Fund Financial Statements, while non-major funds are combined in a single column. Major funds are defined generally as having significant activities or balances in the current year.

The City has identified the funds below as major governmental funds:

General Fund

The General Fund is used for all the general revenues of the City not specifically levied or collected for other City funds and related expenditures.

Low Income Housing Special Revenue Fund

Established to account for the receipt and disbursement of in-lieu low-income housing impact fees collected from developers.

City of Livermore
Balance Sheet – Governmental Funds
June 30, 2022

GOVERNMENTAL FUNDS BALANCE SHEET JUNE 30, 2022	General Fund	Low Income Housing Special Revenue Fund	Other Governmental Funds	Total Governmental Funds
ASSETS				
Cash and investments in City Treasury (Note 3)	$ 59,383,520	$ 5,393,407	$ 103,270,113	$ 168,047,040
Cash and investments with Trustees (Note 3)	-	-	576,451	576,451
Accounts receivables, net	10,633,190	2,135	1,956,655	12,591,980
Lease receivables	635,131	-	-	635,131
Interest receivable	1,377,642	-	-	1,377,642
Advances to other funds (Note 4)	3,874,396	-	-	3,874,396
Prepaids and deposits	223,411	12,216	-	235,627
Notes receivable (Note 5)	-	22,361,350	8,529,914	30,891,264
Land held for redevelopment (Note 1)	1,727,437	9,594,149	-	11,321,586
Total Assets	$ 77,854,727	$ 37,363,257	$ 114,333,133	$ 229,551,117
LIABILITIES				
Accounts payable and other accrued liabilities	$ 3,688,231	$ 122,529	$ 2,710,767	$ 6,521,527
Accrued payroll and benefits	1,796,173	-	73,802	1,869,975
Deposit payable	2,943,003	7,537	2,009,342	4,959,882
Advance from other funds (Note 4)	-	-	3,874,396	3,874,396
Unearned rents and revenue	28,000	153	2,354,264	2,382,417
Total Liabilities	8,455,407	130,219	11,022,571	19,608,197
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue	-	22,361,348	7,986,476	30,347,824
Deferred inflows of resources - leases	616,165	-	-	616,165
Total deferred inflows of resources	616,165	22,361,348	7,986,476	30,963,989
FUND BALANCES (Note 10)				
Nonspendable	5,844,210	12,216	577,287	6,433,713
Restricted	-	14,859,474	92,148,856	107,008,330
Committed	18,137,383	-	2,597,943	20,735,326
Assigned	43,006,790	-	-	43,006,790
Unassigned	1,794,772	-	-	1,794,772
Total fund balances	68,783,155	14,871,690	95,324,086	178,978,931
Total Liabilities, deferred inflows of resources, and fund balances	$ 77,854,727	$ 37,363,257	$ 114,333,133	$ 229,551,117

RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION JUNE 30, 2022

Amounts reported for governmental activities in the statement of net position are different because:

Amount reported in the Governmental Balance Sheet as Fund Balance	$ 178,978,931
CAPITAL ASSETS	
Capital assets used in Governmental Activities are not current assets or financial resources and therefore are not reported in the Governmental Funds.	$367,108,189
ALLOCATION OF INTERNAL SERVICE FUND NET POSITION	
Internal service funds are not governmental funds. However, they are used by management to charge the costs of certain activities, such as insurance and central services and maintenance, to individual governmental funds. The assets and liabilities of the Internal Service Funds are therefore included in Governmental Activities in the following line items in the Statement of Net Postion.	
Cash and investments	33,355,774
Accounts receivable	202,354
Inventory	350,181
Internal balances	(175,128)
Prepaids, deposits and supplies	272,202
Capital assets	16,747,972
Deferred pension outflows	1,009,091
Deferred outflow of resources related to OPEB	172,332
Accounts payable and other accruals	(949,807)
Accrued payroll	(124,131)
Claims payable	(8,855,131)
Net pension liability	(4,444,563)
Net OPEB liabilities	(2,173,745)
Long term debt	(6,148,494)
Deferred inflow for resources related to pension	(2,194,884)
Deferred inflow for resources related to OPEB	(48,223)
ACCRUAL OF NON-CURRENT REVENUES AND EXPENSES	
Revenues which are reported as deferred inflows on the Fund Balance Sheets because they are not available currently are taken into revenue in the Statement of Activities.	30,347,824
LONG-TERM ASSETS AND LIABILITIES	
The assets and liabilities below are not due and payable in the current period and therefore are not reported in the Funds:	
Investment (Deficit) in JPA Equity	(40,821,173)
Compensated absences	(4,026,805)
Long-term debt	(47,817,077)
Interest payable	(415,244)
Net OPEB liabilities	(34,592,004)
Deferred outflow of resources related to OPEB	2,742,403
Deferred inflow of resources related to OPEB	(767,409)
Net pension liability	(67,321,557)
Deferred outflow of resources related to pension	21,670,383
Deferred inflow of resources related to pension	(38,895,619)
NET POSITION OF GOVERNMENTAL ACTIVITIES	$ 393,186,642

GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES FOR THE YEAR ENDED JUNE 30, 2022	General Fund	Low Income Housing-Special Revenue Fund	Other Governmental Funds	Total Governmental Funds
REVENUES				
Property taxes and special assessments	$ 40,754,977	$ -	$ 4,363,686	$ 45,118,663
Sales Taxes	39,907,361	-	-	39,907,361
Other taxes	18,389,594	-	-	18,389,594
Licenses and permits	4,236,642	-	-	4,236,642
Intergovernmental	16,836,276	-	9,553,731	26,390,007
Fines and forfeitures	444,025	-	-	444,025
Charges for current services	7,349,982	1,195,114	5,463,901	14,008,997
Use of money and property	(2,577,866)	(155,249)	(1,555,420)	(4,288,535)
Contributions from outside sources	-	45,115	579,988	625,103
Miscellaneous	1,660,818	550,832	650,640	2,862,290
Total Revenues	127,001,809	1,635,812	19,056,526	147,694,147
EXPENDITURES				
Current:				
General Government:				
City Council	258,735	-	-	258,735
City Manager	2,256,757	-	44,739	2,301,496
City Attorney	2,138,236	-	-	2,138,236
Administrative Services	6,889,087	-	-	6,889,087
General Services	4,293,624	-	-	4,293,624
Fire	24,285,574	-	6,450	24,292,024
Police	40,217,788	-	1,365,610	41,583,398
Public Works	11,066,658	-	4,875,348	15,942,006
Community Development	18,965,240	4,874,373	4,464,699	28,304,312
Economic Development	2,768,806	-	143,850	2,912,656
Library	6,286,856	-	100,784	6,387,640
Capital Outlay:				
Capital projects	10,386,477	464,430	11,714,335	22,565,242
Debt service:				
Principal	-	-	3,287,228	3,287,228
Interest and fiscal charges	-	-	1,746,920	1,746,920
Total Expenditures	129,813,838	5,338,803	27,749,963	162,902,604
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(2,812,029)	(3,702,991)	(8,693,437)	(15,208,457)
OTHER FINANCING SOURCES (USES)				
Transfers in (Note 4)	790,118	115,679	5,604,593	6,510,390
Transfers (out) (Note 4)	(6,372,427)	(903,916)	(1,001,414)	(8,277,757)
Total Other Financing Sources (Uses)	(5,582,309)	(788,237)	4,603,179	(1,767,367)
Net Change in Fund Balance	(8,394,338)	(4,491,228)	(4,090,258)	(16,975,824)
FUND BALANCES- BEGINNING, as restated	77,177,493	19,362,918	99,414,344	195,954,755
FUND BALANCES- ENDING	$ 68,783,155	$ 14,871,690	$ 95,324,086	$ 178,978,931

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES FOR THE YEAR ENDED JUNE 30, 2022

Amounts reported for governmental activities in the statement of activities are different because:	
NET CHANGE IN FUND BALANCES - TOTAL GOVERNMENTAL FUNDS	$ (16,975,824)
Amounts reported for governmental activities in the Statement of Activities are different because of the following:	
CAPITAL ASSETS TRANSACTIONS	
Governmental Funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is capitalized and allocated over their estimated useful lives and reported as depreciation expense.	
The capital outlay asset addition expenditures are therefore added back to fund balance	22,565,242
Capital assets transferred from governmental funds to the Sewer enterprise fund are deducted from the fund balance	(1,175,905)
Loss on sale of property added back to fund balance	(101,968)
Depreciation expense is deducted from the fund balance	
(Depreciation expense is net of internal service fund depreciation of $1,455,976 which has already been allocated to internal service funds.)	(12,074,807)
LONG TERM DEBT PROCEEDS AND PAYMENTS	
Bond proceeds provide current financial resources to governmental funds, but issuing debt increases long-term liabilities in the Statement of Net Position. Repayment of bond principal is an expenditure in the governmental funds, but in the Statement of Net Position the repayment reduces long-term liabilities.	
Repayment of debt principal is added back to fund balance	3,287,228
Amortization of premium on long-term debt	584,174
ACCRUAL OF NON-CURRENT ITEMS	
The amounts below included in the Statement of Activities do not provide or (require) the use of current financial resources and therefore are not reported as revenue or expenditures in governmental funds (net change):	
Long-term compensated absences	162,861
Interest payable	34,900
Unavailable revenue	604,345
Change in equity in JPA	3,444,606
Governmental funds report City pension and OPEB contributions as expenditures. However in the Statement of Activities, the cost of pension and OPEB benefits earned net of employee contributions is reported as pension expense and OPEB expense.	
Deferred outflow of resources related to pension	(1,685,977)
Deferred inflow of resources related to pension	(37,091,680)
Change in net pension liability	46,804,368
Deferred outflow of resources related to OPEB	2,165,861
Deferred inflow of resources related to OPEB	6,282,072
Change in net OPEB liability	(6,601,365)
ALLOCATION OF INTERNAL SERVICE FUND ACTIVITY	
Internal Service Funds are used by management to charge the costs of certain activities, such as equipment acquisition, maintenance, and insurance to individual funds. The portion of the net revenue (expense) of these Internal Service Funds arising out of their transactions with governmental funds is reported with governmental activities, because they service those activities.	
Change in Net Position - All Internal Service Funds	525,719
Change in Net Position of Internal Service Funds reported with Business-Type Activities	(142,142)
CHANGE IN NET POSITION OF GOVERNMENTAL ACTIVITIES	$ 10,611,708

Major Proprietary Funds

Proprietary funds account for City operations financed and operated in a manner similar to a private business enterprise. The intent of the City is that the cost of providing goods and services be financed primarily through user charges.

The City has identified the funds below as major proprietary funds in fiscal year 2021-22.

Airport Fund

Established to account for the operations of the Livermore Municipal Airport.

Water Fund

Established to account for the operations of the self-supporting municipal water service. Services are rendered on a user charge basis and impact fees are collected for future water storage needs.

Sewer Fund

Established to account for operations of the self-supporting wastewater disposal plant, the export pipeline, impact fees collected for sewer connections, and urban runoff fees.

Stormwater Fund

Established to account for operations of the self-supporting storm water operations and impact fees collected for storm drain infrastructure.

Internal Service Funds

Internal service funds, which are used to accumulate and allocate costs internally among the City's various functions. The City uses internal service funds to account for its fleet of vehicles, maintenance of buildings, risk management services, and information technology services. The internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements.

PROPRIETARY FUNDS
STATEMENT OF NET POSITION
JUNE 30, 2022

	Business-Type Activities-Enterprise Funds					Governmental Activities-Internal Service Funds
	Airport	Water	Sewer	Stormwater	Totals	
ASSETS						
Current Assets:						
Cash and investments in City Treasury (Note 3)	$ 5,876,931	$ 32,824,302	$ 77,732,167	$ 5,919,681	$ 122,353,081	$ 33,355,774
Accounts receivables (net of allowable for uncollectibles)	432,445	2,331,659	842,244	4,399,772	8,006,120	202,354
Lease receivables	12,614,830	265,397	-	-	12,880,227	-
Interest receivables	34,158	590	-	-	34,748	-
Inventory	-	-	-	-	-	350,181
Prepaids, deposits and supplies	-	-	2,216,423	-	2,216,423	272,202
Total current assets	18,958,364	35,421,948	80,790,834	10,319,453	145,490,599	34,180,511
Noncurrent Assets:						
Investment in JPA-LAVWMA (Note 14)	-	-	19,866,754	-	19,866,754	-
Land and construction in progress (Note 7)	13,198,919	264,020	8,033,564	607,671	22,104,174	591,211
Capital assets, net of accumulated depreciation (Note 7)	8,463,954	32,805,934	61,786,609	22,682,892	125,739,389	16,156,761
Total noncurrent assets	21,662,873	33,069,954	89,686,927	23,290,563	167,710,317	16,747,972
Total assets	40,621,237	68,491,902	170,477,761	33,610,016	313,200,916	50,928,483
DEFERRED OUTFLOWS OF RESOURCES						
Related to pension (Note 11)	292,151	597,251	1,597,020	176,158	2,662,580	1,009,091
Related to OPEB (Note 12)	58,037	89,895	325,011	14,429	487,372	172,332
Total deferred outflows of resources	350,188	687,146	1,922,031	190,587	3,149,952	1,181,423
LIABILITIES						
Current Liabilities:						
Accounts payable and other accruals	151,849	1,174,454	7,823,654	262,576	9,412,533	949,807
Accrued payroll and benefits	38,410	78,955	194,303	21,571	333,239	124,131
Interest payable	35,643	26,058	-	-	61,701	-
Accrued compensated absences (Note 8)	25,411	54,462	129,615	15,454	224,942	-
Claims payable (Note 15)	-	-	-	-	-	2,691,000
Deposit payable	241,860	84,870	241,168	-	567,898	-
Long-term debt (Note 8):						
Due within one year	238,840	292,382	-	-	531,222	794,252
Total current liabilities	732,013	1,711,181	8,388,740	299,601	11,131,535	4,559,190
Noncurrent Liabilities:						
Accrued compensated absences (Note 8)	42,032	88,259	245,266	32,341	407,898	-
Claims payable (Note 15)	-	-	-	-	-	6,164,131
Net pension liability (Note 11)	1,286,784	2,630,602	7,034,106	775,891	11,727,383	4,444,563
Net OPEB liabilities (Note 12)	732,069	1,133,909	4,099,602	182,010	6,147,590	2,173,745
Long-term debt (Note 8):						
Due in more than one year	4,188,215	2,735,412	-	-	6,923,627	5,354,242
Total non-current liabilities	6,249,100	6,588,182	11,378,974	990,242	25,206,498	18,136,681
Total liabilities	6,981,113	8,299,363	19,767,714	1,289,843	36,338,033	22,695,871
DEFERRED INFLOWS OF RESOURCES						
Related to pension (Note 11)	635,460	1,299,085	3,473,693	383,163	5,791,401	2,194,884
Related to OPEB (Note 12)	16,241	25,155	90,948	4,038	136,382	48,223
Related to leases (Note 6)	12,408,629	257,623	-	-	12,666,252	-
Total deferred inflows of resources	13,060,330	1,581,863	3,564,641	387,201	18,594,035	2,243,107
NET POSITION (Note 10)						
Net investment in capital assets	17,235,818	30,042,160	69,820,173	23,290,563	140,388,714	10,599,478
Unrestricted	3,694,164	29,255,662	79,247,264	8,832,996	121,030,086	16,571,450
Total net position	$ 20,929,982	$ 59,297,822	$ 149,067,437	$ 32,123,559	261,418,800	$ 27,170,928
Some amounts reported for *business-type activities* in the Statement of Net Position are different because certain internal service fund assets and liabilities are included with business-type activities.					175,128	
Net position business-type activities					$ 261,593,928	

City of Livermore

Statement of Revenues, Expenses, and Changes in Fund Net Position – Proprietary Funds

Year Ended June 30, 2022

PROPRIETARY FUNDS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2022

	Business-Type Activities-Enterprise Funds					Governmental Activities-Internal Service Funds
	Airport	Water	Sewer	Stormwater	Totals	
OPERATING REVENUES						
Charges for services	$ 3,021,140	$ -	$ 27,646,105	$ 1,140,869	$ 31,808,114	$ 18,282,620
Sales	387,568	17,637,605	-	-	18,025,173	-
Miscellaneous	17,875	3,159	53,414	4,620	79,068	624,393
Total Operating Revenues	3,426,583	17,640,764	27,699,519	1,145,489	49,912,355	18,907,013
OPERATING EXPENSES						
Cost of sales, salaries and benefits	1,743,038	13,694,420	9,675,165	1,792,503	26,905,126	4,271,511
Contracted services	206,252	595,156	5,536,243	1,109,388	7,447,039	2,978,178
Insurance premiums	88,359	324,762	503,257	58,181	974,559	6,124,893
Materials, supplies and other	57,504	208,531	1,107,936	88,454	1,462,425	1,233,740
Utilities	181,263	304,799	1,136,473	8,446	1,630,981	543,457
Depreciation	356,781	1,752,786	4,242,560	2,004,989	8,357,116	1,455,976
Repairs and maintenance	764,965	239,628	1,688,365	24,098	2,717,056	1,705,524
Total Operating Expenses	3,398,162	17,120,082	23,889,999	5,086,059	49,494,302	18,313,279
Operating Income (Loss)	28,421	520,682	3,809,520	(3,940,570)	418,053	593,734
NONOPERATING REVENUES (EXPENSES)						
Investment income (loss)	266,893	(999,319)	(2,091,441)	(205,099)	(3,028,966)	-
Interest and fiscal charges (expense)	(111,527)	(59,700)	-	-	(171,227)	(169,703)
Change of value from investment in JPA - LAVWMA	-	-	679,676	-	679,676	-
Other nonoperating revenues	465,065	47,097	-	-	512,162	127,166
Gain (loss) on disposal of surplus property	-	-	-	-	-	(25,478)
Net Nonoperating Revenues (Expenses)	620,431	(1,011,922)	(1,411,765)	(205,099)	(2,008,355)	(68,015)
Income (Loss) Before Contributed Assets and Transfers	648,852	(491,240)	2,397,755	(4,145,669)	(1,590,302)	525,719
Capital contributions - Conveyed Property	-	-	1,175,905	-	1,175,905	-
Capital contributions - Connection fees	-	4,839	689,915	119,944	814,698	-
Capital Grants	-	-	-	865,292	865,292	-
Transfers in (Note 4)	-	-	-	1,767,367	1,767,367	-
Change in net position	648,852	(486,401)	4,263,575	(1,393,066)	3,032,960	525,719
Total net position (deficit)-beginning, as restated	20,281,130	59,784,223	144,803,862	33,516,625		26,645,209
Total net position(deficit)-ending	$ 20,929,982	$ 59,297,822	$ 149,067,437	$ 32,123,559		$ 27,170,928
Some amounts reported for *business-type activities* in the Statement of Activities are different because the portion of the net income of certain internal service funds is reported with the business-type activities					142,142	
Net business-type activities reported on the Statement of Activities					$ 3,175,102	

City of Livermore

Statement of Cash Flows – Proprietary Funds

Year Ended June 30, 2022

PROPRIETARY FUNDS
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2022

	Business-Type Activities-Enterprise Funds					Governmental Activities-Internal Service Funds
	Airport	Water	Sewer	Stormwater	Totals	
CASH FLOWS FROM OPERATING ACTIVITIES						
Receipts from customers	$ (9,094,714)	$ 17,356,932	$ 27,273,080	$ 294,595	$ 35,829,893	$ 18,965,391
Payments to suppliers	(3,154,035)	(15,867,958)	(14,144,170)	(2,947,232)	(36,113,395)	(6,479,944)
Payments to employees	12,097,465	(29,569)	(1,146,812)	(87,298)	10,833,786	(4,788,276)
Claims paid	(88,359)	(324,762)	(503,257)	(58,181)	(974,559)	(3,731,139)
Receipts from other sources	17,875	3,159	53,414	4,620	79,068	-
Net cash provided by (used for) operating activities	(221,768)	1,137,802	11,532,255	(2,793,496)	9,654,793	3,966,032
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES						
Cash received from other funds	-	-	-	1,767,367	1,767,367	-
Net cash provided by noncapital financing activities	-	-	-	1,767,367	1,767,367	-
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES						
Capital Grants	-	-	-	865,292	865,292	-
Loss on disposal	-	-	-	-	-	(25,478)
Capital contributions	-	4,839	1,865,819	119,944	1,990,602	-
Capital asset additions	164,915	(211,342)	(3,353,750)	(287,214)	(3,687,391)	(910,728)
Long term debt:						
Repayment of principal	(190,764)	(235,656)	-	-	(426,420)	(735,352)
Interest paid	(152,475)	(108,945)	-	-	(261,420)	(169,703)
Net cash provided by (used for) capital and related financing activities	(178,324)	(551,104)	(1,487,931)	698,022	(1,519,337)	(1,841,261)
CASH FLOWS FROM INVESTING ACTIVITIES						
Investment Income (losses)	697,800	(952,814)	(2,091,441)	(205,099)	(2,551,554)	127,166
Other	-	-	-	-	-	-
Net cash provided by (used for) investing activities	697,800	(952,814)	(2,091,441)	(205,099)	(2,551,554)	127,166
Net increase (decrease) in cash and cash equivalents	297,708	(366,116)	7,952,883	(533,206)	7,351,269	2,251,937
Cash and investments at beginning of period	5,579,223	33,190,418	69,779,284	6,452,887	115,001,812	31,103,837
Cash and investments at end of period	$ 5,876,931	$ 32,824,302	$ 77,732,167	$ 5,919,681	$ 122,353,081	$ 33,355,774
Reconciliation of operating income (loss) to net cash provided by operating activities:						
Operating income (loss)	$ 28,421	$ 520,682	$ 3,809,520	$ (3,940,570)	$ 418,053	$ 593,734
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:						
Depreciation	356,781	1,752,786	4,242,560	2,004,989	8,357,116	1,455,976
Pension and OPEB Expense	12,088,784	(38,099)	(1,120,986)	(89,393)	10,840,306	(526,714)
Other nonoperating revenue	-					
Change in assets and liabilities:						
Accounts receivable	(12,512,384)	(237,323)	(165,334)	(846,274)	(13,761,315)	61,683
Prepaids, deposits and supplies	-	87,560	(2,215,315)	-	(2,127,755)	(179,706)
Accounts payable and other accruals	(201,013)	(912,984)	7,215,327	75,657	6,176,987	379,180
Accrued payroll	5,143	6,559	12,611	1,136	25,449	2,239
Accrued compensated absences	3,538	1,971	(38,437)	959	(31,969)	-
Deposits payable	8,962	(43,350)	(207,691)	-	(242,079)	-
Claims Payable	-	-	-	-	-	2,179,640
Net Cash provided by (Used for) operating activities	$ (221,768)	$ 1,137,802	$ 11,532,255	$ (2,793,496)	$ 9,654,793	$ 3,966,032
Non-cash transactions:						
Investment in LAVWMA JPA equity	$ -	$ -	$ 679,676	$ -	$ 679,676	$ -
Loss on disposal of capital assets	(2,000)	-	-	-	(2,000)	-
Amortization of premium	(39,330)	(46,888)	-	-	(86,218)	-
Capital assets contributed	-	-	1,175,905	-	1,175,905	-

Fiduciary Funds

Fiduciary funds account for assets held by the City acting as an agent for various functions. The City has the following fiduciary funds:

Successor Agency to the Livermore Redevelopment Agency Private Purpose Trust Fund

Established for the assets received from the City's former redevelopment agency in order to liquidate its enforceable obligations, pursuant to Assembly Bill X1 26 which dissolved redevelopment agencies in California.

Custodial Funds

Established to account for assets held by the City in a fiduciary capacity for special assessment districts, Livermore Pleasanton Fire Department, and agency pass through fees.

FIDUCIARY FUNDS
STATEMENT OF NET POSITION
June 30, 2022

	Successor Agency to the Livermore Redevelopment Agency Private-Purpose Trust Fund	Custodial Funds
ASSETS		
Cash and investments in City Treasury (Note 3)	$ 4,180,234	$ 12,427,217
Cash and investments with Trustees (Note 3)	6	3,862,952
Accounts receivable	-	437,047
Prepaid expenses	-	11,869
Total Assets	4,180,240	16,739,085
LIABILITIES		
Accrued liabilities	-	2,786,725
Accrued interest	276,549	-
Deposits payable	-	5,387,521
Loans payable to City of Livermore:		
Due in more than one year (Note 5 and 18)	543,438	-
Long-term debt (Note 18):		
Due within one year	1,502,489	-
Due in more than one year	16,527,768	-
Total Liabilities	18,850,244	8,174,246
NET POSITION		
Restricted for other organizations and governments	$ (14,670,004)	$ 8,564,839

See Notes to Financial Statements

FIDUCIARY FUNDS STATEMENT OF CHANGES IN FIDUCIARY NET POSITION FOR THE YEAR ENDED ON JUNE 30, 2022		
	Successor Agency to the Redevelopment Agency Private-Purpose Trust Fund	Custodial Funds
ADDITIONS		
Property taxes and special assessment	$ 2,208,319	$ -
Investment income	13	-
Charges for services	-	49,695,579
Total Additions	2,208,332	49,695,579
DEDUCTIONS		
Administrative Fee	24,475	-
Recipient Payments	5,775	47,435,197
Debt service:		
Interest and fiscal charges	576,834	-
Total Deductions	607,084	47,435,197
Net Change in Net Position	1,601,248	2,260,382
NET POSITION		
Beginning of year	(16,271,252)	6,304,457
End of year	$ (14,670,004)	$ 8,564,839

Note 1 - Significant Accounting Policies

The City of Livermore was incorporated on April 1, 1876. The City operates under the Council-Manager form of government and provides the following services: public safety (police and fire), highways and streets, sewer, water, public improvements, planning and zoning, general administration services and housing services.

The accounting policies of the City conform with generally accepted accounting principles in the United States of America as applicable to governments. The following is a summary of these policies:

Reporting Entity

The accompanying basic financial statements present the financial activity of the City, which is the primary government presented, along with the financial activities of its component units, which are entities for which the City is financially accountable. Although they are separate legal entities, *blended* component units are in substance part of the City's operations and are reported as an integral part of the City's financial statements. The City's blended component unit is described below.

Component Units Included in the Reporting Entity

The **Livermore Capital Projects Financing Authority (LCPFA)** provides financing assistance to the City. The Authority is controlled by the City and has the same governing body as the City, which also performs all accounting and administrative functions for the Authority. Separate financial statements are not issued for the LCPFA.

Basis of Presentation

The City's basic financial statements are prepared in conformity with accounting principles generally accepted in the United States of America. The Governmental Accounting Standards Board is the acknowledged standard setting body for establishing accounting and financial reporting standards followed by governmental entities in the United States of America.

These Standards require that the financial statements described below be presented.

Government-wide Statements The Statement of Net Position and the Statement of Activities display information about the primary government (the City) and its component units. These statements include the financial activities of the overall City government, except for fiduciary activities. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the governmental and business-type activities of the City. Governmental activities generally are financed through taxes, intergovernmental revenues, and other non-exchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The Statement of Activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities.

Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Certain indirect costs are included in program expenses reported for individual functions and activities.

Program revenues include (a) charges paid by the recipients of goods or services offered by the programs, (b) grants and contributions that are restricted to meeting the operational needs of a particular program and (c) fees, grants and contributions that are restricted to financing the acquisition or construction of capital assets. Revenues that are not classified as program revenues, including all taxes, are presented as general revenues.

Fund Financial Statements The fund financial statements provide information about the City's funds, including fiduciary funds and blended component units. Separate statements for each fund category—*governmental, proprietary,* and *fiduciary*—are presented. The emphasis of fund financial statements is on major individual governmental and enterprise funds, each of which is displayed in a separate column. All remaining governmental and enterprise funds are aggregated and reported as non-major funds.

Proprietary funds distinguish operating revenues and expenses from non-operating items. O*perating* revenues and expenses generally result from exchange transactions associated with a proprietary fund's principal ongoing operations. Exchange transactions are those in which each party receives and gives up essentially equal values. The principal operating revenues of the City's enterprise funds, and internal service funds are charges to customers for sales and services. Operating expenses for enterprise funds and internal service funds include the cost of sales and services, administrative expenses, and depreciation of capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses. *Non-operating* revenues, such as subsidies and investment earnings, result from non-exchange transactions or ancillary activities.

Major Funds

The City's major governmental and business-type funds are identified and presented separately in the fund financial statements. All other funds, called non-major funds, are combined, and reported in a single column, regardless of their fund-type.

Major funds are defined as funds that have either assets, liabilities, revenues, or expenditures/expenses equal to ten percent of their fund-type total and five percent of the grand total. The General Fund is always a major fund. The City may also select other funds it believes should be presented as major funds.

The City reported the following major governmental funds in the accompanying financial statements:

General Fund – The general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Low Income Housing Special Revenue Fund – Established to account for the receipt and disbursement of in-lieu low-income housing impact fees collected from developers.

The City reported the following business-type funds as major funds in the accompanying financial statements.

Airport Fund – Established to account for the operations of the Livermore Municipal Airport.

Water Fund – Established to account for the operations of the municipal water service. Services are rendered on a user charge basis and impact fees are collected for future water storage needs.

Sewer Fund – Established to account for operations of the wastewater disposal plant, the export pipeline, impact fees collected for sewer connections, and urban runoff fees.

Stormwater Fund – Established to account for operations of the storm water operations and impact fees collected for storm drain infrastructure.

The City also reports the following fund types:

Internal Service Funds – These funds are used to account for the financing of services and supplies provided by one City department to another on a cost-reimbursement basis. The City operates the Liability Insurance Reserve Fund, Workers Compensation Fund, Fleet and Equipment Services Fund, Information Technology Fund, and Facilities Rehabilitation Projects Fund.

Fiduciary Funds – These funds are used to account for assets held by the City as an agent for various functions. The financial activities of these funds are excluded from the City-wide financial statements but are presented in separate Fiduciary Fund financial statements. The City has the following three types of fiduciary funds:

Successor Agency to the Livermore Redevelopment Agency Private Purpose Trust Fund – Established for the assets received from the City's former redevelopment agency in order to liquidate its enforceable obligations, pursuant to Assembly Bill X1 26 which dissolved redevelopment agencies in California as of January 31, 2012. Funds received from the county to pay off enforceable obligations are held in this fund.

Custodial Funds – Established to account for assets held by the City in a purely custodial capacity. Custodial funds typically involve only the receipt, temporary investment, and remittance of fiduciary resources to individuals, private organizations, or other governments. Custodial Funds account for activities carried out exclusively for the benefit of that outside of the City but not administered through other fiduciary trusts or equivalent arrangements such as assessments for payments of certain conduit debt and other custodial activities as well as custodial activities related to the Livermore Pleasanton Fire District, JPA.

Permanent Fund – The permanent fund is used to report resources that are legally restricted to the extent that only earnings, not principal, may be used for purposes that support the government's programs. Doolan Canyon Endowment Fund accounts for an endowment restricted for items related to mitigation of the burrowing owl habitat. The Doolan Canyon fund has $577,287 in non-spendable fund balance.

Basis of Accounting and Measurement Focus

The accounting and financial reporting treatment is determined by the applicable measurement focus and basis of accounting. Measurement focus indicates the type of resources being measured such as *current financial resources* or *economic resources*. The basis of accounting indicates the timing of transactions or events for recognition in the financial statements.

The government-wide financial statements are reported using the *economic resources measurement focus* and the *full accrual basis of accounting.* Revenues are recorded when *earned* and expenses are recorded at the time liabilities are *incurred*, regardless of when the related cash flows take place. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Measurable means the amount of the transaction can be determined and available means the amount is collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. The City's accrual period is sixty days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability has incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, pension and other postemployment benefits liabilities, and claims and judgments, are recorded only when payment is due. Thus, such amounts are not current liabilities as their settlement will not require expenditures of existing fund assets.

Financial resources usually are appropriated in other funds for transfer to a debt service fund in the period in which maturing debt principal and interest must be paid. General capital asset acquisitions are reported as expenditures in governmental funds. Issuance of long-term debt and acquisitions under capital leases are reported as other financing sources.

Property taxes, sales taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Entitlements are recorded as revenues when all eligibility requirements are met, including any time requirements, and the amount is received during the period or within the availability period for this revenue source. Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other eligibility requirements have been met, and the amount is received during the period or within the availability period for this revenue source. All other revenue items including fines, license, and permits are considered to be measurable and available only when cash is received by the government.

The proprietary and fiduciary funds are reported using the economic resources measurement focus and accrual basis of accounting.

Cash and Investments

The City pools its available cash for investment purposes. The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturity of three months or less from date of acquisition. Cash and cash equivalents are combined with investments and displayed as Cash and Investments.

In accordance with GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*, highly liquid market investments with maturities of one year or less at time of purchase are stated at amortized cost. All other investments are stated at fair value. The City participates in the Local Agency Investment Fund (LAIF), an investment pool managed by the State of California which invests a portion of the pooled funds in Structured Notes and Asset-backed Securities. LAIF's investments are subject to credit risk with the full faith and credit of the State of California collateralizing these investments.

In addition, these Structured Notes and Asset-backed Securities are subject to market risk due to change in interest rates. For purposes of the statement of cash flows of the proprietary funds types, cash and cash equivalents include all investments, as the City operates an internal cash management pool which maintains the general characteristics of a demand deposit account.

Restricted Cash and Investments

Restricted cash and investments include amounts held by fiscal agents for the redemption of bonded debt and for acquisition and construction of capital projects, for deposits held for others within the enterprise funds, and for amounts held in an irrevocable trust for pension activities.

Inventories and Prepaid items

Inventories are valued at cost on an average cost basis and consist of expendable supplies, fuel, and vehicle repair parts. The cost of such inventories is recorded as expenditures/expenses when consumed rather than when purchased.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

Receivables

During the course of normal operations, the City carries various receivable balances that are shown net of allowances for doubtful accounts for taxes, interest, services, utilities and special assessments.

Notes Receivable

For the purposes of the governmental fund financial statements, expenditures related to long-term notes arising from subsidy programs are charges to operations upon funding and the notes are recorded with an offset to an unavailable revenue account under the deferred inflows of resources section. For the purposes of the government-wide financial statements, long-term loans are not offset by unavailable revenue accounts.

Leases

The City is a lessor for a noncancellable lease of a buildings, land and cell tower. The City recognizes a lease receivable and a deferred inflow of resources in the government-wide and governmental and proprietary fund financial statements.

At the commencement of a lease, the City initially measures the lease receivable at the present value of payments expected to be received during the lease term. Subsequently, the lease receivable is reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for lease payments received at or before the lease commencement date. Subsequently, the deferred inflow of resources is recognized as revenue over the life of the lease term.

Key estimates and judgments include how the City determines (1) the discount rate it uses to discount the expected lease receipts to present value, (2) lease term, and (3) lease receipts.

- The City uses its estimated incremental borrowing rate as the discount rate for leases.
- The lease term includes the noncancellable period of the lease. Lease receipts included in the measurement of the lease receivable is composed of fixed payments from the lessee.

The City monitors changes in circumstances that would require a remeasurement of its lease, and will remeasure the lease receivable and deferred inflows of resources if certain changes occur that are expected to significantly affect the amount of the lease receivable.

Deferred Outflows of Resources and Deferred Inflows of Resources

In addition to assets, the statement of net position reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of net position or governmental fund balance sheet reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

Pensions and Other Postemployment Benefits

For purposes of measuring the net pension and OPEB liabilities and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City of Livermore's California Public Employees' Retirement System (CalPERS) pension and Public Agency Retirement System (PARS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS and PARS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms.

Property Tax Levy, Collection and Maximum Rates

The State of California Constitution Article XIII(A) provides that the combined maximum property tax rate on any given property may not exceed one percent of its assessed value unless an additional amount for general obligation debt has been approved by voters. Assessed value is calculated at 100 percent of market value as defined by Article XIII(A), generally equivalent to the latest sale price, and may be increased by no more than two percent per year unless the property is sold or transferred. Assessed values may be reduced because of taxpayer-initiated re-assessments or declining sales prices. The State Legislature has determined the method of distribution of receipts from this tax levy among the counties, cities, school districts and other districts.

Secured property tax is due in two installments, on November 1 and February 1, and becomes a lien on those dates. It becomes delinquent on December 10 and April 10, respectively. Unsecured property tax is due on July 1 and become delinquent on August 31.

The term "unsecured" refers to taxes on personal property other than real estate, land, and buildings, such as airplanes, boats, etc. These taxes are secured by liens on the property being taxed.

Revenue Recognition for Water and Sewer Operations

Revenues from residential sewer customers are based on annual billings collected on the tax rolls by Alameda County. Revenues for sewer services provided but not billed at the end of the fiscal year are estimated and accrued.

Land Held for Redevelopment

Land held for redevelopment includes land parcels used to develop or redevelop blighted properties and are accounted for as investments on the balance sheet at the lower of cost or net realizable value or agreed-upon sales price if a disposition agreement has been made with a developer. Individual parcels which have experienced a market value decline are written down to estimated current market value. No appreciation is recorded if the current market value of an individual parcel exceeds cost.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles (GAAP) requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Adoption of New Accounting Pronouncements

During the fiscal year ended June 30, 2022, the City implemented the following GASB Pronouncements:

GASB Statement No. 87 – In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this Statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This Statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities. The Statement is effective for the reporting periods beginning after December 15, 2020, or FY 2021/2022. The City implemented this Statement as of July 1, 2021.

GASB Statement No. 89 – In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objective of this Statement is to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and (b) to simplify accounting for certain interest costs. This Statement requires that interest cost incurred before the end of a construction period be recognized as an expense in the period in which the cost is incurred for financial statements prepared using the economic resources measurement focus. As a result, interest cost incurred before the end of a construction period will not be included in the historical cost of a capital asset reported in the financial statements. The requirements of this Statement are effective for reporting periods beginning after December 15, 2020, or FY 2021/2022. This Statement did not impact the City's financial statements.

GASB Statement No. 92 – In January 2020, GASB issued Statement No. 92*, Omnibus 2020*. The objective of this Statement is to establish accounting and financial reporting requirements for specific issues related to leases, intra-entity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activities of public entity risk pools, fair value measurements, and derivative instruments. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021 or FY 2021/2022, except for the requirement relating to Statement 87 and Implementation Guide 2019-3; reinsurance recoveries, and terminology used to refer to derivative instruments which are effective upon issuance. This Statement did not impact the City's financial statements.

GASB Statement No. 97 – In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans—an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32*. The objective of this Statement is (1) to increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans, defined contribution other postemployment benefit (OPEB) plans, and employee benefit plans other than pension plans or OPEB plans (other employee benefit plans) as fiduciary component units in fiduciary fund financial statements; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for Internal Revenue Code (IRC) Section 457 deferred compensation plans (Section 457 plans) that meet the definition of a pension plan and for benefits provided through those plans. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021 or FY 2021/2022. This Statement did not impact the City's financial statements.

Future Accounting Pronouncements

The following GASB pronouncements have been issued, but are not effective as of June 30, 2022:

GASB Statement No. 91 – In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The objectives of this Statement is to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with commitments extended by issuers, arrangements associated with conduit debt obligations, and related note disclosures by clarifying the existing definition of a conduit debt obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. The requirements of this Statement are effective for reporting periods beginning after December 15, 2021 or FY 2022/2023. The City is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 93 – In May 2020, GASB issued Statement No. 93, *Replacement of Interbank Offered Rates*. The objectives of this Statement is to address those and other accounting and reporting implications resulting from the replacement of an IBOR by providing exceptions for certain hedging derivative instruments to the hedge accounting termination provisions when an IBOR is replaced and providing clarification to the hedge accounting termination provisions, removing LIBOR as a benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap, identifying a Secured Overnight Financing Rate and the Effective Federal Funds Rate as appropriate benchmark interest rates for the qualitative evaluation of the effectiveness of an interest rate swap.

GASB Statement No. 94 – In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The objectives of this Statement improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). The requirements of this Statement are effective for reporting periods beginning after June 15, 2022, or FY 2022/2023. The City is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 96 – In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. The objective of this Statement is to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. The requirements of this Statement are effective for reporting periods beginning after June 15, 2022, or FY 2022/2023. The City is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 99 – In April 2022, GASB Issued Statement No. 99, *Omnibus 2022*. The objectives of this Statement are to enhance comparability in accounting and financial reporting and to improve the consistency of authoritative literature by addressing (1) practice issues that have been identified during implementation and application of certain GASB Statements and (2) accounting and financial reporting for financial guarantees. Certain requirements of this statement have been implemented as of June 30, 2022. The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter. The City is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 100 – In June 2022, GASB Issued Statement No. 100, *Accounting Changes and Error Corrections – an amendment of GASB Statement No. 62*. The objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent, and comparable information for making decisions or assessing accountability. The requirements of this Statement are effective for accounting changes and error corrections made in fiscal years beginning after June 15, 2023 and all reporting periods thereafter. The City is evaluating the impact of this Statement on the financial statements.

GASB Statement No. 101 – In June 2022, GASB Issued Statement No. 101, *Compensated Absences*. The objective of this Statement is to better meet the information needs of the financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. The City is evaluating the impact of this Statement on the financial statements.

Note 2 - Stewardship, Compliance and Accountability

Budgeting Procedures

The City adopts a biennial operating budget on or before June 30 for each of the ensuing two fiscal years for all funds except the Fiduciary Funds. The operating budget takes the form of a two-year financial plan which is adopted in its entirety by the City Council by a resolution. A mid-period review is conducted in the off-year and appropriations are adjusted accordingly. The fiscal year begins on July 1 and ends on June 30 of the following year. As Livermore is a general law city, it is not subject to a budgetary process prescribed by statute or charter.

The operating budget is subject to supplemental appropriations throughout its term to provide flexibility to meet changing needs and conditions. A resolution approving a supplemental appropriation is necessary when the original total appropriations for that fund would be exceeded. Similarly, supplemental appropriations and budget transfers between funds and projects need approval from the City Council. Budget adjustments within the same fund may be approved by the City Manager if the total appropriation does not exceed the total approved limit for that fund. All appropriations and encumbrances lapse at year-end. Valid outstanding encumbrances (those for which performance under executory contract is expected in the next fiscal year) are re-appropriated and become part of the subsequent year's budget.

The operating budget is on a program basis; however, the legal level of budgetary control is at the fund level. For governmental funds, the budget is prepared on a modified accrual basis consistent with generally accepted accounting principles (GAAP), except that land held for redevelopment is treated as an expenditure when purchased, proceeds from the disposition of this land is treated as revenue when measurable and available, and transfers (to) or from different fund categories are treated as budgetary resources (uses). Organizational priorities which have been developed by City Council and City staff are implemented at the program level.

Expenditures in Excess of Appropriations

The funds below incurred expenditures in excess of appropriations in the amounts below. The City Street Sweeping Fund had higher than expected costs for gas in the amount of $5,644 and insurance costs were also $3,754 over budget. The Host Community Impact Fee Fund paid for unanticipated roof repairs at the Bankhead Theater in the amount of $21,295 that was not budgeted. These funds had sufficient fund balances or expected future revenues to finance these expenditures.

Fund	Excess of Expenditures Over Appropriations
City Street Sweeping	$ 7,549
Host Community Impact Fee	20,325

Fund Balance Deficits / Net Position Deficits

As of June 30, 2022, none of the funds had a significant fund balance/net position deficit.

Note 3 - Cash and Investments

The City pools cash from all sources and all funds, except Cash and Investments held by Trustees, so that it can be invested at the maximum yield consistent with safety and liquidity, while individual funds can make expenditures at any time.

Policies

California Law requires banks and savings and loan institutions to pledge government securities with a market value of 110% of the City's cash on deposit, or first trust deed mortgage notes with a market value of 150% of the deposit, as collateral for these deposits. Under California Law this collateral is held in a separate investment pool by another institution in the City's name and the City is placed ahead of general creditors of the institution.

The City invests in individual investments and in investment pools. Individual investments are evidenced by specific identifiable *securities instruments*, or by an electronic entry registering the owner in the records of the institution issuing the security, called the book entry system. In order to increase security, the City employs the Trust Department of a bank as the custodian of certain City managed investments, regardless of their form.

The City's investments are carried at fair value, as required by generally accepted accounting principles. The City adjusts the carrying value of its investments to reflect their fair value at each fiscal year end, and it includes the effects of these adjustments in income for that fiscal year.

Classification

Cash and investments are classified in the financial statements as shown below, based on whether or not their use is restricted under the terms of City debt instruments or Agency agreements.

Cash and investments in City Treasury	$ 323,755,895
Cash and investments with Trustees	576,451
Total City cash and investments	324,332,346
Cash and investments in Fiduciary Funds (Separate Statement)	
In City Treasury	16,607,451
With Trustees	3,862,958
Total Fiduciary cash and investments	20,470,409
Total cash and investments	$ 344,802,755

Cash and investments available for operations is used in preparing proprietary fund statements of cash flows because these assets are highly liquid and are expended to liquidate liabilities arising during the year.

Investments Authorized by the California Government Code and the City's Investment Policy

The City's Investment Policy and the California Government Code allow the City to invest in the following Investment types, provided the credit ratings of the issuers are acceptable to the City and the approved percentages and maturities are not exceeded. The table below also identifies certain provisions of the California Government Code, or the City's Investment Policy where the City's Investment Policy is more restrictive.

Authorized Investment Type	Maximum Maturity	Minimum Credit Quality	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
California Local Agency Bonds*	5 years	A	None	None
U.S. Treasury Bills and Notes	5 years	N/A	None	None
Obligations issued by United States Government Agencies	5 years	N/A	None	None
Bankers Acceptances	180 days	A	40%	30%
Commercial Paper	270 days	A1/P1	10%	10%
Negotiable Certificates of Deposit	5 years	None	30%	None
Repurchase Agreements	1 year	None	20%	None
Reverse Repurchase Agreements	92 days	None	20%	None
Medium Term Corporate Notes	5 years	A	30%	None
Money Market Mutual Funds	5 years	Top rating category	15%	10%
Collateralized Notes, Bonds, or Other Obligations Secured by First Priority Security Interest	5 years	N/A	None	None
Certificates of Deposit	5 years	N/A	30%	None
California Local Agency Investment Fund	5 years	N/A	$75 million per	$75 million per
Passbook Savings Account	N/A	N/A	N/A	N/A
Supranationals	5 Years	AA	30%	None

* No Maximum Maturity or minimum rating on Bonds issued by the City of Livermore.

Under the City's Investment Policy, investments not described above are ineligible investments. In addition, the City may not invest any funds in inverse floaters, range notes, or interest only strips that are derived from a pool of mortgages in accordance with the California Government Code. Except for callable federal agency securities, any security that derives its value from another asset or index is prohibited. In addition, the City may not invest any funds in any security that could result in zero interest accrual if held to maturity.

Investments Authorized by Debt and Trust Agreements

The City and the Successor Agency to the former Redevelopment Agency must maintain required amounts of cash and investments with trustees or fiscal agents under the terms of certain debt issues. These funds are unexpended bond proceeds or are pledged reserves to be used if the City and/or the Successor Agency fail to meet their obligations under these debt issues. The California Government Code requires these funds to be invested in accordance with the City resolutions, bond indentures or State statutes.

The table below identifies the investment types that are authorized for investments held by fiscal agents.

Authorized Investment Type	Maximum Maturity	Minimum Credit Quality	Maximum % Allowed
U.S. Treasury Bills and Notes	No Limit	NA	No Limit
Federal and Local Agency Obligations	No Limit	NA	No Limit
Federal funds, unsecured certificates of deposit, time deposits & bankers acceptances	Not more than 360 days	A-1 or A-1+ by S&P and P-1 by Moody	No Limit
Commercial Paper	Not more than 270 days	A-1+ by S&P and P-1 by Moody	No Limit
Money Market Mutual Funds	No Limit	AAAm or AAAm-G or better by S&P	No Limit
Municipal Bonds	No Limit	Aaa or AAA or general obligations of states with a rating of A2/A or high by Moody, S&P, or Fitch	No Limit
California Local Agency Investment Fund (LAIF)	NA	NA	$75 million per account
Repurchase Agreements	6 mo. or less	Equal to or better than existing Certificates by Moody's	No Limit
Investment Agreements	No Limit	Equal to or better than existing Certificates by Moody's	No Limit
Pre-refunded municipal obligations	No Limit	Aaa by Moody's & AAA by S&P; if no Moody's rating, then must have been pre-refunded with cash.	No Limit

Interest Rate Risk

Interest rate risk represents how changes in market interest rates will adversely affect the fair value of an investment. Normally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The City generally manages its interest rate risk by holding investments to maturity.

Information about the sensitivity of the fair values of the City's investments (including investments held by bond trustees) to market interest rate fluctuations is provided by the following table that shows the distribution of the City's investments by maturity:

Investment Type	12 Months or less	13 to 24 Months	25 to 60 Months	More than 60 Months	Total
U.S. Government-Sponsored Enterprise Agencies -					
Callable	$ 57,189,525	$ 12,832,410	$ 18,581,850	$ -	$ 88,603,785
Non-callable	15,983,670	27,157,521	57,173,000	-	100,314,191
California Local Agency Investment Fund	68,835,172	-	-	-	68,835,172
Money Market Mutual Funds	5,008,958	-	-	-	5,008,958
Negotiable Certificates of Deposit	1,474,445	3,590,405	9,547,269	-	14,612,119
Medium Term Corporate Notes	12,517,750	23,571,894	21,797,533	-	57,887,177
Municipal Bonds	1,734,110	262,575	237,745	1,812,000	4,046,430
Total Investments	$ 162,743,630	$ 67,414,805	$ 107,337,397	$ 1,812,000	339,307,832
Cash Equivalent					5,494,923
Total Cash and Investments					$ 344,802,755

Credit Risk

Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Presented below is the actual rating as of June 30, 2022 for each investment type as provided by Standard and Poor's investment rating service.

Investment Type	AAA	AA	A	BBB	Not Rated	Total
Rated:						
U.S. Agencies						
Callable	$ 18,193,180	$ 52,430,400	$ -	$ -	$ 17,980,205	$ 88,603,785
Non-callable	2,788,530	72,079,110	-	-	25,446,551	100,314,191
California Local Agency Investment Fund	-	-	-	-	68,835,172	68,835,172
Money Market Mutual Funds		5,008,958	-	-	-	5,008,958
Negotiable Certificates of Deposit	-	465,165	-	-	14,146,954	14,612,119
Medium Term Corporate Notes	-	3,000,000	51,349,964	3,537,213	-	57,887,177
Municipal Bonds	-	2,234,430	-	-	1,812,000	4,046,430
Total Investments	$ 20,981,710	$ 135,218,063	$ 51,349,964	$ 3,537,213	$ 128,220,882	339,307,832
Cash Equivalent (Overdraft)						5,494,923
Total Cash and Investments						$ 344,802,755

Local Agency Investment Fund

The City is a participant in the Local Agency Investment Fund (LAIF) that is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California. The City reports its investment in LAIF at the fair value amount provided by LAIF, which is the same as the value of the pool share. The balance is available for withdrawal on demand and is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis. Included in LAIF's investment portfolio are collateralized mortgage obligations, mortgage-backed securities, other asset-backed securities, loans to certain state funds, and floating rate securities issued by federal agencies, government-sponsored enterprises, United States Treasury Notes and Bills, and corporations. These investments matured in an average of 311 days.

Money Market funds were available for withdrawal on demand at June 30, 2022 with an average maturity of 30 days or less.

Concentration of Credit Risk

Investments in the securities of any individual issuer, other than U. S. Treasury securities, mutual funds, and external investment funds that represent 5% or more of total investments are as follows on June 30, 2022:

Issuer	Type of Investments	Amount
Entity-wide:		
Federal Home Loan Bank	U.S. Agency Securities	$ 95,292,904
Federal Farm Credit Bank	U.S. Agency Securities	30,542,640
Federal National Mortgage Association	U.S. Agency Securities	27,109,140
Federal Home Loan Mortgage Association	U.S. Agency Securities	17,156,710

Fair Value Measurement of Investments

The City categorizes the fair value measurements of its investments based on the hierarchy established by generally accepted accounting principles. The fair value hierarchy, which has three levels, is based on the valuation inputs used to measure an asset's fair value. The following provides a summary of the hierarchy used to measure fair value:

- Level 1 - Quoted prices in active markets for identical assets that the City has the ability to access at the measurement date. Level 1 assets may include debt and equity securities that are traded in an active exchange market and that are highly liquid and are actively traded in over-the-counter markets.

- Level 2 - Observable inputs other than Level 1 prices such as quoted prices for similar assets in active markets, quoted prices for identical or similar assets in markets that are not active, or other inputs that are observable, such as interest rates and curves observable at commonly quoted intervals, implied volatilities, and credit spreads. For financial reporting purposes, if an asset has a specified term, a Level 2 input is required to be observable for substantially the full term of the asset.

- Level 3 - Unobservable inputs should be developed using the best information available under the circumstances, which might include the City's own data. The City should adjust that data if reasonable available information indicates that other market participants would use different data or certain circumstances specific to the City are not available to other market participants.

The City's fair value measurements are as follows at June 30, 2022:

	Fair Value Measurements Using Levels		
	Level 2	Level 3	June 30, 2022
U.S. Government-Sponsored Enterprise Agencies			
Callable	$ 88,603,785	$ -	$ 88,603,785
Non-callable	100,314,191	-	100,314,191
Medium Term Corporate Notes	57,887,177	-	57,887,177
Municipal Bonds	2,234,430	1,812,000	4,046,430
Negotiable Certificates of Deposit	14,612,119	-	14,612,119
Total investments measured at fair value	$ 263,651,702	$ 1,812,000	265,463,702
Investments Measured at Amortized Cost:			
Money Market Mutual Funds			5,008,958
Investments Exempt from Fair Value Hierarchy:			
California Local Agency Investment Fund			68,835,172
Cash Equivalent			5,494,923
Total Cash and Investments			$ 344,802,755

The California Local Agency Investment Fund (LAIF) is valued using a factor provided in the Pooled Money Investment Account (PMIA) Performance Report by the State Treasurer's Office. Investments classified in Level 2, were valued using prices provided by the City's custodian bank. Fair value is defined as quoted market value on the last day of the period.

The City issued Pleasant View Limited Obligation Improvement Bonds, Series 2018 for and on behalf of Assessment District No.2016-2 in the amount of $967,537 on June 14, 2018, as a direct placement debt. The City also issued Trevarno Road Limited Obligation Improvement Bonds, Series 2021 for and on behalf of Assessment District No.2021-1 in the amount of $912,000 on January 6, 2022, as a direct placement debt. The City then purchased these bonds as an investment. These investments are not traded in the open market and, therefore, measured at Level 3 as per GASB Statement No. 72 since the valuation inputs for this bond are unobservable. As of June 30, 2022, the balance outstanding for these bonds is $1,812,000. Additional information is provided in Note 9.

Note 4 - Interfund Transactions

Current Interfund Balances

Current interfund balances arise in the normal course of business and represent short-term borrowings occurring as a result of expenditures which are paid prior to the receipt of revenues. These balances are expected to be repaid shortly after the end of the fiscal year when revenues are received. There were no current amounts due from one fund to another at June 30, 2022.

Transfers between Funds

With Council approval, resources may be transferred from one City fund to another. The purpose of the majority of transfers is to subsidize operations of programs and funds which are not self-sustaining. Less often, a transfer may be made to open or close a fund. Interfund transfers for the year ended June 30, 2022 are summarized below.

Fund Receiving Transfers	Fund Making Transfers	Amount Transferred	
General Fund	Low Income Housing Fund	$ 387,880	A
	Non-Major Governmental Funds	402,238	A
Low Income Housing Fund	Non-Major Governmental Funds	115,680	C
Non-Major Governmental Funds	General Fund	4,605,063	B
	Non-Major Governmental Funds	999,529	B
Stormwater Enterprise Fund	General Fund	1,767,367	C
Total Interfund Transfers		$ 8,277,757	

A - Transfer for reimbursement for administrative costs
B - Transfers of approximately $3.88 million for the 2020 COP debt service payments and remaining for operating subsidies and expenses.
C - Operating subsidy

Long-Term Interfund Advances

The City's General Fund made an advance of $4,720,000 to the Other Impact Fees Special Revenue Fund for downtown revitalization and the loan will be repaid to the General Fund as the fees are collected. No payment was made during fiscal year 2021-2022. The balance as of June 30, 2022 is $3,874,396.

Internal Balances

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments in lieu of taxes where the amounts are reasonably equivalent in value to the interfund services provided and other charges between the government's airport, water, stormwater, and sewer functions and various other functions of the government. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Internal balances are presented in the City-wide financial statements only. They represent the net interfund receivables and payables remaining after the elimination of all such balances within governmental and business-type activities.

Note 5 - Notes Receivable

As of June 30, 2022, Notes Receivables balances are as follows:

	Housing Successor	Low Income Housing	Housing & Community Assistance	Other Local, State and Federal Grants	Other Special Revenue Funds	Total
Deferred Second Mortgage Program	$ -	20,375,589	$ 705,640	$ 1,565,924	$ -	$ 22,647,153
Rehabilitation Loan Program	-	233,205	-	192,818	-	426,023
Valley Care Senior Housing Project	-	800,000	-	-	-	800,000
California Housing Finance Agency	-	952,555	-	-	-	952,555
Livermore Housing Authority	-	-	-	754,800	-	754,800
Loans to Successor Agency of the former Redevelopment Agency	543,438	-	-	-	-	543,438
Eden Housing Project	1,428,221	-	-	-	-	1,428,221
Livermore Independent Living Associates Project	2,487,413	-	-	-	-	2,487,413
Affordable Housing Loans	171,760	-	-	-	-	171,760
Vineyard Development Loans	604,516	-	-	-	-	604,516
California Water Service Agreement(s)	-	-	-	-	75,385	75,385
Totals	$ 5,235,348	$ 22,361,349	$ 705,640	$ 2,513,542	$ 75,385	$ 30,891,264

The City administers the Deferred Second Mortgage Program using Low Income Housing Fund revenues and a Rehabilitation Loan Program using Community Development Block Grants. Under these Programs, individuals with incomes below a certain level are eligible to receive low interest loans, secured by second deeds of trust, to help purchase their home or rehabilitate it. Upon approval of loans, the City disburses the funds, arranges for, and collects repayments.

As part of the Valley Care Senior Housing Project, Agency funds transferred to the City's Housing and Community Assistance Fund in fiscal year 2001-02 were used to finance the Developer Loan in the amount of $800,000 which was used to partially finance City and County Development Fees. The loan bears interest at ten percent, is due in fifty-seven years and is secured by a subordinated deed of trust. If the project maintains affordability covenants through maturity the interest rate will drop to five percent and eventually the five percent interest accrued will be forgiven.

In fiscal year 2005-06, the City loaned Livermore Housing Authority $510,000 from the Housing Trust Fund to be used for the acquisition of six units for low-income individuals located at 2276-2280 Chestnut Street. The loan bears interest at 3.00% per annum on the outstanding principal from the date of the closing of the permanent loan. The principal and all the interest will be due and payable on the earlier of the date the property is sold or when the permanent loan is refinanced. In the event of residual receipts, payments of principal and interest will commence on July 1, 2008 until the loan is paid in full or terminated.

The former Redevelopment Agency (RDA) engaged in programs designed to encourage construction of or improvement to low-to-moderate income housing. Under these programs, grants or loans are provided under favorable terms to homeowners or developers who agree to expend these funds in accordance with the Agency's terms.

With the dissolution of the former Redevelopment Agency the City became the Successor to the former Redevelopment Agency's housing activities and as a result, the Housing Successor Fund assumed the notes receivable of the former Redevelopment Agency's Low- and Moderate-Income Housing Fund. The balances of the notes receivable in the Housing Successor Fund at June 30, 2022 are set forth below:

During the fiscal year ended June 30, 2010, the former RDA approved an interfund advance of $1,561,803 from the Low and Moderate Income Housing fund to the former Agency's Capital Projects Fund to make the required payment to the Supplemental Education Revenue Augmentation Fund (SERAF). During the fiscal year ended June 30, 2011, the former Agency approved a second interfund advance in the amount of $321,548 for a total of $1,883,351. As of June 30, 2022, the outstanding balance is $543,438.

During fiscal year 1992, the former RDA loaned a developer $1,520,605 as part of the Eden Housing Project agreement, the proceeds of which were used for land acquisition and development of low- and moderate-income housing. As of June 30, 2022, the loans had an outstanding balance of $1,428,221. The land loan bears interest at 3% and the predevelopment loan bears interest at 9% which is due in 2049 and is subordinated to permanent bank loans.

In 2009, the former RDA agreed to a property tax loan, extended to the Livermore Senior Associates LLC, which bears interest at 4%. Annual repayments begin after the project is complete commencing in year eight from available cash flows of the project. In fiscal year 2017-18, loan advances have ceased, and the loan repayment period commenced. The principal balance was adjusted to match the repayment schedule. As of June 30, 2022, the outstanding loan balance was $2,487,413.

In April 2011, the former RDA loaned an individual $199,032 from Low- and Moderate-Income Housing Funds to be used for the purchase of an affordable housing unit. To assist in the refinancing of a below market rate unit, the City originally loaned the borrower $61,000. To further assist, the City increased that loan to $184,652 (original loan of $61,000 included). The balance of the two loans as of June 30, 2022 is $171,760.

In July 1990 and September 1992, the City and California Water Service Company ("Calwater") entered into agreements to make annual payments for a term of 40 years to the City of Livermore for water lines sold to Calwater under Consolidated Refunding District 2002, College Avenue. The balance outstanding on this loan on June 30, 2022 is $75,385.

Note 6 - Lease Receivables

The City, as a lessor, has entered into long-term non-cancelable lease agreements for buildings, parking lots, land, facilities, and cell sites, which expire at various dates through 2061. During the year ended June 30, 2022, the City recognized $752,359 and $453,506 in lease revenue and interest revenue, respectively, pursuant to these contracts. As of June 30, 2022, the City has a receivable for lease payments of $13,550,106, and a balance of deferred inflow of resources of $13,282,417. The future lease payments were discounted at a rate of 1.92% to 3.57%, depending on the length of the lease.

Note 7 - Capital Assets

All capital assets are valued at historical cost or estimated historical cost if actual historical cost is not available. Donated capital assets, donated works of art and similar items, and capital assets received in a service concession arrangement are valued at acquisition cost. Some capital assets may be acquired using Federal and State grant funds, or they may be contributed by developers or other governments. Generally accepted accounting principles requires that these contributions be accounted for as revenues at the time the capital assets are contributed.

The City's policy is to capitalize infrastructure with a cost exceeding $100,000 and other capital assets with a cost exceeding $5,000 and with useful lives exceeding one year.

The City has recorded all its public domain (infrastructure) capital assets, which include roads, bridges, curbs and gutters, streets and sidewalks, drainage systems and lighting systems in its government–wide financial statements.

All capital assets with limited useful lives are depreciated over their estimated useful lives. The purpose of depreciation is to spread the cost of capital assets equitably among all users over the life of the assets. The amount charged to depreciation expense each year represents that year's pro rata share of the cost of capital assets.

Depreciation of all capital assets is charged as an expense against operations each year and the total amount of depreciation taken over the years, called accumulated depreciation, is reported on statement of Net Position as a reduction in the book value of the capital assets.

Depreciation of capital assets in service is provided using the straight-line method which means the cost of the asset is divided by its expected useful life in years and the result is charged to expense each year until the asset is fully depreciated. The City has assigned the useful lives listed below to capital assets.

Buildings	25-50 years
Improvements	20-50 years
Equipment	3-20 years
Library books	3-20 years
Licensed Vehicles	3-20 years
Infrastructure	25-50 years

Capital Asset Additions and Retirements

Capital asset activity for the year ended June 30, 2022 comprises the following:

	Balance June 30, 2021	Additions	Retirements and adjustments	Transfers/ Reclassification	Balance at June 30, 2022
Governmental activities					
Governmental Fund Capital Assets					
Capital assets not being depreciated:					
Land	$ 39,008,811	$ -	$ -	$ 4,837,170	$ 43,845,981
Intangible asset - easement	4,542,933	-	-	-	4,542,933
Construction in progress	96,295,658	24,438,010	(1,958,008)	(45,925,773)	72,849,887
Subtotal	139,847,402	24,438,010	(1,958,008)	(41,088,603)	121,238,801
Capital assets being depreciated, cost:					
Office equipment	8,767,642	48,383	(5,856,374)	-	2,959,651
Other equipment	7,959,459	36,857	(527,089)	2,107,527	9,576,754
Library books	2,062,340	-	-	-	2,062,340
Licensed vehicles	261,992	-	-	-	261,992
Infrastructure	328,379,736	-	-	32,166,719	360,546,455
Buildings	118,050,206	-	-	5,638,452	123,688,658
Subtotal	465,481,375	85,240	(6,383,463)	39,912,698	499,095,850
Accumulated Depreciation:					
Office equipment	(8,416,365)	(50,345)	5,760,914	-	(2,705,796)
Other equipment	(7,448,178)	(273,753)	520,581	-	(7,201,350)
Library books	(2,062,340)	-	-	-	(2,062,340)
Licensed vehicles	(183,870)	(19,530)	-	-	(203,400)
Infrastructure	(185,613,351)	(9,165,722)	-	-	(194,779,073)
Buildings	(43,709,046)	(2,565,457)	-	-	(46,274,503)
Subtotal	(247,433,150)	(12,074,807)	6,281,495	-	(253,226,462)
Net Governmental Funds capital assets being depreciated	218,048,225	(11,989,567)	(101,968)	39,912,698	245,869,388
Total Governmental Funds capital assets	$ 357,895,627	$ 12,448,443	$ (2,059,976)	$ (1,175,905)	$ 367,108,189

	Balance at June 30, 2021	Additions	Retirements and Adjustments	Transfers/ Reclassification	Balance at June 30, 2022
Internal Service Fund Capital Assets					
Capital assets not being depreciated:					
Construction in progress	$ 892,488	$ 310,873	$ -	$ (612,150)	$ 591,211
Subtotal	892,488	310,873	-	(612,150)	591,211
Capital assets being depreciated, cost:					
Office equipment	2,635,567	91,627	(9,000)	-	2,718,194
Other equipment	849,030	37,683	(86,345)	438,435	1,238,803
Infrastructure	12,406,587	-	-	-	12,406,587
Licensed vehicles	18,663,664	539,300	(1,580,566)	173,715	17,796,113
Subtotal	34,554,848	668,610	(1,675,911)	612,150	34,159,697
Accumulated Depreciation:					
Office equipment	(2,298,788)	(134,660)	9,000	-	(2,424,448)
Other equipment	(621,533)	(77,182)	83,880	-	(614,835)
Infrastructure	(3,106,946)	(11,647)	-	-	(3,118,593)
Licensed vehicles	(12,126,849)	(1,232,487)	1,514,276	-	(11,845,060)
Subtotal	(18,154,116)	(1,455,976)	1,607,156	-	(18,002,936)
Net Internal Service Fund capital assets being depreciated	16,400,732	(787,366)	(68,755)	612,150	16,156,761
Total Internal Service Funds	17,293,220	(476,493)	(68,755)	-	16,747,972
Governmental activity capital assets, net	$ 375,188,847	$ 11,971,950	$ (2,128,731)	$ (1,175,905)	$ 383,856,161

	Balance June 30, 2021	Additions	Retirements and adjustments	Transfers/ Reclassification	Balance at June 30, 2022
Business-type activities					
Capital assets not being depreciated:					
Land	$ 13,380,924	$ -	$ -	$ -	$ 13,380,924
Land improvements	634,433	-	-	-	634,433
Construction in progress	36,153,304	2,782,601	(336,250)	(30,510,838)	8,088,817
Subtotal	50,168,661	2,782,601	(336,250)	(30,510,838)	22,104,174
Capital assets being depreciated:					
Office equipment	844,864	6,802	(147,117)	-	704,549
Other equipment	2,805,462	76,725	(955,178)	6,346,522	8,273,531
Licensed Vehicles	946,078	-	(36,070)	-	910,008
Airport infrastructure	11,601,545	-	-	1,169,347	12,770,892
Water infrastructure	50,923,942	-	-	8,987,688	59,911,630
Sewer infrastructure	133,283,498	-	-	9,698,936	142,982,434
Storm Drain infrastructure	105,567,448	-	-	5,484,250	111,051,698
Stormwater infrastructure	1,011,473	-	-	-	1,011,473
Buildings	22,674,452	-	-	-	22,674,452
Subtotal	329,658,762	83,527	(1,138,365)	31,686,743	360,290,667
Accumulated Depreciation:					
Office equipment	(476,891)	(57,957)	140,310	-	(394,538)
Other equipment	(2,058,833)	(478,539)	943,595	-	(1,593,777)
Licensed Vehicles	(482,177)	(34,178)	36,072	-	(480,283)
Airport infrastructure	(11,014,886)	(101,524)	-	-	(11,116,410)
Water infrastructure	(26,901,251)	(1,681,268)	-	-	(28,582,519)
Sewer infrastructure	(88,169,090)	(3,550,608)	-	-	(91,719,698)
Storm Drain infrastructure	(87,229,376)	(1,957,425)	-	-	(89,186,801)
Stormwater infrastructure	(154,203)	(44,650)	-	-	(198,853)
Buildings	(10,827,432)	(450,967)	-	-	(11,278,399)
Subtotal	(227,314,139)	(8,357,116)	1,119,977	-	(234,551,278)
Net capital assets being depreciated	102,344,623	(8,273,589)	(18,388)	31,686,743	125,739,389
Business-type activity capital assets, net	$ 152,513,284	$ (5,490,988)	$ (354,638)	$ 1,175,905	$ 147,843,563

Depreciation Allocation

Depreciation expense was charged to functions and programs based on their usage of the related assets. The amount allocated to each function or program was as follows:

	Depreciation Expense	
	Governmental Activities	Business-Type Activities
General Government	$ 2,300	$ -
Fire	297,607	-
Police	319,718	-
Public Works	10,743,117	-
Community Development	1,486,379	-
Library	681,662	-
Airport	-	356,781
Water	-	1,752,786
Sewer	-	4,242,560
Storm Water	-	2,004,989
Total Depreciation Expense	$ 13,530,783	$ 8,357,116

Note 8 - Long-Term Liabilities

Long-Term Debt Schedule:

The City's debt comprises bonds, loans, notes, certificates of participation (COP), and refunding certificates of participation. Certificates of participation are similar to debt; they allow investors to participate in a share of guaranteed payments, which are made by the City. Because they are similar to debt, the present value of the total of the payments to be made by the City is recorded as long-term debt. Details of the individual debt issues and transactions are set forth below:

	Balance at June 30, 2021	Additions (Retirements)	Balance at June 30, 2022	Current Portion
Governmental Activities				
Certificates of Participation:				
2020A, 4%, 2042	$ 7,465,000	$ (180,000)	$ 7,285,000	$ 205,000
Unamortized Premium	1,349,358	(64,255)	1,285,103	64,255
2020B, 4%, 2030	35,467,418	(2,507,470)	32,959,948	2,611,198
Unamortized Premium	5,988,748	(519,919)	5,468,829	519,919
Housing & Urban Development Loan, varies, 2030	1,417,955	(599,758)	818,197	90,758
Internal Service Funds:				
Financed Purchase:				
Banc of America Equipment Purchase Loan	6,883,846	(735,352)	6,148,494	794,252
Total governmental activities debt	$ 58,572,325	$ (4,606,754)	$ 53,965,571	$ 4,285,382
Business-type Activities				
Airport				
Certificates of Participation:				
2020B, 4%, 2030	$ 3,726,130	$ (161,875)	$ 3,564,255	$ 168,308
Unamortized Premium	661,003	(39,330)	621,673	39,330
Financed Purchase:				
Banc of America Equipment Purchase Loan	270,015	(28,888)	241,127	31,202
Water				
Certificates of Participation:				
2020B, 4%, 2030	2,841,453	(235,656)	2,605,797	245,494
Unamortized Premium	468,885	(46,888)	421,997	46,888
Total business-type activities debt	$ 7,967,486	$ (512,637)	$ 7,454,849	$ 531,222

Long Term Debt

Certificates of Participation:

2020 Certificates of Participation

On June 25, 2020, the City issued tax-exempt **2020 Certificates of Participation (2020 COP)** to refinance the 2011 COP, 2014 COP Series A and 2014 COP Series B. There are two semi-annual debt service payments, consisting of principal payments due annually on April 1 and interest payments due on November 1 and April 1, which are payable solely from and secured by the lease payments made by the City to the Public Property Financing Corporation of California. Lease payments will be made by the City pursuant to the Lease Agreement for the use and occupancy of the Leased Property, which comprises of the City's police facility and civic center library located in the City's Civic Center.

The **2020 Certificates of Participation Series A** (2020 COP Series A) are qualified 501(c)(3) certificates and are issued in the principal amount $7,465,000 to refund the 2014 COP Series A (Livermore Valley Performing Arts Center Refunding) and to pay certain costs of executing and delivering the 2020 Series A Certificates.

Lease payments for 2020 COP Series A will be made by the pledged revenue of the Host Community Impact Fee Special Revenue Fund.

The City issued $42,035,000 principal amount of **2020 Certificates of Participation Series B,** (2020 COP Series B) to refund the outstanding principal balance of $14,945,000 for the 2011 COP and $35,530,000 for the 2014 COP Series B as well as to fund certain costs of executing and delivery of the Certificates. Lease payments for 2020 COP Series B will be made by the General Fund, Airport Enterprise Fund, and Water Enterprise Fund.

Hud Section 108 Loans – Direct Borrowing:

In fiscal year 2010, the City received a Section 108 loan in the amount of $1,320,000 from the Department of Housing and Urban Development to purchase the Hagemann Farms. The principal payments are due annually from 2012 through 2030. As of June 30, 2022, the outstanding loan balance was $550,000.

In May 2014, the City entered into a Public Participation Jurisdiction (PPJ) agreement with Alameda County and the Cities of Dublin and Pleasanton to jointly repay a $1,250,000 Section 108 loan guarantee from the US Department of Housing and Urban Development (HUD). This loan was obtained to renovate a building owned by Axis Community Health at 5925 West Las Positas Boulevard, Pleasanton, to expand medical and mental health services throughout the Tri-Valley region. The City of Pleasanton drew $950,000 only since Alameda County paid its share of $300,000 in cash. The City of Livermore has committed to pay $387,505 or approximately 41% of the total loan amount of $950,000. As of June 30, 2022, the outstanding loan balance was $268,197. Payment of the loan is made out of the Other State, Federal, and Local Grants Fund.

Financed Purchase

Banc of America Equipment Purchase Loan

On October 24, 2012, the City entered into an equipment purchase agreement with Banc of America Public Capital Corp to install photovoltaic panels and streetlights throughout the City. The present value of minimum lease payments in the amount of $12,538,957 were initially reported on the financial statements. Rental payments are due in 180 uneven monthly payments ranging from $69,892 to $115,868 and include interest at the rate of 2.59%. Monthly lease payments began on November 24, 2013 and end on October 24, 2028. Because loan payments did not begin until construction was completed in November 2013, the accrued interest of $110,494 for July through October was capitalized and added to the principal balance at that time. Loan payments are being made by the Facilities Rehabilitation Internal Service Fund and the Airport Enterprise Fund.

Debt Service Requirements

Debt service requirements are shown below for all long-term debt, including capital lease obligations.

For the Year Ending June 30	Governmental Activities		Business-type Activities	
	Principal	Interest	Principal	Interest
2023	$ 3,701,208	$ 1,732,542	$ 445,004	$ 244,417
2024	3,895,537	1,592,695	464,973	226,678
2025	4,098,636	1,445,714	484,391	208,186
2026	4,313,782	1,291,229	505,124	188,928
2027	4,504,770	1,129,527	528,522	168,826
2028-2032	17,443,901	3,254,296	2,356,355	529,125
2033-2037	4,490,118	1,412,538	830,496	244,946
2038-2042	4,763,687	441,750	796,314	65,250
Total	$ 47,211,639	$ 12,300,291	$ 6,411,179	$ 1,876,356
Premium, net of amortization	6,753,932		1,043,670	
	$ 53,965,571		$ 7,454,849	

Compensated Absences

Compensated absences are comprised of unused vacation leave and certain compensated time off and are accrued as earned. Compensated absences are liquidated by the fund that has recorded the liability. The long-term portion of governmental activities compensated absences is liquidated primarily by the General Fund. The liability for compensated absences is determined annually. For all governmental funds, amounts expected to be paid out for permanent liquidations due to terminations and retirements are recorded as fund liabilities; the long-term portion is recorded in the Statement of Net Position. Sick pay does not vest and is not accrued.

The change in compensated absences for the fiscal year 2021-22 was as follows:

	Governmental Activities	Business Type Activities	Total
Beginning balance	$ 4,189,666	$ 664,809	$ 4,854,475
Additions	1,898,797	302,748	2,201,545
Payments	(2,061,658)	(334,717)	(2,396,375)
Ending balance	$ 4,026,805	$ 632,840	$ 4,659,645
Current portion	$ 1,266,330	$ 237,378	$ 1,503,708

Note 9 - Special Assessment District Debt with No City Commitment

Special assessment districts, including Mello Roos Districts, exist in various parts of the City to provide improvements to properties located in those districts. Properties are assessed for the cost of improvements; these assessments are payable over the term of the debt issued to finance the improvements and must be sufficient to repay this debt. The City acts solely as the collecting and paying agent for the special assessment district debt issues below, but it has no direct or contingent liability or moral obligation for the payment of this debt. This debt is not included in the general debt of the City. The outstanding balance of each of these issues as of June 30, 2022 is as follows:

District	Balance at June 30, 2021	Additions (Retirements)	Balance at June 30, 2022	Current Portion
Community Facilities District No. 2009-1 (El Charro)				
2015 Refunding Special Tax Note	$ 17,307,260	$ (463,809)	$ 16,843,451	$ 488,804
2016 Special Tax Bonds	4,419,977	(101,162)	4,318,815	105,108
2017 Special Tax Note	2,684,094	(115,779)	2,568,315	121,279
Community Facilities District No. 1999-1 (Tri-Valley Technology Park)				
Special Tax Bonds Series 2015	11,280,000	(985,000)	10,295,000	1,010,000
Community Facilites District No. 2016-2 (Shea Properties)				
Special Tax Refunding Bonds, Series 2016	8,815,000	(315,000)	8,500,000	340,000
Assessment District 2016-2 (Pleasant View)				
Improverment Bonds, Series 2018	919,537	(19,537)	900,000	20,000
Assessment District 2021-1 (Trevarno Road)				
Improverment Bonds, Series 2022	-	912,000	912,000	18,000
Total	$ 45,425,868	$ (1,088,287)	$ 44,337,581	$ 2,103,191

Community Facilities District (CFD) No. 2009-1 (El Charro)

2015 Refunding Special Tax Note – On June 1, 2015, the City on behalf of El Charro CFD No. 2009-1 entered into a special tax loan agreement with Livermore Premium Outlets, LLC. This loan was issued to refund the remaining principal amounts of the 2012 and 2014 loans.

2016 Special Tax Bonds – On September 1, 2016 the City on behalf of El Charro CFD No. 2009-1 entered into a special tax loan agreement with Crosswinds Church. The Bonds were issued to fund certain public infrastructure improvements within the CFD.

2017 Special Tax Note – On July 14, 2017 the City on behalf of El Charro CFD No. 2009-1 entered into a special tax loan agreement with Livermore Investments, LLC. This loan was issued to fund certain public infrastructure improvements within the CFD.

Community Facilities District No. 1999-1 (Tri-valley Technology Park) Special Tax Bonds, Series 2015
On May 28, 2015, the City sponsored the issuance of the Community Facilities District No. 1999-1 (Tri-valley Technology Park) Special Tax Bonds, Series 2015. The Bonds were issued to defease and refund remaining principal amount of Community Facilities District No. 1999-1 (Tri-valley Technology Park) Special Tax Bonds, Series 2000.

Community Facilities District No. 2016-2 (Shea Properties) Special Tax Refunding Bonds, Series 2016
On December 22, 2016, the City sponsored the issuance of Community Facilities District No. 2016-2 (Shea Properties) Special Tax Refunding Bonds, Series 2016. The bonds were issued to defease and refund the remaining principal amount of the Community Facilities District No 2006-1 (Shea Properties) Special Tax Bonds, Series 2006.

Assessment District No. 2016-2 (Pleasant View) Limited Obligation Improvement Bonds, Series 2018
On June 14, 2018, the City issued bonds to fund certain public infrastructure improvements within the assessment district. The improvements included connections to the sanitary sewer service system, installation of streetlights, fire hydrants, provide for emergency vehicle access, and the addition of sidewalk curb and gutters to the required standards of the City. For additional information, see Note 3.

Assessment District No. 2021-1 (Trevarno Road) Limited Obligation Improvement Bonds, Series 2022
On January 6, 2022, the City issued bonds to fund certain public infrastructure improvements within the assessment district. The improvements included connections to the sanitary sewer service system and improvements to the water infrastructure. For additional information, see Note 3.

Note 10 - Net Position and Fund Balances

Net Position is measured on the full accrual basis, while Fund Balance is measured on the modified accrual basis.

Net Position

Net Position is the excess of all the City's assets and deferred outflows of resources over all its liabilities and deferred inflows of resources, regardless of fund. Net Position is divided into three captions. These captions apply only to Net Position, which is determined only at the Government-wide level, and are described below:

Net Investment in Capital Assets describes the portion of Net Position which is represented by the current net book value of the City's capital assets, less the outstanding balance of any debt issued to finance these assets. See table below for calculation of Net Investment in Capital Assets from portions of the Statement of Net Position.

	Governmental Activities	Business-Type Activities	Total
Net Assets:			
Land, easements and construction in progress	$ 121,830,012	$ 22,104,174	$ 143,934,186
Capital assets, net of accumulated depreciation	262,026,149	125,739,389	387,765,538
Total Net Assets:	**383,856,161**	**147,843,563**	**531,699,724**
Less Debt Related to Assets:			
Long-term debt (current portion)	(4,285,382)	(531,222)	(4,816,604)
Long-term debt (due in more than one year)	(49,680,189)	(6,923,627)	(56,603,816)
Total Debt Related to Assets:	**(53,965,571)**	**(7,454,849)**	**(61,420,420)**
Net Investments in Capital Assets	**$ 329,890,590**	**$ 140,388,714**	**$ 470,279,304**

Restricted describes the portion of Net Position which is restricted as to use by the terms and conditions of agreements with outside parties, governmental regulations, laws, or other restrictions which the City cannot unilaterally alter. These restrictions principally include developer fees received for use on capital projects and debt service requirements.

Unrestricted describes the portion of Net Position which is not restricted as to use.

Sometimes the City will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted-net position and unrestricted-net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted-net position to have been depleted before unrestricted-net position is applied.

Fund Balances

Governmental fund balances represent the net current assets of each fund. Net current assets generally represent a fund's cash and receivables, less its liabilities. The City's fund balances are classified in accordance with Governmental Accounting Standards Board Statement Number 54 (GASB 54), Fund Balance Reporting and Governmental Fund Type Definitions, which requires the City to classify its fund balances based on spending constraints imposed on the use of resources.

Each category in the following hierarchy is ranked according to the degree of spending constraint:

Non-spendables represents balances set aside to indicate items do not represent available, spendable resources even though they are a component of assets. Fund balances required to be maintained intact, such as Permanent Funds, and assets not expected to be converted to cash, such as prepaids, notes receivable, and land held for redevelopment are included. However, if proceeds realized from the sale or collection of non-spendable assets are restricted, committed or assigned, then non-spendable amounts are required to be presented as a component of the applicable category.

Restricted fund balances have external restrictions imposed by creditors, grantors, contributors, laws, regulations, or enabling legislation which requires the resources to be used only for a specific purpose.

Committed fund balances have constraints imposed by formal action of the City's highest level of decision-making authority. The City Council is the highest level of decision-making authority for the City that can, by adoption of a resolution prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the resolution remains in place until a similar action is taken to remove or revise the limitation.

Assigned fund balances are amounts constrained by the City's intent to be used for a specific purpose but are neither restricted nor committed. Intent is expressed through Council resolution and/or budget document or its designee (City Manager) and may be changed at the discretion of the City Council or its designee. This category includes Non-spendables, when it is the City's intent to use proceeds or collections for a specific purpose, and residual fund balances, if any, of Special Revenue, Capital Projects and Debt Service Funds which have not been restricted or committed.

Unassigned fund balance represents residual amounts that have not been restricted, committed, or assigned. This includes the residual general fund balance and residual fund deficits, if any, of other governmental funds.

The City's permanent fund reported a fund balance amount of $577,287 of which $70,763 represents the cumulative net appreciation on investments available for expenditure and a permanent amount of $506,524 reported as restricted fund balance. The investment income can only be spent on Doolan Canyon projects.

Sometimes the City will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the City's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance.

Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Detailed classification of the City's fund balances as of June 30, 2022 are below:

Fund Balance Classifications	General Fund	Low Income Housing-Special Revenue Fund	Other Governmental Funds	Total
Nonspendable:				
Items not in spendable form:				
Prepaids and deposits	$ 223,411	$ 12,216	$ 577,287	$ 812,914
Leases	18,966	-	-	18,966
Advances	3,874,396	-	-	3,874,396
Land held for redevelopment	1,727,437	-	-	1,727,437
Total Nonspendable Fund Balances	5,844,210	12,216	577,287	6,433,713
Restricted for:				
Alameda County Transportation programs	-	-	8,271,603	8,271,603
Gas tax program	-	-	11,563,742	11,563,742
Grant Programs	-	-	3,701,685	3,701,685
Host Community Impact program	-	-	1,356,484	1,356,484
Housing and human services programs	-	14,859,474	4,200,226	19,059,700
Maintenance Program	-	-	15,342,775	15,342,775
Capital improvements programs	-	-	38,973,124	38,973,124
Park program	-	-	3,755,527	3,755,527
PEG program	-	-	1,271,678	1,271,678
Art programs	-	-	3,322,111	3,322,111
Solid waste and recycling program	-	-	341,352	341,352
Street sweeping program	-	-	48,549	48,549
Total Restricted Fund Balances	-	14,859,474	92,148,856	107,008,330
Committed for:				
Financial stabilization arrangement	18,137,383	-	-	18,137,383
Open space acquisition and management	-	-	2,597,943	2,597,943
Total Committed Fund Balance	18,137,383	-	2,597,943	20,735,326
Assigned for:				
Economic Uncertainty Reserve	16,323,645	-	-	16,323,645
Infrastructure Repair & Replacement	22,325,000	-	-	22,325,000
ERP Reserve	2,000,000	-	-	2,000,000
CIP Reserves	2,358,145	-	-	2,358,145
Total Assigned Fund Balances	43,006,790	-	-	43,006,790
Unassigned:				
General Fund	1,794,772	-	-	1,794,772
Total Unassigned Fund Balances	1,794,772	-	-	1,794,772
Total Fund Balances	$ 68,783,155	$ 14,871,690	$ 95,324,086	$ 178,978,931

Minimum Operating Reserve Policy

On June 13, 2016 the City adopted a resolution to update the City's Fund Balance Policy. Special Revenue, Debt Service and Capital Projects Funds have no minimum funding levels due to the nature of the funds. The minimum funding levels of the policy are highlighted below.

General Fund

The Committed General Fund Financial Stabilization Operating Reserve minimum funding level is 15% of operating expenditures plus debt service transfers to be used in a catastrophic event or in a major emergency or in periods of severe fiscal crisis. The Assigned General Fund Economic Uncertainty Reserve minimum funding level is 13.5% of operating expenditures plus debt service transfers to be used during times of severe economic distress such as protracted recessionary periods. State raids on local resources, or other impactful unforeseen events which greatly diminish the financial ability of the City to deliver core services. The Unassigned General Fund balance minimum funding level is 1.5% of operating expenditures plus outgoing debt service transfers.

Enterprise Funds

The Airport and Water Funds' unrestricted net position minimum balance is 12.5% (or 45 days' worth of working capital) and 33% (or 120 days' worth of working capital) of operating expenditures plus debt service requirements respectively. The Sewer Fund is recommended to maintain an unrestricted Net Position minimum balance of 50% of their operating budget plus debt service requirements.

Internal Service Funds

Liability Insurance and Workers Compensation Funds are recommended to fully fund actuarially determined claim obligations at a minimum at the seventy percent (70%) confidence level. The City will strive to fully fund actuarially determined claim obligations at the 90% confidence level.

The Fleet Services, Information Technology and Facilities Rehabilitation Funds are recommended to keep 12.5% of operating expenses as minimum unrestricted net position balance.

Restatement of Net Position/ Fund Balances

As a result of the implementation of GASB Statement No. 87, *Leases*, the City restated general fund balance and Airport and Water enterprise funds net position as of July 1, 2021, as follows.

Government-Wide Financial Statements	Governmental Activities	Business-Type Activities
Net Position - Beginning	$ 382,574,934	$ 258,418,826
Leases receivable	693,837	14,998,131
Deferred inflows of resources related to leases	(693,837)	(14,998,131)
Net Position - Beginning as Restated	$ 382,574,934	$ 258,418,826

	General Fund	Airport Proprietary Fund	Water Proprietary Fund
Fund Balance - Beginning	$ 77,177,493	$ 20,281,130	$ 59,784,223
Leases receivable	693,837	14,701,109	297,022
Deferred inflows of resources related to leases	(693,837)	(14,701,109)	(297,022)
Fund Balance - Beginning as Restated	$ 77,177,493	$ 20,281,130	$ 59,784,223

Note 11 - Pension Plans

A. Social Security/ Public Agency Retirement Systems (PARS)

The Omnibus Budget Reconciliation Act of 1990 (OBRA) mandates that public sector employees who are not members of their employer's existing retirement system as of January 1, 1992 be covered by either Social Security or an alternative plan. The City's part-time, seasonal, and temporary employees are not covered under Social Security. The City has an agreement with the Public Agency Retirement System (PARS) to provide an alternative retirement system for employees not eligible for the California Public Employees' Retirement System (CalPERS) Pension Plan and adopted the PARS 457 Trust including the PARS Section 457 FICA Alternative Retirement Plan.

B. California Public Employees' Retirement System (CalPERS) Pension Plans

All public employees meeting CalPERS membership requirements must participate in pension plans offered by California Public Employees Retirement System (CalPERS).

For the fiscal year ended June 30, 2022, the City reported its net pension liabilities, deferred outflows of resources, deferred inflows of resources, and pension expense for each of the above plans as follows:

	Net Pension Liability	Deferred Outflows of Resources	Deferred Inflows of Resources	Pension Expense
Miscellaneous Plan	$ (55,577,308)	$ 12,618,246	$ (27,446,063)	$ 3,931,827
Safety Plan	(27,916,195)	12,723,808	(19,435,841)	3,914,489
Total	$ (83,493,503)	$ 25,342,054	$ (46,881,904)	$ 7,846,316

1. General Information about the Pension Plans

Plan Descriptions – All qualified permanent and probationary employees are eligible to participate in the City's separate Safety (Police) cost-sharing and Miscellaneous (all other) agent multiple-employer defined benefit plans (Plans), administered by the CalPERS. The Miscellaneous Plans are an agent multiple employer defined benefit pension plans administered by CalPERS, which acts as a common investment and administrative agent for its participating member employers. Benefit provisions under the Plans are established by State statute and City resolution. CalPERS issues publicly available reports that include a full description of the pension plans regarding benefit provisions, assumptions and membership information that can be found on the CalPERS website.

The City's Safety Plans became part of a cost-sharing multiple employer defined benefit pension plan administered by CalPERS, commonly referred to as a risk pool, as of the actuarial valuation date of June 30, 2003. Risk pools exist for employers with less than 100 active plan members.

The City has three retirement benefit tiers in the Plans. Membership in the first tier of the retirement system is closed to new employees hired on or after December 31, 2012. The second tier was adopted by the City in November 2012 for all employees hired December 31, 2012. The third tier was adopted by the City effective January 1, 2013 pursuant to State Assembly Bill 340.

The net pension liabilities will be liquidated primarily from the general fund, approximately 80%, with the remaining amounts from the Airport, Water, Sewer, Stormwater, and internal service funds.

2. Benefits Provided and Actuarial Assumptions

CalPERS provides service and disability retirement benefits, cost of living adjustments, and death benefits to plan members and beneficiaries. Benefits are based on years of credited service, equal to one year of full-time employment. Members with five years of total credited service are eligible to retire at age 50 with statutorily reduced benefits. Members may apply for a non-duty disability retirement benefit after 5 years of service. The death benefit is one of the following: The Basic Death Benefit, the 1959 Survivor Benefit, or the Optional Settlement 2W Death Benefit. The cost of living adjustments for each plan are applied as specified by the Public Employees' Retirement Law.

The Plans' provisions and benefits in effect at June 30, 2022, are summarized as follows:

	Miscellaneous	Safety
Benefit vesting schedule	5 years service	5 years service
Benefit payments	monthly for life	monthly for life
Minimum retirement age	50/52	50
Employees hired prior to December 30, 2012	**Tier 1**	**Tier 1**
Monthly benefits, as a % of annual salary	2.7% at 55	3% at 50
Required member contribution rates	8%	9%
% paid by employee	8%	9% [1]
% paid by employer	0%	0% [1]
Required employer contribution rates (Normal cost)	11.470%	23.710%
Employer payment of unfunded liability	$ 8,223,570 [4]	$ 3,327,588
Employees hired December 31, 2012	**Tier 2**	**Tier 2**
Monthly benefits, as a % of annual salary	2% at 60 [2]	3% at 55 [3]
Required member (employee) contribution rates	6.75%	9.00%
Required employer contribution rates (Normal cost)	11.470%	20.640%
Employer payment of unfunded liability	$ -	$ 14,108
Employees hired after December 31, 2012	**Tier 3**	**Tier 3**
Monthly benefits, as a % of annual salary	2% at 62 [2]	2.7% at 57 [3]
Required member (employee) contribution rates:	6.25%	12.0%
Required employer contribution rates (Normal cost)	11.470%	13.130%
Employer payment of unfunded liability	$ -	$ 6,114

1 Rates presented in the table above were effective 7/1/2016.

2 Newly hired Misc Employees will be enrolled in the 2% at 60 or 2% at 62 formula, dependent on the individual's eligibility, as per AB340.

3 Newly hired Safety Employees will be enrolled in the 3% at 55 or 2.7% at 57 formula, dependent on the individual's eligibility, as per AB340.

4 Balance mentioned above is a combined amount for all Miscellaneous plans.

Employees Covered – At June 30, 2022, the following employees were covered by the benefit terms of the Miscellaneous Plans, however, information for the Safety Police Plans was not provided from CalPERS for cost-sharing multiple employer defined benefit pension plans.

	Miscellaneous[1]
Inactive employees or beneficiaries currently receiving benefits	493
Inactive employees entitled to but not yet receiving benefits	279
Active employees	319
Total	1,091

[1] All Tiers of the Miscellaneous plans were reported together in the Census data report by CalPERS.

Contributions – Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for both Plans are determined annually on an actuarial basis as of June 30 by CalPERS. The City must contribute these amounts. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

The City is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

For the year ended June 30, 2022, the contributions recognized as part of pension expense for the Plans were as follows:

	Miscellaneous[1]	Safety Police[1]	Total
Contributions - employer	$ 11,735,625	$ 5,916,978	$ 17,652,603

[1] All Tiers of the Miscellaneous and Safety Police plans were combined together on GASB 68 report by CalPERS.

Actuarial Assumptions – The total pension liabilities in the June 30, 2022 actuarial valuations were determined using the following actuarial assumptions:

	All Plans (1)
Valuation Date	June 30, 2020
Measurement Date	June 30, 2021
Actuarial Cost Method	Entry-Age Normal Cost
Actuarial Assumptions:	
Discount Rate	7.15%
Inflation	2.500%
Payroll Growth	2.750%
Projected Salary Increase	Varies by Entry Age and Service
Investment Rate of Return	7.00% (2)
Mortality (3)	Derived using CalPERS' membership data for all funds

(1) All of the City's plans for miscellaneous and safety police employed the same

(2) Net of pension plan investment expenses, including inflation

(3) 2017 CalPERS Experience Study for the period from 1997-2015, Recipients with attained age of 50

The underlying mortality assumptions and all other actuarial assumptions used in the June 30, 2020 valuation were based on the results of the 2017 CalPERS Experience Study for the period 1997 to 2015. Further details of the Experience Study can be found on the CalPERS website.

Discount Rate – The discount rate used to measure the total pension liability was 7.15%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members will be made at the current member contribution rates and that contributions from employers will be made at statutorily required rates, actuarially determined. Based on those assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS considered both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses. The table below reflects long-term expected real rate of return by asset class.

Asset Class [1]	Current Target Allocation	Real Return Years 1-10 [2]	Real Return Years 11+ [3]
Global Equity	50.0%	4.80%	5.98%
Fixed Income	28.0%	1.00%	2.62%
Inflation Assets	0.0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0.00%	-0.92%
Total	100.0%		

[1] In the System's ACFR, Fixed Income is included in Global Debt Securities; Liquidity is included in

[2] An expected inflation of 2.0% used for this period.

[3] An expected inflation of 2.92% used for this period.

Note - All of the City's plans for miscellaneous and safety police employed the same strategies.

3. Miscellaneous Agent Multiple-Employer Defined Benefit Pension Plan (Miscellaneous)

The changes in the Net Pension Liability for the Miscellaneous Plan during the measurement year were as follows:

Miscellaneous Plan[1]:	Increase (Decrease)		
	Total Pension Liability	Plan Fiduciary Net Position	Net Pension Liability/(Asset)
Balance at June 30, 2020 [2]	$ 321,726,986	$ 227,290,267	$ 94,436,719
Changes in the year:			
Service cost	5,758,510	-	5,758,510
Interest on the total pension liability	22,490,655	-	22,490,655
Difference between expected and actual experience	(2,611,847)	-	(2,611,847)
Net plan to plan resource movement	-	-	-
Contribution - employer	-	10,678,645	(10,678,645)
Contribution - employee (paid by employer)	-	-	-
Contribution - employees	-	2,345,433	(2,345,433)
Net investment income	-	51,699,700	(51,699,700)
Benefit payments, including refunds of employee contributions	(14,879,565)	(14,879,565)	-
Administrative expenses	-	(227,049)	227,049
Net changes	10,757,753	49,617,164	(38,859,411)
Balance at June 30, 2021 [2]	$ 332,484,739	$ 276,907,431	$ 55,577,308

[1] All Tiers of the Miscellaneous plan were combined together on GASB 68 report by CalPERS.
[2] Represent measurement dates used in the GASB 68 valuation report.

Pension Plan Fiduciary Net Position – Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

4. Safety Police Cost-Sharing Multiple-Employer Defined Benefit Plan (Police Safety)

As of June 30, 2022, the City reported net pension liabilities for its proportionate share of the net pension liability of the Police Safety Plan as follows:

	Proportionate Share of Net Pension Liability [1]
Safety Police Plan	$ (27,916,195)

[1] All Tiers of the Safety Police plan were combined together on GASB 68 report by CalPERS.

The City's net pension liability for the Plans is measured as the proportionate share of the net pension liability. The net pension liability of the Plans are measured as of June 30, 2021, and the total pension liability for the Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2020 rolled forward to June 30, 2021 using standard update procedures. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined.

The City's proportionate share of the net pension liability for the Plan as of the measurements dates of June 30, 2020 and 2021 was as follows:

	Safety Police
Proportion - June 30, 2020	0.69837%
Proportion - June 30, 2021	0.79545%
Change - Increase (Decrease)	0.09708%

[1] All Tiers of the Safety Police plan were combined together on GASB 68 report by CalPERS.

Pension Plan Fiduciary Net Position – Detailed information about the pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

5. Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the City's Miscellaneous Plan and the City's proportionate share of the net pension liability for the Safety Police Plan, calculated using the discount rate for the Plan, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	Discount Rate		
	1% Decrease	Current	1% Increase
Net Pension Liability	(6.15%)	(7.15%)	(8.15%)
Miscellaneous Plan[1]	$97,772,061	55,577,308	$20,441,546
Police Safety Plan[1]	52,219,781	27,916,195	7,953,801

[1] All Tiers of the Miscellaneous plan and Safety Police plan were combined together into

6. Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

For the fiscal year ended June 30, 2022, the City recognized pension credit of $3,931,827 for the Miscellaneous Plan and $3,914,489 for the Police Safety Plan for a total pension credit of $7,846,316.

At June 30, 2022, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Miscellaneous Plan		Safety Police Plan		Total	
	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between actual and expected experience	$ 882,621	$ (1,644,496)	$ 4,769,458	$ -	$ 5,652,079	$ (1,644,496)
Changes in assumptions	-	-	-	-	-	-
Net differences between projected and actual earnings on plan investments	-	(25,801,567)	-	(16,615,503)	-	(42,417,070)
Change in proportion and differences between actual contributions and proportionate share of contributions	-	-	2,037,372	(2,820,338)	2,037,372	(2,820,338)
Total	$ 882,621	$ (27,446,063)	$ 6,806,830	$ (19,435,841)	$ 7,689,451	$ (46,881,904)

Pension contributions subsequent to measurement date	Deferred Outflows of Resources	Deferred Inflows of Resources	Total
Miscellaneous Plan[1]	$ 11,735,625	$ -	$ 11,735,625
Safety Police Plan[1]	5,916,978	-	5,916,978
Total	$ 17,652,603	$ -	$ 17,652,603

[1] All Tiers of the Miscellaneous and Police Safety plan were combined together on GASB 68 report by CalPERS.

In the table above amounts reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Fiscal Year Ended June 30	Miscellaneous Plan Deferred Outflows/(inflows) of Resources	Safety Police Plan Deferred Outflows/(inflows) of Resources	Total Deferred Outflows/(inflows) of Resources
2023	$ (6,612,299)	$ (1,993,986)	$ (8,606,285)
2024	(6,658,125)	(2,556,942)	(9,215,067)
2025	(6,183,961)	(3,505,729)	(9,689,690)
2026	(7,109,057)	(4,572,354)	(11,681,411)
	$ (26,563,442)	$ (12,629,011)	$ (39,192,453)

Note 12 - Other Post Employment Benefits

The City has two types of retirement health benefits as determined by Council resolution and through agreements with its labor units. One plan is a Defined Benefit Plan (Other Post Employment Benefit "OPEB") which provides health care benefits for retired employees under third party insurance plans. The second plan is a Defined Contribution Plan in which the City contributes a fixed amount to a retirement health savings account on behalf of employees who are not eligible for OPEB. The City's Defined Benefit OPEB plan is closed to new entrants; all new employees are enrolled into the City's Defined Contribution plan.

	Executive Management	Mid-Mgmt & Confidential	ALE	LPOA	Police Management
§ Hired Before	• 8/1/2014	· 2/1/2006	· 4/1/2007	· 2/1/2007	· 9/1/2004
§ Eligibility	• Retire directly from the City with 10 years CalPERS service (15 years for Police safety) and a minimum of 5 years City service, or • Industrial disability, for police safety (except for employees enrolled in retirement health savings account)				
§ Benefit	• City reimburses up to a percentage subject to a cap that varies by bargaining group • City will reimburse Medicare A & B if required for Medical coverage • Reimbursement percentage based on bargaining group and CalPERS service:				
	PERS Service / Reimb % 10 / 75% 15 / 80% 20 / 90% 25+ / 100%		PERS Service / Reimb % 10 / 70% 15 / 80% 20 / 90% 25+ / 100%	PERS Service / Reimb % 15 / 75% 20 / 85% 25+ / 100%	
§ Cap	· DOR < 10/9/01: $200 · DOR < 10/9/01 and DOH < 1/10/05: $2,121.24 • DOH ≥ 1/10/05: With a current benefit maximum of $1,866.20[1] · DOH ≥ 8/1/14: No benefits, City contributes 4% of base pay to RHSA	· DOR < 9/25/00: $200 · DOR between 9/25/00 and 7/1/15: $2,121.24[1] · DOR ≥ 7/1/15 and DOH < 2/1/06: With a current benefit maximum of $1,950[1] · DOH ≥ 2/1/06: No benefit, City contributes 4% of base pay to RHSA	· DOR < 10/3/03: $200 · DOR > 10/3/03: $2,121.24 · DOR > 1/1/06: With a current benefit maximum of $2,058.20[1] · DOR > 11/9/14: With a current benefit maximum of $2,050 · DOR > 1/1/17: $1,950 · DOH ≥ 4/1/07: No benefits, City contributes 4% of base pay to RHSA	· DOR < 2/1/02: $200 · DOH < 2/1/07: $1,866.20[2] · DOH > 2/1/07: No benefits, City contributes 5% of base pay to RHSA, EE contributes 1% of base pay to RHSA	· DOR < 4/7/03: $200 · Tier 1 (PL/Cpt): (DOR < 9/1/04) $2,121.24[1] · Tier 2 (Actively employed as of 8/30/04): $2,371.81[2] · Tier 3 (promoted after 9/1/04): $1,866.20[2] · Promoted EE's stay with RHSA if RHSA was prior benefit · DOH ≥ 9/1/04: No benefits; City contributes 5% of base pay to RHSA

1: Will be matched to Kaiser A two party rate for an active employee
2: Will be matched to Pre 65 Retireee Kaiser A two party rate

Funding Policy and Actuarial Assumptions

The actuarially determined contribution (ADC) to the OPEB plan was determined as part of a June 30, 2020 actuarial valuation using the entry age normal actuarial cost method. This is a projected benefit cost method, which takes into account those benefits that are expected to be earned in the future as well as those already accrued. The actuarial assumptions included (a) 6.25% investment rate of return, (b) 2.75% projected annual salary increase, and (c) 2.75% general inflation rate and (d) health inflation decreases ranging from 4.0%-7.5%. The actuarial methods and assumptions used include techniques that smooth the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets. Actuarial calculations reflect a long-term perspective and actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to revision at least biannually as results are compared to past expectations and new estimates are made about the future.

In accordance with the City's budget, the actuarially determined contribution (ADC) is to be funded throughout the year as a percentage of payroll. During fiscal year ended June 30, 2010, the City joined the Public Agencies Post-Retirement Health Care Plan, a multiple employer trust administered by Public Agency Retirement Services (PARS). During current fiscal year, the City contributed $5,163,000 to an irrevocable trust administrated by PARS, managed by an appointed board not under the control of City Council. This trust is not considered a component unit by the City and has been excluded from these financial statements. Separately issued financial statements for PARS may be obtained from PARS at 4350 Von Karman Ave., Suite 200, Newport Beach, CA 92660.

OPEB Trust Fund

Plan Administration

The City is the plan administrator. The Public Agency Retirement Services (PARS) administers the trust for the City's retiree healthcare benefit plan – an agent multiple-employer defined benefit OPEB plan that provides healthcare benefits for eligible general and public safety employees of the City.

	Fiscal Year ended 6/30/22
Plan Type	Agent Multiple Employer
OPEB Trust	No
Special Funding Situation	No
Nonemployer Contributing Entity	No

Plan Membership

As of June 30, 2022, membership in the plan consisted of the following:

	Number of Covered Employees
Retirees and beneficiaries receivng benefits	308
Terminated plan members entitled to but not yet receiving benefits	26
Active plan members	154
	488

Benefits Provided

Post-employment healthcare and similar benefit allowances are provided to eligible employees who retire from the City or to their surviving spouses. As noted in the table above in Note 11B(ii), there were 320 participants receiving these healthcare benefits as of June 30, 2022. Refer to the table on the previous page for the contractual maximum contribution rates for the eligible employees depending upon their association with specific bargaining groups.

Contribution Information

PARS establish rates for each employer based on an actuarially determined rate for each employer. For the year ended June 30, 2022, the City's average contribution rate was 19.5 percent of covered-employee payroll. Plan members are not required to contribute to the plan.

For the year ended June 30, 2022, the City contributed $5,035,080 in relation to the actuarially determined contribution.

Investment Policy

PARS offer different investment portfolios as part of the investment vehicle. The City invests in "Capital Appreciation" portfolio; the primary goal of the Capital Appreciation objective is growth of principal. The major portions of the assets are invested in the equity securities and market fluctuations are expected. The portfolio is constructed to control risk through four layers of diversification – asset classes (cash, fixed income, equity), investment styles (large cap, small cap, international, value, growth), managers and securities. Disciplined mutual fund selections and monitoring helps to drive return potential while reducing portfolio risk.

The following is the City adopted asset allocation policy as of June 30, 2022.

Asset Class Component:	Target Allocation	Expected Real Rate of Return
Global Equity	73.00%	4.56%
Fixed Income	20.00%	0.78%
REITs	2.00%	4.06%
Cash	5.00%	-0.50%
Assumed Long Term Rate of Inflation		2.50%
Discount Rate		6.00%

Changes in Net OPEB Liability

The changes in the Net OPEB Liability are as follows

	Increase (Decrease)		
	Total OPEB Liability	Plan Fiduciary Net Position	Net OPEB Liability/(Asset)
Balance at June 30, 2021 [1]	$ 78,753,409	$ 43,870,459	$ 34,882,950
Changes in the year:			
Service cost	1,032,271	-	1,032,271
Interest on the total pension liability	4,869,477	-	4,869,477
Changes of assumptions	1,365,243	-	1,365,243
Contribution - employer	-	5,035,080	(5,035,080)
Net investment income	-	(5,719,634)	5,719,634
Benefit payments, including refunds of employee contributions	(3,748,080)	(3,748,080)	-
Administrative expenses	-	(78,844)	78,844
Net changes	3,518,911	(4,511,478)	8,030,389
Balance at June 30, 2022 [1]	$ 82,272,320	$ 39,358,981	$ 42,913,339

[1] Represent measurement dates used in the GASB 75 valuation report.

Detailed information about the OPEB plan's fiduciary net position is available in the separately issued plan financial report that may be obtained from PARS.

Actuarial Methods and Assumptions

The City's net OPEB liability was measured as of June 30, 2022 and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation dated June 30, 2020, based on the following actuarial methods and assumptions:

Measurement Date	June 30, 2022
Valuation Date	June 30, 2020
Funding Policy	City Contributes full ADC PARS portfolio: Capital Appreciation
Medical Trend	Non-Medicare - 6.50% for 2023, decreasing to 3.75% in 2076 Medicare (Non-Kaiser) - 5.65% for 2023, decreasing to an ultimate rate of 3.75% in 2076 Medicare (Kaiser) - 4.60% for 2023, decreasing to an ultimate rate of 3.75% in 2076
Healthcare participation for future Retirees	Not in RHSA: 90%; In RHSA: not applicable
Cap Increases	Kaiser plan A 2-party premium: Medical trend Active medical cap - Minimum of: Healthnet PPO family premium (increase with medical trend); 1% (3/4% for Police Lieut.) of budgeted monthly salary (increased with payroll increase rate)
Actuarial Assumptions:	
Discount Rate	6.00%
Salary Increase	Aggregate:-2.75% annually Merit- CalPERS 1997-2015 Experience Study
Inflation	2.50%
Investment Rate of Return	6.25% and does not include investment expenses
Mortality , Retirement, Disability, Termination	CalPERS 1997-2015 Experience Study
Mortality Improvement	Mortality projected fully generational with Scale MP-2020

Discount rate

The discount rates used to measure the total OPEB liability were 6.00% as of June 30, 2022. The projection of cash flows used to determine the discount rate assumed that City contributions will be made at rates equal to the actuarially determined contribution rates. Based on those assumptions, the OPEB plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long term expected rate of return on OPEB plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

Sensitivity of the Net OPEB Liability to Changes in the Discount Rate

The following table presents the net OPEB liability of the City as of June 30, 2022, calculated using the discount rate of 6.00%, as well as what the Plan's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage point higher than the current rate:

	Discount Rate		
	1% Decrease	Current	1% Increase
	(5.00%)	(6.00%)	(7.00%)
Net OPEB Liability	$ 53,064,422	$ 42,913,339	$ 34,453,758

Sensitivity of the Net OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following presents the net OPEB liability of the City, as well as what the City's net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	Healthcare Trend Rate		
	1% Decrease	Current	1% Increase
Net OPEB Liability	$ 37,850,631	$ 42,913,339	$ 47,422,631

OPEB Expenses and Deferred Outflows/Inflows of Resources Related to OPEB

For the year ended June 30, 2022, the City recognized OPEB Expense of $1,421,075. As of fiscal year, ended June 30, 2022, the City reported deferred outflows and inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between actual and expected experience	$ -	$ (533,964)
Changes in assumptions	894,468	(418,050)
Net differences between projected and actual earnings on plan investments*	2,507,639	-
Total	$ 3,402,107	$ (952,014)

* Deferred Inflows and Outflows combined for footnote disclosure.

The difference between projected OPEB plan investment earnings and actual earnings is amortized over a five-year period. The remaining gains and losses are amortized over the expected average remaining service life.

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized as future OPEB expense as follows:

Year Ended June 30	Deferred Outflows/(inflows) od Resources
2023	$ (146,128)
2024	777,875
2025	117,361
2026	1,700,985
	$ 2,450,093

Payable to OPEB Plan

The City did not report any payables for the outstanding amount of contributions to the OPEB plan required for the year ended June 30, 2022.

The net OPEB liability will be liquidated primarily from the general fund, approximately 80%, with the remaining amounts from the Airport, Water, Sewer, Stormwater, and internal service funds.

Note 13 - Deferred Compensation Plan

City employees may defer a portion of their compensation under a City sponsored Deferred Compensation Plan created in accordance with Internal Revenue Code Section 457. Under this plan, participants are not taxed on the deferred portion of their compensation until distributed to them; distributions may be made only at termination, retirement, death or in an emergency as defined by the plan.

The laws governing deferred compensation plan assets require plan assets to be held by a Trust for the exclusive benefit of plan participants and their beneficiaries. Since the assets held under these plans are not the City's property and are not subject to City control, they have been excluded from these financial statements.

Note 14 - Joint Ventures

The City participates in the joint venture activities described below through formally organized and separate entities established under the Joint Exercise of Powers Act of the State of California. As separate legal entities, these organizations exercise full powers and authorities within the scope of the related Joint Powers Agreements including the preparation of annual budgets, accountability for all funds, the power to make and execute contracts and the right to sue and be sued. Each joint venture is governed by a board consisting of representatives from member municipalities. Each board controls the operations of the respective joint venture, including selection of management and approval of operating budgets, independent of any influence by member municipalities beyond their representation on the Board. Assets and liabilities of the separate entities are not those of the City. The City's sole financial responsibility is to fund annual contributions to each entity which are used along with other member contributions to finance each joint venture's annual operations.

Livermore-Amador Valley Water Management Agency (LAVWMA)

Livermore-Amador Valley Water Management Agency (LAVWMA) was formed in 1974. LAVWMA operates the export pipeline connecting with the East Bay Discharges Authority's systems and discharges treated wastewater into San Francisco Bay. The current members of the Agency are Dublin San Ramon Services District, City of Livermore, and City of Pleasanton. Sewer revenue bonds issued by LAVWMA are being repaid with user charges assessed to member agencies.

The City accounts for its investment in LAVWMA by the equity method in the Sewer Enterprise Fund. The City records its share of earnings (losses) in the Proprietary Funds Statement of Revenues, Expenses and Changes in Net Position as "Change in value in investment in JPA - LAVWMA," and the carrying value of the City's investment in LAVWMA is recorded in the Proprietary Funds Statement of Net Position as "Investment in JPA - LAVWMA."

On August 1, 2011, LAVWMA issued $105,345,000 principal amount of 2011 Sewer Revenue Refunding Bonds. Proceeds of the issuance were used to refund and retire the Series A Sewer Revenue Bonds and to pay costs of issuance. Under an Amended and Restated Sewer Service Contract dated October 1, 2011 between LAVWMA and the Members, the Members pledged and created, in favor of LAVWMA and the Trustee for the 2011 Bonds, a lien on the Net Revenues of their respective wastewater systems to pay to LAVWMA the amounts owed in order for LAVWMA to pay the debt service on the 2011 bonds. The City's share is 27.83% of the total debt service. The City's equity interest in LAVWMA was $19,866,754 as of June 30, 2022. Financial statements for LAVWMA may be obtained from DSRSD at 7051 Dublin Boulevard, Dublin, California 94568.

Livermore-Amador Valley Transit Authority (LAVTA)

This Authority was formed in May 1985 by a joint exercise of powers agreement between the County of Alameda and the Cities of Livermore, Pleasanton, and Dublin for the purpose of providing general public transportation under the business name "Wheels". Financial statements may be obtained from LAVTA, 1362 Rutan Court, Suite 100, Livermore, CA 94551.

Tri-Valley Transportation Council (TVTC)

The Tri-Valley Transportation Council was formed in 1991 by a joint exercise of powers agreement between the cities of Dublin, Livermore, Pleasanton, and San Ramon, the Town of Danville and the Counties of Alameda and Contra Costa for the purposes of preparing a transportation plan and providing transportation facilities within the Tri-Valley area. Financial statements may be obtained from Franklin Management Systems, Inc., Attn: Mr. Jack Harrington, 3037 Hopyard Road, Suite M, Pleasanton, CA 94588.

Livermore - Pleasanton Fire Department Joint Powers Agreement (LPFD)

On December 3, 1996, the cities of Livermore and Pleasanton signed a joint powers agreement to form a joint Fire Department covering both cities. The LPFD may own physical assets and can enter into contracts with the approval of the governing board, where applicable. Fire protection services are provided by the City of Pleasanton employees under the joint power agreement. The LPFD prepares its budget including contributions required from each City to fund operating and capital needs for the year. In January 2013, the City of Livermore began functioning as Treasurer for LPFD. The City of Livermore has 50% equity share (or deficit, when applicable) in LPFD and share all the costs at approximately 50%. The deficit net position of the LPFD is reported on the governmental activities statement of net position because the City has an ongoing financial responsibility. During the year ended June 30, 2022, the City contributed $22,203,003 to LPFD representing its share of costs. The City's deficit interest in LPFD was $40,821,173 as of June 30, 2022, based on LPFD audited financial statements for the fiscal year ended June 30, 2022. Financial statements for LPFD may be obtained from the City of Livermore at 1052 South Livermore Avenue, Livermore, California 94550.

California Public Finance Authority (CalPFA)

California Public Finance Authority (CalPFA) is a political subdivision of the State of California established under the Joint Exercise of Powers Act for the purpose of issuing tax-exempt and taxable conduit bonds for public and private entities throughout California. CalPFA is empowered to promote economic, cultural, and community development opportunities that create temporary and permanent jobs, affordable housing, community infrastructure and improve the overall quality of life in local communities.

The City joined a Joint Exercise of Powers Agreement with CalPFA to issue bonds or other debt that constitute "qualified residential rental project bonds" under Section 142 (a)(7) and Section 142 (d) of the Internal Revenue Code in an amount not-to-exceed $55,000,000 for the purpose of financing or refinancing the acquisition and construction of Ageno Apartments. CalPFA is responsible for all the reporting and monitoring components and the City has no post issuance obligations. The City's name does not appear on any legal documents. Since the JPA is a separate legal entity, the City has no liability exposure. Additionally, the City has no ongoing obligation to the JPA, unless the City wishes to issue bonds for another development project through the JPA.

Financial statements may be obtained from the California Public Finance Authority website, http://www.calpfa.org/general-information/audits-transaction-reports or from California Public Finance Authority, 2999 Oak Road Suite 710, Walnut Creek, CA 94597.

East Bay Community Energy (EBCE)

This authority formed in October 2016 by a joint exercise of power agreement between the County of Alameda and the Cities of Livermore, Pleasanton, and Dublin for the purpose of purchasing energy on a community-wide basis by pooling the buying power of the individuals within their jurisdictions. Involvement in the JPA gives opportunities to the City for gaining greater local involvement over the provision of electricity supply services, competitive electric rates, the development of local renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs.

Stopwaste

This authority formed in 1976 by a joint exercise of power agreement between the County of Alameda, all fourteen cities located within the County along with two sanitary districts for the purpose of reducing waste in Alameda County. A representative from each Member Agency serves on the Alameda County Waste Management Authority Board. The Alameda County Waste Management Authority provides solid waste planning, projects and initiatives to increase recycling and reduce waste by residents, businesses and schools. Funding is provided by waste-related fees. Some projects for reduction of waste include the Green Building in Alameda County program, curbside residential food scrap recycling and the reusable bag ordinance. These programs have reduced construction waste, increased use of recycled building materials, produced food scrap composting and reduced the number of plastic bags in the County landfills. For more information visit www.stopwaste.org.

Note 15 - General Liability and Workers Compensation Coverage

Risk Management

The City of Livermore is self-insured for general liability claims up to a self-insured retention (SIR) of $750,000 per occurrence. It is a member of California Joint Powers Risk Management Authority (CJPRMA), an excess insurance pool that provides coverage for each occurrence that exceeds the SIR. CJPRMA provides coverage up to $40,000,000 per occurrence. The first $5,000,000 layer is retained by CJPRMA and the second and third layers totaling $35,000,000 are covered by reinsurance, purchased through their broker of record, Aon. The City of Livermore contributed $996,507 to CJPRMA for liability coverage for the fiscal year ending June 30, 2022. The City of Livermore purchases a variety of insurance products from Aon, both through the CJPRMA pooled programs and directly. The City paid $274,208 directly to Aon, $558,657 to Alliant through CJPRMA for property insurance, and $71,821 for auto physical damage insurance to Alliant through CJPRMA.

The Local Agency Workers Compensation Excess Joint Powers Authority (LAWCX) covers workers compensation up to statutory limits. The City has a deductible or uninsured liability of up to $500,000 per claim. During the fiscal year ended June 30, 2022, the City contributed $475,294 for program year coverage.

Each risk pool is governed by a Board consisting of representatives from member municipalities. The Board controls the operations of each risk pool, including selection of management and approval of operating budgets, independent of any influence by member municipalities beyond their representation on the Board. The City's contribution to each risk pool equals the ratio of the City's payroll to the total payrolls of all entities participating in the same layer of each program, in each program year. Actual surpluses or losses are shared according to a formula developed from overall loss costs and spread to member entities on a percentage basis after a retrospective rating. CJPRMA’s financial statements may be obtained by contacting CJPRMA at (925) 837-0667. LAWCX’s financial statements may be obtained by contacting LAWCX at (800) 541-4591.

Liability for Uninsured Claims

The City's liability for the uninsured portion of claims, including a provision for claims incurred but not reported, was computed as follows based on claims experience:

	Liability Insurance Reserve	Workers' Compensation	Total
Balances of claims payable at June 30, 2021	$ 2,129,980	$ 4,545,511	$ 6,675,491
Incurred claims and change in estimated	2,008,250	1,428,812	3,437,062
Claims paid	(401,361)	(856,061)	(1,257,422)
Balances of claims payable at June 30, 2022	$ 3,736,869	$ 5,118,262	$ 8,855,131
Claims payable - current	$ 1,443,000	$ 1,248,000	$ 2,691,000

Note 16 - Economic Development Incentives – Tax Abatements

The City offers economic development incentive program to the entities that propose to locate or expand already established businesses within the City. This incentive program is expected to provide a stimulus to the City's economy, increase the tax base and create jobs. Each of the agreements entered into by the City, provides for a rebate of taxes paid to the City according to formulas contained in the agreements. These limited terms agreements provide for a sharing of the taxes (percentage rebates) above certain amounts with a maximum rebate not to exceed the cost of a business' improvements and/or development impact fees. The City generally expects to receive increased revenue as a result of these agreements. These incentive agreements require approval by City Council.

For financial reporting purposes, the GASB Statement No. 77 defines a tax abatement as resulting from an agreement between a government and an individual or entity in which the government promises to forgo tax revenues and the individual or entity promises to subsequently take a specific action that contributes to economic development or otherwise benefits the government or its citizens. According to the GASB 77, the substance of these agreements meets the definition of "tax abatements" as the revenues received were not available for general municipal services purposes, but rather used to effectively reduce the net tax liability of certain taxpayers per the conditions of an agreement.

The taxes paid to the City are included in the revenue reported in these financial statements. The payments made to the businesses based upon the taxes paid are also included as expenditures in these financial statements. For the fiscal year ended June 30, 2022, under this program the City has abatements of sales tax totaling $1,296,362.

Pursuant to the Sales and Use Tax law (chapter 8 – Article 1 – section 7056), in order to protect the confidential information of sales taxes collected and abatements provided to each of the specific agencies, the City has presented the aggregate amount abated during the current fiscal year.

Note 17 - Commitments and Contingencies

The City is subject to litigation arising in the normal course of business. In the opinion of the City Attorney there is no pending litigation which is likely to have a material adverse effect on the financial position of the City.

The City participates in several Federal and State grant programs. These programs have been audited by the City's independent accountants in accordance with the provisions of the Federal Single Audit Act amendments of 1996 and applicable State requirements. No cost disallowances were proposed as a result of these audits; however, these programs are still subject to further examination by the grantors and the amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time. The City expects such amounts, if any, to be immaterial.

Construction Commitments

The City has the following outstanding construction commitments at June 30, 2022:

Vendors	Amount
Meyers & Sons	$ 1,801,622
Evra Construction Inc.	49,064
Integra Construction Services	407,909
Marshall Brothers	233,586
	$ 2,492,181

There were no outstanding encumbrances related to these commitments on June 30, 2022.

Animal Shelter

The Cities of Dublin, Pleasanton, and Livermore and the County of Alameda reached an agreement under which Alameda County constructed an animal shelter facility on County property. Under the agreement the entities share in the debt service and operating costs of the project based on their use of the animal shelter. The City of Livermore paid $341,443 for its share of debt service and operating costs. The City's portion of the project fluctuates based on actual usage and was 17% as of June 30, 2022.

Alameda County

During fiscal year 2014-15, Alameda County made a $2.8 million contribution necessary to affect the redemption and retirement of the 2006 Bankhead Theater bond and prepayment of 2006 loan and issuance of 2014 COP Series A. The City is obliged to return $2.8 million to Alameda County in the event the Bankhead Theater is sold. At present, the City does not have any intentions of selling the Theater.

Note 18 - Successor Agency Activities

The City of Livermore opted to become the Livermore Successor Agency to the former Redevelopment Agency of Livermore as of January 9, 2012. Since February 1, 2012, the date of dissolution, the housing related assets and activities of the dissolved redevelopment agency are reported in the governmental Housing Successor Special Revenue Fund. The non-housing related assets and activities of the dissolved redevelopment agency are reported in the fiduciary Successor Agency to the Redevelopment Agency Private Purpose Trust Fund whose activities are subject to review and approval of the Oversight Board.

Long-Term Debt

The Successor Agency assumed the long-term debt of the Redevelopment Agency as of February 1, 2012. On August 1, 2001, the Redevelopment Agency issued $36,775,000 of **2001 Tax Allocation Bonds, Series A**. Proceeds were used to refund the above outstanding Livermore Redevelopment Project 1986 Tax Allocation Bonds Series A, and to provide funds to finance various redevelopment activities within the Project Area.

Post Dissolution Assembly Bill 1484 permits the refunding of outstanding bonds of former redevelopment agencies if the total debt service (principal and interest) on the new refunding bonds is less than the total remaining debt service on the bonds being refunded (currently outstanding). The purpose for refunding redevelopment bonds is to reduce the interest rate, which lowers the annual tax increment required to make debt payments and increases the share of tax increment available to affected taxing entities.

In December 2016, the Successor Agency refinanced the 2001 Tax Allocation Bonds, Series A and issued two refunding bonds, 2016 Tax Allocation Refunding Bonds, Series A (tax exempt) and Series B (taxable). The refinancing of this debt did not extend the August 1, 2032 final maturity date or provide additional proceeds for projects; however, the anticipated present value savings are more than $300,000 annually or approximately $4.9 million over the life of the refunding issue. The future annual debt savings will allow more funds to flow to the affected taxing entities, including the City. The table below presents the detail of activities during current fiscal year.

	Balance at June 30, 2021	Retirements	Balance at June 30, 2022	Amount due in one year
Fiduciary Activities				
2016 Tax AllocationRefunding Bonds, 3.00%-5.00%, 2032	$ 18,535,000	$ (1,345,000)	$ 17,190,000	$ 1,410,000
Unamortized Premium	932,746	(92,489)	840,257	92,489
Total debt	$ 19,467,746	$ (1,437,489)	$ 18,030,257	$ 1,502,489

Semiannual debt service payments are due August 1 and February 1, and are repayable from tax increment revenues of the Redevelopment Agency Project Area. Annual debt service requirements combined are shown below:

For the Year Ending June 30	Principal	Interest	Total
2023	$1,410,000	$628,469	$ 2,038,469
2024	1,485,000	556,094	2,041,094
2025	1,550,000	480,219	2,030,219
2026	1,630,000	400,719	2,030,719
2027	1,715,000	334,244	2,049,244
2028-2032	9,400,000	812,066	10,212,066
Total	17,190,000	$ 3,211,811	$ 20,401,811
Unamortized Premium	840,257		
Total Debt	$ 18,030,257		

Commitments and Contingencies

The City and former Agency have entered into a variety of development agreements with third parties to provide needed improvements and projects. Activities under agreements for which there are continuing commitments are disclosed in the following paragraphs. Additionally, the City and Agency have other agreements that entitle them to collect certain loans or notes receivable which are disclosed in Note 5.

Last and Final Recognized Obligation Payment Schedule (LFROPs)

In September 2018, the State Department of Finance (DOF) approved the Successor Agency's Last and Final Recognized Obligation Payment Schedule (LFROP). The Successor Agency will continue to receive property tax increment revenue to pay items listed on the LFROPs, without any objections by the DOF, until all obligations are paid off.

Loans between the LSA and the City

The remaining loan left for the Successor agency is the SERAF Loan, with a current balance of $543,438. Further information on the loans is provided in Note 5.

Required Supplementary Information
June 30, 2022

City of Livermore

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Note 1 - Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual

The Schedule of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual presents the comparison of actual balances with the balances budgeted for revenues, expenses, and transfers. This schedule is presented for General Fund, Low Income Housing Special Revenue Fund and Housing Successor Special Revenue Fund.

The City's funds are required to adopt an annual budget prepared on a basis generally consistent with Generally Accepted Accounting Principles (GAAP).

Note 2 - Agent Multiple-Employer Defined Benefit Pension Plan (Miscellaneous Plan):

Schedule of Changes in the Net Pension Liability and Related Ratios

This schedule reports the beginning and ending balances of the total pension liability, the plan assets available for pension benefits (called plan net position), and the net pension liability, as well as the change in those amounts during the year presented by cause (similar to the note disclosure). It also reports the total pension liability, plan net position, net pension liability, a ratio of plan net position divided by the total pension liability, the payroll amount for current employees in the plan (covered-employee payroll), and a ratio of the net pension liability divided by covered payroll.

Schedule of Contributions

This schedule reports the agent multiple-employer's contributions to the plan which are actuarially determined, the employer's actual contributions, the difference between the actual and actuarially determined contributions, and a ratio of the actual contributions divided by covered payroll.

Note 3 - Cost-Sharing Employer Defined Benefit Pension Plan (Safety Plan)

Schedule of Proportionate Share of the Net Pension Liability

This schedule reports the proportion (percentage) of the collective net pension liability, the proportionate share (amount) of the collective net pension liability, the employer's covered employee payroll, the proportionate share (amount of the collective net pension liability as a percentage of the employer's covered employee payroll and the pension plan's fiduciary net position as a percentage of the total pension liability.

Schedule of Contributions

This schedule reports the cost sharing employer's contributions to the plan which are actuarially determined, the employer's actual contributions, the difference between the actual and actuarially determined contributions.

Note 4 - Other Post-Employment Benefits

Schedule of Changes in the City's Net OPEB Liability and Related Ratios

This schedule presents information about the components of the net OPEB liability and related ratios, including the OPEB plan's fiduciary net position as a percentage of the total OPEB liability, and the net OPEB liability as a percentage of covered-employee payroll.

Schedule of Contributions

This schedule reports the City's contributions to the plan which are actuarially determined, the employer's actual contributions, the difference between the actual and actuarially determined contributions, and a ratio of the actual contributions divided by covered-employee payroll.

GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Budgeted Amounts		Actual Amounts Budgetary Basis	Variance Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Property taxes	$ 41,401,520	$ 40,464,176	$ 40,754,977	$ 290,801
Sales taxes	34,094,000	37,550,000	39,907,361	2,357,361
Other taxes	15,349,546	19,068,281	18,389,594	(678,687)
Licenses and permits	2,596,220	3,315,100	4,236,642	921,542
Intergovernmental	16,267,460	17,030,373	16,836,276	(194,097)
Contributions from outside sources	-	1,525,000	-	(1,525,000)
Fines and forfeitures	370,000	345,000	444,025	99,025
Charges for current services	8,063,192	8,694,548	7,349,982	(1,344,566)
Use of money and property	3,830,381	4,075,607	(2,577,866)	(6,653,473)
Miscellaneous	469,750	580,761	1,660,818	1,080,057
Total Revenues	122,442,069	132,648,846	127,001,809	(5,647,037)
EXPENDITURES				
Current:				
General Government:				
City Council	190,327	261,587	258,735	2,852
City Manager	2,175,705	2,348,261	2,256,757	91,504
City Attorney	2,214,168	2,186,599	2,138,236	48,363
Administrative Services	7,276,064	7,636,218	6,889,087	747,131
General Services	3,569,999	4,411,457	4,293,624	117,833
Fire	23,822,187	24,041,576	24,285,574	(243,998)
Police	41,631,320	40,734,282	40,217,788	516,494
Public Works	9,082,280	11,339,796	11,066,658	273,138
Community Development	17,720,519	20,157,740	18,965,240	1,192,500
Economic Development	3,066,986	2,893,622	2,768,806	124,816
Library	6,258,888	6,457,668	6,286,856	170,812
Capital Outlay	13,387,000	12,167,090	10,386,477	1,780,613
Total Expenditurs	130,395,443	134,635,896	129,813,838	4,822,058
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(7,953,374)	(1,987,050)	(2,812,029)	(824,979)
OTHER FINANCING SOURCES (USES)				
Transfers in	4,278,135	705,275	790,118	84,843
Transfers (out)	(6,759,479)	(6,294,486)	(6,372,427)	(77,941)
Total Other Financing Sources (Uses)	(2,481,344)	(5,589,211)	(5,582,309)	6,902
Net change in fund balance	(10,434,718)	(7,576,261)	(8,394,338)	$ (818,077)
Fund balance-beginning	77,177,493	77,177,493	77,177,493	
Fund balance-ending	$ 66,742,775	$ 69,601,232	$ 68,783,155	

See Notes to Required Supplementary Information

LOW INCOME HOUSING SPECIAL REVENUE FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Budget	Actual	Variance Positive (Negative)
REVENUES			
Contributions from outside sources	$ -	$ 45,115	$ 45,115
Charges for services	1,000,000	1,195,114	195,114
Use of money and property	154,443	(155,249)	(309,692)
Miscellaneous	110,000	550,832	440,832
Total Revenues	1,264,443	1,635,812	371,369
EXPENDITURES			
Current:			
Community Development	5,893,565	4,874,373	1,019,192
Capital Outlay:	470,000	464,430	5,570
Total Expenditures	6,363,565	5,338,803	1,024,762
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	(5,099,122)	(3,702,991)	1,396,131
OTHER FINANCING SOURCES (USES)			
Transfers in	-	115,679	115,679
Transfers (out)	(765,375)	(903,916)	(138,541)
Total Other Financing Sources (Uses)	(765,375)	(788,237)	(22,862)
Net change in fund balance	$ (5,864,497)	(4,491,228)	$ 1,373,269
Fund balances - beginning		19,362,918	
Fund balances - ending		$ 14,871,690	

City of Livermore

Schedule of Changes in the Net Pension Liability and Related Ratios – Miscellaneous Plan

Last Ten Fiscal Years*

SCHEDULE OF CHANGES IN THE NET PENSION LIABILITY AND RELATED RATIOS
Miscellaneous Plan[1]
An Agent Multiple-Employer Defined Benefit Pension Plan
Last 10 Years[2]

	Measurement period ended June 30,							
	2014	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**
Total Pension Liability[3]								
Service Cost	$ 4,972,951	$ 4,537,193	$ 4,562,441	$ 5,221,025	$ 5,353,724	$ 5,434,229	$ 5,542,184	$ 5,758,510
Interest on total pension liability	16,548,323	17,148,686	18,070,523	18,672,998	19,302,859	20,616,830	21,754,166	22,490,655
Changes in assumptions[4]	-	(4,175,908)	-	15,364,082	(2,304,595)	-	-	-
Differences between expected and actual experience	-	(3,477,134)	1,428,415	(1,649,050)	(921,100)	6,244,408	3,404,399	(2,611,847)
Benefit payments, including refunds of employee contributions	(9,745,631)	(10,512,026)	(11,641,525)	(11,823,392)	(12,027,431)	(13,100,635)	(14,104,669)	(14,879,565)
Net change in total pension liability	**11,775,643**	**3,520,811**	**12,419,854**	**25,785,663**	**9,403,457**	**19,194,832**	**16,596,080**	**10,757,753**
Total pension liability - beginning	223,030,646	234,806,289	238,327,100	250,746,954	276,532,617	285,936,074	305,130,906	321,726,986
Total pension liability - ending (a)	$ 234,806,289	$ 238,327,100	$ 250,746,954	$ 276,532,617	$ 285,936,074	$ 305,130,906	$ 321,726,986	$ 332,484,739
Plan fiduciary net position								
Contributions - employer	$ 5,315,795	$ 5,509,908	$ 6,359,536	$ 7,245,912	$ 7,671,730	$ 8,682,861	$ 9,778,161	$ 10,678,645
Contributions - employee	2,148,997	1,995,107	2,089,854	2,145,822	2,298,455	2,383,496	2,349,388	2,345,433
Net investment income	26,647,212	3,984,421	936,187	19,644,077	16,437,015	13,686,966	10,900,291	51,699,700
Benefit payments	(9,745,631)	(10,512,026)	(11,641,525)	(11,823,392)	(12,027,431)	(13,100,635)	(14,104,669)	(14,879,565)
Net plan to plan resource movement	-	-	-	-	(481)	-	-	-
Administrative expense	-	(201,583)	(109,139)	(260,907)	(301,784)	(147,841)	(308,279)	(227,049)
Other miscellaneous income/(expense)	-	-	-	-	(573,094)	481	-	-
Net change in plan fiduciary net position	**24,366,373**	**775,827**	**(2,365,087)**	**16,951,512**	**13,504,410**	**11,505,328**	**8,614,892**	**49,617,164**
Total fiduciary net position - beginning	153,937,012	178,303,385	179,079,212	176,714,125	193,665,637	207,170,047	218,675,375	227,290,267
Total fiduciary net position - ending (b)	$ 178,303,385	$ 179,079,212	$ 176,714,125	$ 193,665,637	$ 207,170,047	$ 218,675,375	$ 227,290,267	$ 276,907,431
Net pension liability - ending (a) - (b)	$ 56,502,904	$ 59,247,888	$ 74,032,829	$ 82,866,980	$ 78,766,027	$ 86,455,531	$ 94,436,719	$ 55,577,308
Fiscal Year Ended	6/30/2015	6/30/2016	6/30/2017	6/30/2018	6/30/2019	6/30/2020	6/30/2021	6/30/2022
Plan fiduciary net position as a percentage of the total pension liability	75.94%	75.14%	70.48%	70.03%	72.45%	71.67%	70.65%	83.28%
Covered payroll [5]	$ 25,934,554	$ 24,958,429	$ 25,849,521	$ 26,984,829	$ 27,914,510	$ 29,985,230	$ 30,451,705	$ 30,835,078
Net pension liability as percentage of covered payroll	217.87%	237.39%	286.40%	307.09%	282.17%	288.33%	310.12%	180.24%

Notes to Schedule

[1] All Tiers of the Miscellaneous plan were combined on GASB 68 report by CalPERS.

[2] This schedule is intended to show information for 10 years. Information in this schedule is not available prior to 2014. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[3] Benefit changes: The figures above do not include any liability impact that may have resulted from plan changes which occurred after the June 30, 2017 valuation date.
This applies for voluntary benefit changes as well as any offers of Two Years Additional Service Credit (a.k.a. Golden Handshakes).

[4] Changes in assumptions: Discount rates	7.50%	7.65%	7.65%	7.15%	7.15%	7.15%	7.15%	7.15%

[5] Includes one year's payroll growth using 2.75 percent payroll growth assumption for fiscal years ended June 30, 2018-20; 3.00 percent payroll growth assumption for fiscal years ended June 30, 2014-17.

See Notes to Required Supplementary Information

City of Livermore

Schedule of the Plan's Proportionate Share of the Net Pension Liability and Related Ratios as of the Measurement Date – Safety Police Plan
Last Ten Fiscal Years

SCHEDULE OF THE PLAN'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY AND RELATED RATIOS AS OF THE MEASUREMENT DATE
Safety Police Plan
A Cost Sharing Defined Benefit Pension Plan
Last 10 Years[1]

Measurement period ended June 30,	Proportion of the net pension liability	Proportionate share of the net pension liability	Plan's covered payroll [2]	Proportionate share of the net penion Liability/(assets) as a percentage of its covered payroll	Plan's proportionate share of the fiduciary net position as a percentage of the plan's total pension liability	Fiscal Year ended June 30,
2014	0.35300%	$ 21,965,368	$ 9,836,927	223.30%	81.45%	2015
2015	0.62029%	25,558,797	9,776,879	261.42%	79.04%	2016
2016	0.63978%	33,135,364	10,332,152	320.70%	74.13%	2017
2017	0.64020%	38,253,169	10,874,918	351.76%	73.15%	2018
2018	0.66102%	38,785,811	11,599,156	334.38%	74.09%	2019
2019	0.67581%	42,187,668	12,310,910	342.69%	74.04%	2020
2020	0.69837%	46,528,122	13,023,674	357.26%	72.96%	2021
2021	0.79545%	27,916,195	12,779,176	218.45%	86.61%	2022

[1] This schedule is intended to show information for 10 years. Information in this schedule is not available prior to 2014. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[2] With the implementation of GASB 82, Covered Payroll is defined as the actual payroll on which contributions to a pension plan are based.

City of Livermore
Schedule of Contributions – Miscellaneous Plan
Last Ten Fiscal Years*

SCHEDULE OF CONTRIBUTIONS Miscellaneous Plan[1] An Agent Multiple-Employer Defined Benefit Pension Plan Last 10 Years[2]					
Fiscal year ended June 30,	Actuarially determined contributions	Contributions in relation to the actuarially determined contributions	Contributions deficiency (excess)	Covered payroll	Contributions as a percentage of covered payroll
2014 [3]	$ 5,315,795	$ (5,315,795)	$ -	$ 25,934,554	20.50%
2015 [3]	5,509,908	(5,509,908)	-	24,958,429	22.08%
2016 [3]	6,359,536	(6,359,536)	-	25,849,521	24.60%
2017 [3]	7,245,912	(7,245,912)	-	26,984,829	26.85%
2018 [3]	7,671,730	(7,671,730)	-	27,914,510	27.48%
2019 [3]	8,878,238	(8,878,238)	-	29,985,230	29.61%
2020 [4]	10,004,357	(10,004,357)	-	30,451,705	32.85%
2021 [4]	10,927,202	(10,927,202)	-	30,835,078	35.44%
2022 [4]	11,735,625	(11,735,625)	-	36,952,443	31.76%

Notes to Schedule

Methods and assumptions used to determine

Actuarial cost method	Entry age normal
Amortization method	Level percentage of payroll
Amortization period	A fixed 30-year period with the increases or decreases in the rate spread directly over a 5-
Asset valuation method	Market value of assets
Inflation	2.500%
Salary increases	Varies by Entry Age and Service
Payroll growth	2.750%
Investment rate of return	7.00%, net of pension plan investment expense, including inflation.
Retirement age	50 years
Mortality	The probabilities of mortality are based on the 2017 CalPERS Experience Study for the period

Benefit changes: None
Changes in assumptions: None

[1] All Tiers of the Miscellaneous plan were combined on GASB 68 report by CalPERS.

[2] This schedule is intended to show information for 10 years. Information in this schedule is not available prior to 2014. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[3] Fiscal years noted in this table match with the fiscal years presented in the GASB 68 actuarial valuation report

[4] As prescribed in GASB 68, paragraph 46, the information presented is from the most recent year

City of Livermore
Schedule of Contributions – Safety Police Plan
Last Ten Fiscal Years*

SCHEDULE OF CONTRIBUTIONS Safety Police Plan A Cost Sharing Defined Benefit Pension Plan Last 10 Years[1]					
Fiscal year ended June 30,	Actuarially determined contributions	Contributions in relation to the actuarially determined contributions	Contributions deficiency (excess)	Covered payroll [4]	Contributions as a percentage of covered payroll
2014 [2]	$ 2,334,711	$ (2,334,711)	$ -	$ 9,487,559	24.61%
2015 [2]	2,620,741	(2,620,741)	-	9,776,879	26.81%
2016 [2]	2,894,745	(2,894,745)	-	10,332,152	28.02%
2017 [2]	3,301,561	(3,301,561)	-	10,874,918	30.36%
2018 [2]	3,759,899	(3,759,899)	-	11,599,156	32.42%
2019 [2]	4,387,258	(4,387,258)	-	12,310,910	35.64%
2020 [3]	5,095,707	(5,095,707)	-	13,023,674	39.13%
2021 [3]	5,548,843	(5,548,843)	-	12,779,176	43.42%
2022 [3]	5,916,978	(5,916,978)	-	12,987,878	45.56%

Notes to Schedule
Benefit changes: None
Changes in assumptions: None

[1] This schedule is intended to show information for 10 years. Information in this schedule is not available prior to 2014. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[2] Fiscal years noted in this table match with the fiscal years presented in the GASB 68 actuarial valuation report

[3] As prescribed in GASB 68, paragraph 46, the information presented is from the most recent year

[4] Covered Payroll is defined as the actual payroll on which contributions to a pension plan are based.

City of Livermore

Schedule of Changes in the City's Net OPEB Liability and Related Ratios

Last Ten Fiscal Years*

SCHEDULE OF CHANGES IN THE CITY'S NET OPEB LIABILITY AND RELATED RATIOS
Last 10 Fiscal Years [1]

	Measurement Date / Fiscal Year Ended June 30,					
	2017	**2018**	**2019**	**2020**	**2021**	**2022**
Service Cost	$ 1,324,000	$ 1,364,072	$ 1,404,890	$ 1,188,021	$ 1,223,662	$ 1,032,271
Interest	4,461,000	4,645,578	4,827,840	4,936,407	5,115,274	4,869,477
Changes of benefit terms	-	-	-	-	-	-
Changes in assumptions	-	-	4,311,034	-	(1,463,176)	1,365,243
Differences between expected and actual experience	-	-	(5,282,915)	-	(1,868,874)	-
Benefit payments, including refunds	(2,839,793)	(3,109,307)	(3,383,525)	(3,363,911)	(3,452,661)	(3,748,080)
Net change in total OPEB liability	2,945,207	2,900,343	1,877,324	2,760,517	(445,775)	3,518,911
Total OPEB liability - beginning	68,715,793	71,661,000	74,561,343	76,438,667	79,199,184	78,753,409
Total OPEB liability - ending (a)	$ 71,661,000	$ 74,561,343	$ 76,438,667	$ 79,199,184	$ 78,753,409	$ 82,272,320
Plan fiduciary net position						
Contributions - employer	$ 5,747,533	$ 5,324,000	$ 5,380,000	$ 4,900,000	$ 5,163,000	$ 5,035,080
Net investment income	2,128,521	2,012,498	1,855,034	805,844	10,050,944	(5,719,634)
Benefit payments, including refunds	(2,839,793)	(3,109,307)	(3,383,525)	(3,363,911)	(3,452,661)	(3,748,080)
Administrative expense	(86,886)	(102,288)	(111,259)	(121,024)	(141,453)	(78,844)
Net change in plan fiduciary net position	4,949,375	4,124,903	3,740,250	2,220,909	11,619,830	(4,511,478)
Plan fiduciary net position - beginning	17,215,192	22,164,567	26,289,470	30,029,720	32,250,629	43,870,459
Plan fiduciary net position - ending (b)	$ 22,164,567	$ 26,289,470	$ 30,029,720	$ 32,250,629	$ 43,870,459	$ 39,358,981
City's net OPEB liability - ending (a) - (b)	$ 49,496,433	$ 48,271,873	$ 46,408,947	$ 46,948,555	$ 34,882,950	$ 42,913,339
Plan fiduciary net position as a percentage of the total pension liability	30.9%	35.3%	39.3%	40.7%	55.7%	47.8%
Covered payroll [2]	$ 29,345,533	$ 47,169,986	$ 28,506,581	$ 26,656,102	$ 26,508,421	$ 23,571,067
City's net OPEB liability as a percentage of covered payroll	168.7%	102.3%	162.8%	176.1%	131.6%	182.1%

[1] This schedule is intended to show information for 10 years. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[2] With the implementation of GASB 82, Covered Payroll is defined as the actual payroll on which contributions to a pension plan are based.

Notes to Schedule

Benefit changes: None

Changes in assumptions:

- Discount Rate was updated from 6.25% to 6.00% for anticipated lower capital market assumptions in fiscal year 2022
- Decreased medical trend rate for Kaiser Senior Advantage plans
- Medical Plan Election updated based on current experience
- Mortalility improvement scale was updated to Scale MP-2020

City of Livermore
Other Post-Employment Benefits
Last Ten Fiscal Years*

SCHEDULE OF CONTRIBUTIONS
OTHER POST EMPLOYEMENT BENEFITS
Last 10 Fiscal Years [1]

Fiscal year ended June 30,	Actuarially determined contributions	Contributions in relation to the actuarially determined contributions	Contributions deficiency (excess)	Covered payroll [2]	Contributions as a percentage of covered payroll
2017	$ 5,426,000	$ (5,747,533)	$ (321,533)	$ 29,345,533	19.59%
2018	5,060,000	(5,324,000)	(264,000)	47,169,986	11.29%
2019	5,082,000	(5,380,000)	(298,000)	28,506,581	18.87%
2020	4,900,000	(4,900,000)	-	26,656,102	18.38%
2021	4,963,000	(5,163,000)	(200,000)	26,508,421	19.48%
2022	5,035,080	(5,035,080)	-	23,571,067	21.36%

Notes to Schedule

Valuation date:	June 30, 2020
Methods and assumptions used to determine	
Actuarial cost method	Entry age, level percentage of payroll
Amortization method	Level percentage of payroll
Remaining amortization period	16-year fixed period for 2021-22
Asset valuation method	Investment gains and losses spread over 5-year rolling period
Inflation	2.75%
Healthcare cost trend rates	Non-medicare - 7.0% for 2022 scaling down to 4.0% in 2076 Medicare - 6.1% for 2022 scaling down to 4.0% in 2076
Salary increases	2.75%
Discount Rate	6.00%
Mortality	The probabilities of mortality are derived from CalPERS' Membership Data for all Funds based on CalPERS' specific data from a 2015 CalPERS Experience Study report, derived from data collected during fiscal years 1997 to 2015. The table includes Mortality improvement projection Scale MP-2018 with 15-year convergence.
Benefit changes:	None
Changes in assumptions:	None

[1] This schedule is intended to show information for 10 years. Additional years will be added to this schedule in future fiscal years until 10 years of data is presented.

[2] With the implementation of GASB 82, Covered Payroll is defined as the actual payroll on which contributions to a pension plan are based.

Supplementary Information
June 30, 2022

City of Livermore

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Special Revenue Funds are used to account for City revenues from sources that, by law or administrative action, are designated to finance particular functions or activities of government. The individual special revenue funds are as follows:

Housing Successor Agency
Established to account for assets and liabilities assumed by the City from the former Redevelopment Agency's Low and Moderate Income Housing Fund.

Housing and Community Assistance
Established to account for outside resources used for Housing and Human Service programs that can be used to create and expand affordable housing opportunities.

Horizons
Established to account for the receipt of grant funds from the Federal Department of Health and Human Services (passed through the Alameda County Probation Department and the Alameda County Health Care Services Agency) for the youth diversion program.

Solid Waste Management
Established to account for funds received from waste hauler franchise fees and Alameda County Waste Management Authority used to administer and participate in City/County planning programs to ensure compliance with the California Integrated Solid Waste Management Act, AB 939.

Maintenance District
Established to account for the receipt and disbursement of Landscape and Maintenance District fees collected from developers and homeowners.

City Street Sweeping
Established to administer funds received through solid waste collection fees.

Park Fee
Established to administer the AB1600 funds received from developers to construct new parks in the City.

Other Special Revenue Funds
Established to account for City programs including the Public Art In-Lieu Fee Program, Altamont Open Space Program, and Brownfield Program.

PEG
Established to account for Public, Educational, and Government (PEG) Access funds received from local cable TV franchises used for capital related items for community cable programming.

Alameda County Transportation Funds
Established to account for funds received from the Alameda County Transportation Commission including Measure B funds, Measure F funds (Vehicle Registration Fees), and project-specific grant funds which provide funding for street maintenance and improvement programs, pedestrian programs, and transportation-related capital projects.

Gas Tax
Established to account for revenue apportioned to the City from State Street & Highways Codes 2103, 2105, 2106, and 2107, and State Department of Transportation Proposition 1B funds which are expended for construction and maintenance of City streets.

Host Community Impact Fee
Established to account for the collection of Host Community Impact Fees from the Altamont and Vasco Road Landfills which are restricted for the use of promoting the arts in Livermore.

Other Impact Fee Special Revenue Fund
Established to account for other City impact fees including the Downtown Revitalization Impact Fee, Human Services Facilities Impact Fees, Parking Space Impact Fees, Storm Drain Impact Fees, and Solid Waste and Recycling Impact Fees to be expended according to their respective City ordinances.

Tri-Valley Transportation Council (TVTC) 20% Fee
Established to account for receipts of Tri-Valley Transportation Council fees for specific capital improvement projects.

Other Local, State, and Federal Grants Special Revenue Fund
Established to account for various grants from local agencies, the State of California, and the Federal Government to be expended for a specific program, activity or facility.

Debt Service Funds are used to account for the payment of principal and interest on city-wide governmental debt.

2020 COP
Series A were issued to defease 2014 COP Series A. Series B were issued to defease LCPFA 2011 COP and the 2014 COP Series B.

Capital Projects Funds are used to account for and report financial resources that are restricted, committed or assigned to expenditures for capital outlays, including the acquisition or construction of capital facilities and other capital assets.

Traffic Impact Fee
Established to account for traffic impact fees collected from developers for the purpose of constructing or providing circulation system improvements.

Isabel Avenue
Established to account for the construction of new interchange on I-580 at Isabel Avenue/ Route 84 Extension. Financing is provided by Other Local, State and Federal Grant Funds, Alameda County Transportation Fund, and developer impact fees.

El Charro Specific Plan
Established to account for the design and construction of the public infrastructure to serve the El Charro Specific Plan Area. Financing is provided by the Water Enterprise Fund, Storm Drain Fund, Traffic Impact Fee Fund, LCPFA COP 2008 and 2011 COP Construction Funds, Alameda County Zone 7 Water Agency, Alameda County Transportation Commission Grant Funds, State grants, City of Pleasanton, and development impact fees collected.

Developer Deposits
Established to account for developer fees received pursuant to development agreements, performance deposits, public park improvement fees and transportation development fees collected.

Other Capital Projects
Established to account for various quality community improvements including Transferable Development Credits from developers, fire station, Livermore park, and to account for construction of public improvements on College Avenue Assessment District 87-2A and Shea Community Facilities District.

Street Fund
Established to account for the construction and improvements of city streets including Vasco Road, Civic Center Bus Stop, and Route 84. Financing includes multiple sources including City funds (Tri-Valley Transportation Council Funds, Traffic Impact Fees) and third parties (California Department of Transportation, LAVTA and Agency Trust).

Permanent Funds are used to report resources that are legally restricted to the extent that only earnings, not principal, may be used for purposes that support the government's programs.

Doolan Canyon Endowment Fund
Established to account for an endowment restricted for items related to mitigation of the burrowing owl habitat.

City of Livermore
Non-Major Governmental Funds – Combining Balance Sheet
June 30, 2022

NON-MAJOR GOVERNMENTAL FUNDS
COMBINING BALANCE SHEET
JUNE 30, 2022

	SPECIAL REVENUE FUNDS					
	Housing Successor Agency	Housing & Community Assistance	Horizons	Solid Waste Management	Maintenance District	City Street Sweeping
ASSETS						
Cash and investments in City Treasury	$ 2,266,765	$ 1,386,759	$ 175,948	$ 300,953	$ 13,530,421	$ 89,797
Cash and investments with Trustees	-	-	-	-	-	-
Accounts receivables, net	-	3,267	122,990	62,361	20,230	489
Notes receivable	5,235,347	705,641	-	-	-	-
Land held for redevelopment	-	-	-	-	-	-
Due from other funds	-	-	-	-	-	-
Total Assets	$ 7,502,112	$ 2,095,667	$ 298,938	$ 363,314	$ 13,550,651	$ 90,286
LIABILITIES						
Accounts payable and other accruals	$ 3	$ -	$ 656	$ 9,800	$ 181,972	$ 36,636
Accrued payroll	-	-	20,128	12,162	31,670	5,101
Deposits payable	-	-	-	-	-	-
Advances from other funds	-	-	-	-	-	-
Unearned rents and revenue	-	-	-	-	-	-
Total Liabilities	3	-	20,784	21,962	213,642	41,737
DEFERRED INFLOWS OF RESOURCES						
Unavailable revenue	4,691,909	705,641	-	-	-	-
Total deferred inflows of resources	4,691,909	705,641	-	-	-	-
FUND BALANCE						
Nonspendable	-	-	-	-	-	-
Restricted	2,810,200	1,390,026	278,154	341,352	13,337,009	48,549
Committed	-	-	-	-	-	-
Total Fund Balances (Deficits)	2,810,200	1,390,026	278,154	341,352	13,337,009	48,549
Total Liabilities, deferred inflows of resources, and fund balances (deficits)	$ 7,502,112	$ 2,095,667	$ 298,938	$ 363,314	$ 13,550,651	$ 90,286

City of Livermore
Non-Major Governmental Funds – Combining Balance Sheet
June 30, 2022

	SPECIAL REVENUE FUNDS							
	Park Fee	Other Special Revenue Funds	PEG	Alameda County Transportation Funds	Gas Tax	Host Community Impact Fee	Other Impact Fee	TVTC 20% Fee
	$ 4,753,394	$ 6,307,651	$ 1,209,039	$ 7,758,656	$ 11,334,481	$ 1,125,276	$ 6,576,512	$ 3,273,403
	-	-	-	-	-	-	-	-
	-	549	62,639	882,624	320,303	255,467	-	-
	-	75,384	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	$ 4,753,394	$ 6,383,584	$ 1,271,678	$ 8,641,280	$ 11,654,784	$ 1,380,743	$ 6,576,512	$ 3,273,403
	$ 931,102	$ 288,602	$ -	$ 367,177	$ 91,042	$ 24,259	$ 31,452	$ 60,357
	-	-	-	-	-	-	-	-
	-	-	-	2,500	-	-	-	-
	-	-	-	-	-	-	3,874,396	-
	66,765	465,181	-	-	-	-	-	-
	997,867	753,783	-	369,677	91,042	24,259	3,905,848	60,357
	-	75,384	-	-	-	-	-	-
	-	75,384	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
	3,755,527	2,956,474	1,271,678	8,271,603	11,563,742	1,356,484	2,670,664	3,213,046
	-	2,597,943	-	-	-	-	-	-
	3,755,527	5,554,417	1,271,678	8,271,603	11,563,742	1,356,484	2,670,664	3,213,046
	$ 4,753,394	$ 6,383,584	$ 1,271,678	$ 8,641,280	$ 11,654,784	$ 1,380,743	$ 6,576,512	$ 3,273,403

(Continued)

City of Livermore
Non-Major Governmental Funds – Combining Balance Sheet
June 30, 2022

COMBINING BALANCE SHEET JUNE 30, 2022	SPECIAL REVENUE FUND	DEBT SERVICE FUND	CAPITAL PROJECTS FUNDS		
	Other Local, State and Federal Grants	2020 COP	Traffic Impact Fee	El Charro Specific Plan	Developer Deposits
ASSETS					
Cash and investments in City Treasury	$ 4,241,204	$ -	$ 22,706,514	$ 887	$ 3,080,309
Cash and investments with Trustees	-	-	-	-	-
Accounts receivables, net	225,670	-	-	-	-
Notes receivable	2,513,542	-	-	-	-
Land held for redevelopment	-	-	-	-	-
Due from other funds	-	-	-	-	-
Total Assets	$ 6,980,416	$ -	$ 22,706,514	$ 887	$ 3,080,309
LIABILITIES					
Accounts payable and other accruals	$ 275,366	$ -	$ 60,611	$ -	$ 20,287
Accrued payroll	4,741	-	-	-	-
Deposits payable	735,114	-	-	-	1,271,728
Advances from other funds	-	-	-	-	-
Unearned rents and revenue	28,122	-	-	-	1,794,196
Total Liabilities	1,043,343	-	60,611	-	3,086,211
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenue	2,513,542	-	-	-	-
Total deferred inflows of resources	2,513,542	-	-	-	-
FUND BALANCE					
Nonspendable	-	-	-	-	-
Restricted	3,423,531	-	22,645,903	887	(5,902)
Committed	-	-	-	-	-
	3,423,531	-	22,645,903	887	(5,902)
Total Liabilities, deferred inflows of resources, and fund balances (deficits)	$ 6,980,416	$ -	$ 22,706,514	$ 887	$ 3,080,309

CAPITAL PROJECTS		PERMANENT FUND	
Other Capital Projects	Street Fund	Doolan Canyon Endowment Fund	Total Nonmajor Governmental Funds
$ 13,079,474	$ 69,166	$ 3,504	$ 103,270,113
-	-	576,451	576,451
-	66	-	1,956,655
-	-	-	8,529,914
-	-	-	-
-	-	-	-
$ 13,079,474	$ 69,232	$ 579,955	$ 114,333,133
$ 328,777	$ -	$ 2,668	$ 2,710,767
-	-	-	73,802
-	-	-	2,009,342
-	-	-	3,874,396
-	-	-	2,354,264
328,777	-	2,668	11,022,571
-	-	-	7,986,476
-	-	-	7,986,476
-	-	577,287	577,287
12,750,697	69,232	-	92,148,856
-	-	-	2,597,943
12,750,697	69,232	577,287	95,324,086
$ 13,079,474	$ 69,232	$ 579,955	$ 114,333,133

NON-MAJOR GOVERNMENTAL FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE YEAR ENDED JUNE 30, 2022

	SPECIAL REVENUE FUNDS					
	Housing Successor Agency	Housing & Community Assistance	Horizons	Solid Waste Management	Maintenance District	City Street Sweeping
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ 4,363,686	$ -
Intergovernmental	-	-	32,909	259,592	-	-
Contributions from outside sources	-	-	30,309	-	-	-
Charges for services	-	-	586,189	240,128	-	672,090
Use of money and property	(55,956)	10,166	-	(7,118)	-	-
Miscellaneous	110,366	100,814	932	-	-	-
Total Revenues	54,410	110,980	650,339	492,602	4,363,686	672,090
EXPENDITURES						
Current:						
General Government						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	914,307	-	-	-
Public Works	-	-	-	622,320	3,227,749	725,374
Community Development	604,562	2,451	-	-	-	-
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:			-			
Capital projects	-	-	-	-	-	-
Debt service:						
Principal retirement	-	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-	-
Total Expenditures	604,562	2,451	914,307	622,320	3,227,749	725,374
EXCESS (DEFICIENCW) OF REVENUES OVER EXPENDITURES	(550,152)	108,529	(263,968)	(129,718)	1,135,937	(53,284)
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	450,558	-	278,520	-
Transfers (out)	-	(115,679)	-	-	(206,209)	-
Total Other Financing Sources (Uses)	-	(115,679)	450,558	-	72,311	-
Change in fund balances	(550,152)	(7,150)	186,590	(129,718)	1,208,248	(53,284)
Net change in fund balances	(550,152)	(7,150)	186,590	(129,718)	1,208,248	(53,284)
Fund balances (deficits)- beginning	3,360,352	1,397,176	91,564	471,070	12,128,761	101,833
Fund balances (deficits)- ending	$ 2,810,200	$ 1,390,026	$ 278,154	$ 341,352	$ 13,337,009	$ 48,549

City of Livermore

Combining Statements of Revenues, Expenditures and Changes in Fund Balances – Non-Major Governmental Funds

Year Ended June 30, 2022

SPECIAL REVENUE FUNDS							
Park Fee	Other Special Revenue Funds	PEG	Alameda County Transportation Funds	Gas Tax	Host Community Impact Fee	Other Impact Fee	TVTC 20% Fee
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
-	-	-	3,650,707	3,940,841	-	-	-
-	9,044	-	-	-	517,218	-	-
1,548,477	139,974	-	-	-	-	1,324,724	43,248
(161,957)	(85,925)	-	(188,534)	(318,933)	9,722	-	(106,190)
-	2,500	250,634	-	-	-	-	-
1,386,520	65,593	250,634	3,462,173	3,621,908	526,940	1,324,724	(62,942)
-	-	44,739	-	-	-	-	-
-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-
-	-	-	232,057	-	40,829	-	-
1,424,130	27,902	-	246,466	147,888	-	927,704	-
-	143,850	-	-	-	-	-	-
-	-	-	-	-	-	-	-
4,707,805	428,315	-	1,299,860	1,306,652	-	90,174	602,771
-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-
6,131,935	600,067	44,739	1,778,383	1,454,540	40,829	1,017,878	602,771
(4,745,415)	(534,474)	205,895	1,683,790	2,167,368	486,111	306,846	(665,713)
-	8,494	-	-	-	-	-	-
-	(10,970)	-	-	(110,561)	(475,000)	-	-
-	(2,476)	-	-	(110,561)	(475,000)	-	-
(4,745,415)	(536,950)	205,895	1,683,790	2,056,807	11,111	306,846	(665,713)
(4,745,415)	(536,950)	205,895	1,683,790	2,056,807	11,111	306,846	(665,713)
8,500,942	6,091,367	1,065,783	6,587,813	9,506,935	1,345,373	2,363,818	3,878,759
$ 3,755,527	$ 5,554,417	$ 1,271,678	$ 8,271,603	$ 11,563,742	$ 1,356,484	$ 2,670,664	$ 3,213,046

(Continued)

NON-MAJOR GOVERNMENTAL FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE YEAR ENDED JUNE 30, 2022

	SPECIAL REVENUE FUND	CAPITAL PROJECTS FUNDS			
	Other Local, State and Federal Grants	2020 COP	Traffic Impact Fee	El Charro Specific Plan	Developer Deposits
REVENUES					
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -
Intergovernmental	1,669,682	-	-	-	-
Contributions from outside sources	23,417	-	-	-	-
Charges for services	30,175	-	878,009	887	-
Use of money and property	103,144	-	(684,675)	-	-
Miscellaneous	191,264	32	-	-	(5,902)
Total Revenues	2,017,682	32	193,334	887	(5,902)
EXPENDITURES					
Current:					
General Government:					
City Manager	-	-	-	-	-
Fire	6,450	-	-	-	-
Police	451,303	-	-	-	-
Public works	27,019	-	-	-	-
Community Development	1,045,912	-	-	-	-
Economic Development	-	-	-	-	-
Library	100,784	-	-	-	-
Capital Outlay:					
Capital projects	531,489	-	906,365	33,849	-
Debt service:					
Principal retirement	599,758	2,687,470	-	-	-
Interest and fiscal charges	83,372	1,663,548	-	-	-
Total Expenditures	2,846,087	4,351,018	906,365	33,849	-
EXCESS (DEFICIENCW) OF REVENUES OVER EXPENDITURES	(828,405)	(4,350,986)	(713,031)	(32,962)	(5,902)
OTHER FINANCING SOURCES (USES)					
Transfers in	516,035	4,350,986	-	-	-
Transfers (out)	(13,536)	-	(60,965)	-	-
Total Other Financing Sources (Uses)	502,499	4,350,986	(60,965)	-	-
Change in fund balances	(325,906)	-	(773,996)	(32,962)	(5,902)
Net change in fund balances	(325,906)	-	(773,996)	(32,962)	(5,902)
Fund balances (deficits)- beginning	3,749,437	-	23,419,899	33,849	-
Fund balances (deficits)- ending	$ 3,423,531	$ -	$ 22,645,903	$ 887	$ (5,902)

CAPITAL PROJECTS FUNDS		PERMANENT FUND	
Other Capital Projects	Street Fund	Doolan Canyon Endowment	Total Nonmajor Governmental Funds
$ -	$ -	$ -	$ 4,363,686
-	-	-	9,553,731
-	-	-	579,988
-	-	-	5,463,901
-	88	(69,252)	(1,555,420)
-	-	-	650,640
-	88	(69,252)	19,056,526
-	-	-	44,739
-	-	-	6,450
-	-	-	1,365,610
-	-	-	4,875,348
-	-	37,684	4,464,699
-	-	-	143,850
-	-	-	100,784
1,807,055	-	-	11,714,335
-	-	-	3,287,228
-	-	-	1,746,920
1,807,055	-	37,684	27,749,963
(1,807,055)	88	(106,936)	(8,693,437)
-	-	-	5,604,593
-	-	(8,494)	(1,001,414)
-	-	(8,494)	4,603,179
(1,807,055)	88	(115,430)	(4,090,258)
(1,807,055)	88	(115,430)	(4,090,258)
14,557,752	69,144	692,717	99,414,344
$ 12,750,697	$ 69,232	$ 577,287	$ 95,324,086

City of Livermore
Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds
Year Ended June 30, 2022

BUDGETED NON-MAJOR FUNDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	HOUSING SUCCESSOR			HOUSING & COMMUNITY ASSISTANCE		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -	$ -
Intergovernmental	-	-	-	-	-	-
Contributions from outside sources	-	-	-	-	-	-
Charges for services	-	-	-	-	-	-
Use of money and property	44,629	(55,956)	(100,585)	5,100	10,166	5,066
Miscellaneous	105,000	110,366	5,366	41,000	100,814	59,814
Total Revenues	149,629	54,410	(95,219)	46,100	110,980	64,880
EXPENDITURES						
Current:						
General Government:						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	-	-	-	-
Public works	-	-	-	-	-	-
Community Development	1,000,636	604,562	396,074	65,880	2,451	63,429
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:						
Capital projects	-	-	-	-	-	-
Debt service:						
Principal	-	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-	-
Total Expenditures	1,000,636	604,562	396,074	65,880	2,451	63,429
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	(851,007)	(550,152)	300,855	(19,780)	108,529	128,309
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	-	-	-	-
Transfers out	-	-	-	-	(115,679)	(115,679)
Total Other Financing Sources (Uses)	-	-	-	-	(115,679)	(115,679)
Net change in fund balance	$ (851,007)	(550,152)	$ 300,855	$ (19,780)	(7,150)	$ 12,630
Fund balances (deficits)- beginning, as restated		3,360,352			1,397,176	
Fund balances (deficits)- ending		$ 2,810,200			$ 1,390,026	

City of Livermore

Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds

Year Ended June 30, 2022

HORIZONS			SOLID WASTE MANAGEMENT			MAINTENANCE DISTRICT		
Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
$ -	$ -	$ -	$ -	$ -	$ -	$ 4,420,233	$ 4,363,686	$ (56,547)
31,000	32,909	1,909	280,000	259,592	(20,408)	-	-	-
15,500	30,309	14,809	-	-	-	-	-	-
575,000	586,189	11,189	240,128	240,128	-	-	-	-
-	-	-	999	(7,118)	(8,117)	33,299	-	(33,299)
3,000	932	(2,068)	-	-	-	-	-	-
624,500	650,339	25,839	521,127	492,602	(28,525)	4,453,532	4,363,686	(89,846)
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
1,085,590	914,307	171,283	-	-	-	-	-	-
-	-	-	648,158	622,320	25,838	3,491,748	3,227,749	263,999
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
1,085,590	914,307	171,283	648,158	622,320	25,838	3,491,748	3,227,749	263,999
(461,090)	(263,968)	197,122	(127,031)	(129,718)	(2,687)	961,784	1,135,937	174,153
450,558	450,558	-	-	-	-	195,547	278,520	82,973
-	-	-	-	-	-	(234,000)	(206,209)	27,791
450,558	450,558	-	-	-	-	(38,453)	72,311	110,764
$ (10,532)	186,590	$ 197,122	$ (127,031)	(129,718)	$ (2,687)	$ 923,331	1,208,248	$ 284,917
	91,564			471,070			12,128,761	
	$ 278,154			$ 341,352			$ 13,337,009	

(Continued)

City of Livermore
Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds
Year Ended June 30, 2022

BUDGETED NON-MAJOR FUNDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	CITY STREET SWEEPING			PARK FEE		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -	$ -
Intergovernmental	-	-	-	-	-	-
Contributions from outside sources	-	-	-	-	-	-
Charges for services	671,801	672,090	289	800,000	1,548,477	748,477
Use of money and property	-	-	-	32,571	(161,957)	(194,528)
Miscellaneous	-	-	-	-	-	-
Total Revenues	671,801	672,090	289	832,571	1,386,520	553,949
EXPENDITURES						
Current:						
General Government:						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	-	-	-	-
Public works	717,825	725,374	(7,549)	-	-	-
Community Development	-	-	-	2,200,000	1,424,130	775,870
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:						
Capital projects	-	-	-	4,285,000	4,707,805	(422,805)
Debt service:						
Principal	-	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-	-
Total Expenditures	717,825	725,374	(7,549)	6,485,000	6,131,935	353,065
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	(46,024)	(53,284)	(7,260)	(5,652,429)	(4,745,415)	907,014
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	-	-	-	-
Transfers out	-	-	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-	-	-
Net change in fund balance	$ (46,024)	(53,284)	$ (7,260)	$ (5,652,429)	(4,745,415)	$ 907,014
Fund balances (deficits)- beginning		101,833			8,500,942	
Fund balances (deficits)- ending		$ 48,549			$ 3,755,527	

City of Livermore

Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds

Year Ended June 30, 2022

OTHER SPECIAL REVENUE FUNDS			PEG			ALAMEDA COUNTY TRANSPORTATION FUNDS		
Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
-	-	-	-	-	-	2,440,000	3,650,707	1,210,707
9,044	9,044	-	-	-	-	-	-	-
185,500	139,974	(45,526)	-	-	-	-	-	-
10,350	(85,925)	(96,275)	-	-	-	23,198	(188,534)	(211,732)
633,480	2,500	(630,980)	220,000	250,634	30,634	-	-	-
838,374	65,593	(772,781)	220,000	250,634	30,634	2,463,198	3,462,173	998,975
-	-	-	45,756	44,739	1,017	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	312,433	232,057	80,376
224,000	27,902	196,098	-	-	-	330,000	246,466	83,534
246,840	143,850	102,990	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
438,000	428,315	9,685	56,337	-	56,337	1,955,575	1,299,860	655,715
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
908,840	600,067	308,773	102,093	44,739	57,354	2,598,008	1,778,383	819,625
(70,466)	(534,474)	(464,008)	117,907	205,895	87,988	(134,810)	1,683,790	1,818,600
-	8,494	8,494	-	-	-	-	-	-
(4,500)	(10,970)	(6,470)	-	-	-	-	-	-
(4,500)	(2,476)	2,024	-	-	-	-	-	-
$ (74,966)	(536,950)	$ (461,984)	$ 117,907	205,895	$ 87,988	$ (134,810)	1,683,790	$ 1,818,600
	6,091,367			1,065,783			6,587,813	
	$ 5,554,417			$ 1,271,678			$ 8,271,603	

Continued

City of Livermore

Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds

Year Ended June 30, 2022

BUDGETED NON-MAJOR FUNDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	GAS TAX			HOST COMMUNITY IMPACT FEE		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -	$ -
Intergovernmental	3,110,000	3,940,841	830,841	-	-	-
Contributions from outside sources	-	-	-	525,000	517,218	(7,782)
Charges for services	-	-	-	-	-	-
Use of money and property	14,989	(318,933)	(333,922)	-	9,722	9,722
Miscellaneous	-	-	-	-	-	-
Total Revenues	3,124,989	3,621,908	496,919	525,000	526,940	1,940
EXPENDITURES						
Current:						
General Government:						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	-	-	-	-
Public works	-	-	-	20,504	40,829	(20,325)
Community Development	370,000	147,888	222,112	-	-	-
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:						
Capital projects	1,849,025	1,306,652	542,373	-	-	-
Debt service:						
Principal	-	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-	-
Total Expenditures	2,219,025	1,454,540	764,485	20,504	40,829	(20,325)
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	905,964	2,167,368	1,261,404	504,496	486,111	(18,385)
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	-	-	-	-
Transfers out	(107,000)	(110,561)	(3,561)	(480,000)	(475,000)	5,000
Total Other Financing Sources (Uses)	(107,000)	(110,561)	(3,561)	(480,000)	(475,000)	5,000
Net change in fund balance	$ 798,964	2,056,807	$ 1,257,843	$ 24,496	11,111	$ (13,385)
Fund balances (deficits)- beginning		9,506,935			1,345,373	
Fund balances (deficits)- ending		$ 11,563,742			$ 1,356,484	

City of Livermore

Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds

Year Ended June 30, 2022

OTHER IMPACT FEE			TVTC 20% FEE			OTHER LOCAL, STATE, AND FEDERAL GRANTS		
Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
-	-	-	-	-	-	2,207,505	1,669,682	(537,823)
-	-	-	-	-	-	25,000	23,417	(1,583)
4,355,828	1,324,724	(3,031,104)	250,000	43,248	(206,752)	30,500	30,175	(325)
-	-	-	15,162	(106,190)	(121,352)	111,566	103,144	(8,422)
-	-	-	-	-	-	180,552	191,264	10,712
4,355,828	1,324,724	(3,031,104)	265,162	(62,942)	(328,104)	2,555,123	2,017,682	(537,441)
-	-	-	-	-	-	28,238	-	28,238
-	-	-	-	-	-	24,200	6,450	17,750
-	-	-	-	-	-	619,492	451,303	168,189
-	-	-	-	-	-	28,000	27,019	981
970,000	927,704	42,296	-	-	-	1,297,571	1,045,912	251,659
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	193,974	100,784	93,190
72,000	90,174	(18,174)	1,626,000	602,771	1,023,229	963,000	531,489	431,511
-	-	-	-	-	-	126,759	599,758	(472,999)
-	-	-	-	-	-	47,972	83,372	(35,400)
1,042,000	1,017,878	24,122	1,626,000	602,771	1,023,229	3,329,206	2,846,087	483,119
3,313,828	306,846	(3,006,982)	(1,360,838)	(665,713)	695,125	(774,083)	(828,405)	(54,322)
-	-	-	-	-	-	516,035	516,035	-
-	-	-	-	-	-	(48,000)	(13,536)	34,464
-	-	-	-	-	-	468,035	502,499	34,464
$ 3,313,828	306,846	$ (3,006,982)	$ (1,360,838)	(665,713)	$ 695,125	$ (306,048)	(325,906)	$ (19,858)
	2,363,818			3,878,759			3,749,437	
	$ 2,670,664			$ 3,213,046			$ 3,423,531	

BUDGETED NON-MAJOR FUNDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	2020 COP DEBT SERVICE			TRAFFIC IMPACT FEE		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -	$ -
Intergovernmental	-	-	-	-	-	-
Contributions from outside sources	-	-	-	-	-	-
Charges for services	-	-	-	1,700,000	878,009	(821,991)
Use of money and property	-	-	-	95,249	(684,675)	(779,924)
Miscellaneous	-	32	32	-	-	-
Total Revenues	-	32	32	1,795,249	193,334	(1,601,915)
EXPENDITURES						
Current:						
General Government:						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	-	-	-	-
Public works	-	-	-	-	-	-
Community Development	-	-	-	50,000	-	50,000
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:						
Capital projects	-	-	-	1,196,309	906,365	289,944
Debt service:						
Principal	2,687,470	2,687,470	-	-	-	-
Interest and fiscal charges	1,663,548	1,663,548	-	-	-	-
Total Expenditures	4,351,018	4,351,018	-	1,246,309	906,365	339,944
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	(4,351,018)	(4,350,986)	32	548,940	(713,031)	(1,261,971)
OTHER FINANCING SOURCES (USES)						
Transfers in	4,361,018	4,350,986	(10,032)	-	-	-
Transfers out	-	-	-	(62,435)	(60,965)	1,470
Total Other Financing Sources (Uses)	4,361,018	4,350,986	(10,032)	(62,435)	(60,965)	1,470
Net change in fund balance	$ 10,000	-	$ (10,000)	$ 486,505	(773,996)	$ (1,260,501)
Fund balances (deficits)- beginning		-			23,419,899	
Fund balances (deficits)- ending		$ -			$ 22,645,903	

City of Livermore

Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual – Budgeted Non-Major Funds

Year Ended June 30, 2022

EL CHARRO SPECIFIC PLAN			DEVELOPER DEPOSITS			OTHER CAPITAL PROJECTS		
Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
21,468	887	(20,581)	-	-	-	-	-	-
-	-	-	6,176	-	(6,176)	-	-	-
-	-	-	-	(5,902)	(5,902)	-	-	-
21,468	887	(20,581)	6,176	(5,902)	(12,078)	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	33,849	(33,849)	-	-	-	1,675,000	1,807,055	(132,055)
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	33,849	(33,849)	-	-	-	1,675,000	1,807,055	(132,055)
21,468	(32,962)	(54,430)	6,176	(5,902)	(12,078)	(1,675,000)	(1,807,055)	(132,055)
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
$ 21,468	(32,962)	$ (54,430)	$ 6,176	(5,902)	$ (12,078)	$ (1,675,000)	(1,807,055)	$ (132,055)
	33,849			-			14,557,752	
	$ 887			$ (5,902)			$ 12,750,697	

BUDGETED NON-MAJOR FUNDS
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	STREET FUND			DOOLAN CANYON ENDWOMENT FUND		
	Budget	Actual	Variance Positive (Negative)	Budget	Actual	Variance Positive (Negative)
REVENUES						
Taxes and special assessments	$ -	$ -	$ -	$ -	$ -	$ -
Intergovernmental	-	-	-	-	-	-
Contributions from outside sources	-	-	-	-	-	-
Charges for services	-	-	-	-	-	-
Use of money and property	200	88	(112)	66,244	(69,252)	(135,496)
Miscellaneous	-	-	-	-	-	-
Total Revenues	200	88	(112)	66,244	(69,252)	(135,496)
EXPENDITURES						
Current:						
General Government:						
City Manager	-	-	-	-	-	-
Fire	-	-	-	-	-	-
Police	-	-	-	-	-	-
Public works	-	-	-	-	-	-
Community Development	-	-	-	28,000	37,684	(9,684)
Economic Development	-	-	-	-	-	-
Library	-	-	-	-	-	-
Capital Outlay:						
Capital projects	-	-	-	-	-	-
Debt service:						
Principal	-	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-	-
Total Expenditures	-	-	-	28,000	37,684	(9,684)
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	200	88	(112)	38,244	(106,936)	(145,180)
OTHER FINANCING SOURCES (USES)						
Transfers in	-	-	-	-	-	-
Transfers out	-	-	-	-	(8,494)	(8,494)
Total Other Financing Sources (Uses)	-	-	-	-	(8,494)	(8,494)
Net change in fund balance	$ 200	88	$ (112)	$ 38,244	(115,430)	$ (153,674)
Fund balances (deficits)- beginning		69,144			692,717	
Fund balances (deficits)- ending		$ 69,232			$ 577,287	

Internal Service Funds

Internal service funds are used to account for the financing of services and supplies provided by one city department to another on a cost reimbursement basis.

The concept of major funds introduced by GASB 34 does not extend to internal service funds because they do not do business with outside parties. GASB 34 requires that for the Statement of Activities, the net revenues or expenses of each internal service fund be eliminated by netting against the operations of the other city departments which generated them. The remaining balance sheet items are consolidated with these same funds in the Statement of Net Position.

However, internal service funds are still presented separately in the Fund financial statements, including the funds below:

Liability Insurance Reserve
Established to account for the City's public liability self-insured program.

Workers Compensation
Established to account for the City's self-insured workers compensation program.

Fleet and Equipment Services
Established to account for the maintenance and acquisition of the City's fleet and small equipment.

Information Technology
Established to account for the maintenance and acquisition of the City's software and hardware.

Facilities Rehabilitation Projects
Established to account for the repair and maintenance of city facilities.

City of Livermore
Combining Statements of Net Position – Internal Service Funds
Year Ended June 30, 2022

INTERNAL SERVICE FUNDS COMBINING STATEMENT OF NET POSITION JUNE 30, 2022	Liability Insurance Reserve	Workers Compensation	Fleet and Equipment Services
ASSETS			
Current Assets:			
Cash and investments in City Treasury	$ 4,796,454	$ 5,733,233	$ 6,593,806
Accounts receivable, net	3,800	-	73,468
Inventory	-	-	350,181
Prepaids, deposits and supplies	-	-	-
Total current assets	4,800,254	5,733,233	7,017,455
Noncurrent Assets:			
Land and construction in progress	-	-	221,257
Depreciable capital assets (net of depreciation)	-	-	6,158,509
Total noncurrent assets	-	-	6,379,766
Total Assets	4,800,254	5,733,233	13,397,221
DEFERRED OUTFLOWS OF RESOURCES			
Related to pension	84,690	76,762	285,862
Related to OPEB	18,165	5,875	65,516
Total deferred outflows of resources	102,855	82,637	351,378
LIABILITIES			
Current Liabilities:			
Accounts payable and other accruals	315,696	1,978	294,623
Accrued payroll	10,628	10,010	29,362
Claims payable	1,443,000	1,248,000	-
Long-term debt:			
Due within one year	-	-	-
Total current liabilities	1,769,324	1,259,988	323,985
Noncurrent Liabilities:			
Claims payable	2,293,869	3,870,262	-
Net Pension liability	373,020	338,101	1,259,085
Net OPEB liabilities	229,123	74,101	826,406
Long-term debt:			
Due in more than one year	-	-	-
Total noncurrent liabilities	2,896,012	4,282,464	2,085,491
Total liabilities	4,665,336	5,542,452	2,409,476
DEFERRED INFLOWS OF RESOURCES			
Related to pension	184,210	166,967	621,781
Related to OPEB	5,083	1,644	18,333
Total deferred inflows of resources	189,293	168,611	640,114
NET POSITION			
Net Investment in Capital Assets	-	-	6,379,766
Unrestricted	48,480	104,807	4,319,243
Total Net Position	$ 48,480	$ 104,807	$ 10,699,009

Information Technology	Facilities Rehabilitation Projects	Total
$ 8,158,088	$ 8,074,193	$ 33,355,774
-	125,086	202,354
-	-	350,181
272,202	-	272,202
8,430,290	8,199,279	34,180,511
-	369,954	591,211
293,746	9,704,506	16,156,761
293,746	10,074,460	16,747,972
8,724,036	18,273,739	50,928,483
412,165	149,612	1,009,091
67,255	15,521	172,332
479,420	165,133	1,181,423
123,589	213,921	949,807
52,833	21,298	124,131
-	-	2,691,000
-	794,252	794,252
176,422	1,029,471	4,559,190
-	-	6,164,131
1,815,386	658,971	4,444,563
848,336	195,779	2,173,745
-	5,354,242	5,354,242
2,663,722	6,208,992	18,136,681
2,840,144	7,238,463	22,695,871
896,503	325,423	2,194,884
18,820	4,343	48,223
915,323	329,766	2,243,107
293,746	3,925,966	10,599,478
5,154,243	6,944,677	16,571,450
$ 5,447,989	$ 10,870,643	$ 27,170,928

INTERNAL SERVICE FUNDS
COMBINING STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2022

	Liability Insurance Reserve	Workers Compensation	Fleet and Equipment Services
OPERATING REVENUES			
Charges for services	$ 4,000,000	$ 1,009,855	$ 4,332,053
Miscellaneous	-	2,388	506,397
Total Operating Revenues	4,000,000	1,012,243	4,838,450
OPERATING EXPENSES			
Salaries and benefits	340,899	319,169	1,146,220
Contracted services	1,209,780	187,464	93,364
Insurance premiums and claim expenses	3,873,814	2,036,965	75,079
Materials, supplies and others	52,035	66,625	891,639
Utilities	1,824	1,084	1,160
Depreciation	-	-	1,287,747
Repairs and maintenance	6,340	3,590	512,553
Total Operating Expenses	5,484,692	2,614,897	4,007,762
Operating Income (Loss)	(1,484,692)	(1,602,654)	830,688
NONOPERATING REVENUE (EXPENSES)			
Interest and fiscal charges (expense)	-	-	-
Other Nonoperating Income (expenses)	74,823	-	35,424
Gain (loss) on disposal of property	-	-	(25,478)
Net Nonoperating Revenues (Expenses)	74,823	-	9,946
Change in Net Position	(1,409,869)	(1,602,654)	840,634
Net position-beginning (Deficit)	1,458,349	1,707,461	9,858,375
Net position-ending	$ 48,480	$ 104,807	$ 10,699,009

Information Technology	Facilities Rehabilitation Projects	Total
$ 6,585,000	$ 2,355,712	$ 18,282,620
-	115,608	624,393
6,585,000	2,471,320	18,907,013
1,656,407	808,816	4,271,511
1,454,248	33,322	2,978,178
89,704	49,331	6,124,893
136,676	86,765	1,233,740
89,703	449,686	543,457
134,660	33,569	1,455,976
403,631	779,410	1,705,524
3,965,029	2,240,899	18,313,279
2,619,971	230,421	593,734
-	(169,703)	(169,703)
-	16,919	127,166
-	-	(25,478)
-	(152,784)	(68,015)
2,619,971	77,637	525,719
2,828,018	10,793,006	26,645,209
$ 5,447,989	$ 10,870,643	$ 27,170,928

**INTERNAL SERVICE FUNDS
COMBINING STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2022**

	Liability Insurance Reserve	Workers Compensation	Fleet and Equipment Services
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from customers	$ 3,996,200	$ 1,014,536	$ 4,838,001
Payments to suppliers	(1,056,688)	(260,866)	(1,397,146)
Payments to or on behalf of employees	(394,715)	(344,886)	(1,379,073)
Claims paid	(2,266,925)	(1,464,214)	-
Net cash provided (used) by operating activities	277,872	(1,055,430)	2,061,782
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES			
Capital asset purchase	-	-	(730,823)
Loss on disposal	-	-	(25,478)
Long term Debt			
Repayments	-	-	-
Interest paid	-	-	-
Cash Flows (used for) Capital and Related Financing Activities	-	-	(756,301)
CASH FLOWS FROM INVESTING ACTIVITIES			
Investment income (loss)	74,823	-	35,424
Cash Flow from (used by) Investing Activities	74,823	-	35,424
Net Cash Flows	352,695	(1,055,430)	1,340,905
Cash and investments at beginning of period	4,443,759	6,788,663	5,252,901
Cash and Investment at end of period	$ 4,796,454	$ 5,733,233	$ 6,593,806
Reconciliation of operating income (loss) to net cash provided by operating activities:			
Operating income	$ (1,484,692)	$ (1,602,654)	$ 830,688
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:			
Depreciation	-	-	1,287,747
Change in assets and liabilities:			
Accounts receivable	(3,800)	2,293	(449)
Prepaids, deposits and supplies	-	-	(34,488)
Deferred outflows	8,604	12,761	24,997
Net pension liability	(240,819)	(209,632)	(865,741)
Net OPEB liabilities	36,696	15,848	144,131
Accounts payable and accrued liabilities	213,291	(2,103)	206,615
Accrued payroll	873	1,366	-
Claims payable	1,606,889	572,751	-
Deferred inflows	140,830	153,940	468,282
Net cash provided (used) by operating activities	$ 277,872	$ (1,055,430)	$ 2,061,782

Information Technology	Facilities Rehabilitation Projects	Total
$ 6,585,000	$ 2,531,654	$ 18,965,391
(2,216,290)	(1,548,954)	(6,479,944)
(1,968,525)	(701,077)	(4,788,276)
-	-	(3,731,139)
2,400,185	281,623	3,966,032
(91,627)	(88,278)	(910,728)
-	-	(25,478)
-	(735,352)	(735,352)
-	(169,703)	(169,703)
(91,627)	(993,333)	(1,841,261)
-	16,919	127,166
-	16,919	127,166
2,308,558	(694,791)	2,251,937
5,849,530	8,768,984	31,103,837
$ 8,158,088	$ 8,074,193	$ 33,355,774
$ 2,619,971	$ 230,421	$ 593,734
134,660	33,569	1,455,976
-	63,639	61,683
(141,913)	(3,305)	(179,706)
73,338	(8,786)	110,914
(1,291,582)	(209,847)	(2,817,621)
158,987	31,242	386,904
105,014	(143,637)	379,180
-	-	2,239
-	-	2,179,640
741,710	288,327	1,793,089
$ 2,400,185	$ 281,623	$ 3,966,032

Custodial Funds

Custodial funds are used to account for assets held by the City for other entities and individuals. Such funds are operated to carry out the specific actions of trust agreements, ordinances, and other governing regulations.

Community Facilities and Assessment Districts' Bonds
This fund accounts for the collection of property owners' debt service obligation which is used to pay principal and interest on 1915 Act Bonds.

Other Custodial Funds
This fund accounts for assets which are held for other governmental agencies or individuals by the City in a custodial capacity.

CUSTODIAL FUNDS
COMBINING STATEMENT OF FIDUCIARY NET POSITION
JUNE 30, 2022

	Passthrough Funds	LPFD JPA JPA	Total
ASSETS			
Cash and investments in City Treasury (Note 3B)	$ 9,376,265	$ 3,050,952	$ 12,427,217
Cash and investments with Trustees (Note 3B)	3,862,952	-	3,862,952
Accounts receivable	4,247	432,800	437,047
Prepaid expenses	-	11,869	11,869
Total Assets	13,243,464	3,495,621	16,739,085
LIABILITIES			
Accrued liabilities	541,103	2,245,622	2,786,725
Deposits payable	5,387,521	-	5,387,521
Total Liabilities	5,928,624	2,245,622	8,174,246
NET POSITION			
Held in trust	$ 7,314,840	$ 1,249,999	$ 8,564,839

CUSTODIAL FUNDS
COMBINING STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
FOR THE YEAR ENDED ON JUNE 30, 2022

	Passthrough	LPFD JPA	Total
ADDITIONS			
Charges for services	$ 5,374,438	$ 44,321,141	$ 49,695,579
Total Additions	5,374,438	44,321,141	49,695,579
DEDUCTIONS			
Recipient Payments	3,364,055	44,071,142	47,435,197
Total Deductions	3,364,055	44,071,142	47,435,197
Net Change in Net Position	2,010,383	249,999	2,260,382
NET POSITION			
Beginning Net Position (Note 9F)	5,304,457	1,000,000	6,304,457
End of year	$ 7,314,840	$ 1,249,999	$ 8,564,839

Statistical Section (Unaudited)
June 30, 2022

City of Livermore

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City of Livermore
Description of Statistical Section Contents
Year Ended June 30, 2022

This part of the City of Livermore's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the government's overall financial health.

Contents:

	Pages
Financial Trends theses schedules contain trend information to help the reader understand how the government's financial performance and well-being have changed over time.	132 - 138
Revenue Capacity these schedules contain information to help the reader assess the government's two most significant local revenue source – the sales tax and property tax.	139 - 145
Debt Capacity these schedules present information to help the reader assess the affordability of the government's current levels of outstanding debt and the government's ability to issue additional debt in the future.	146 - 148
Demographic and Economic Information these schedules offer demographic and economic indicators to help the reader understand the environment within which the government's financial activities take place.	149 - 151
Operating Information these schedules contain service and infrastructure data to help the reader understand how the information in the government's financial report relates to the services the government provides and the activities it performs.	152 - 160
Livermore Successor Agency these schedules contain information to help the reader assess the Livermore RDA's revenues, debt service, and other indicators.	161 - 163

Sources:

Unless otherwise noted, the information in these schedules is derived from the Annual Comprehensive Financial Reports for the relevant year

City of Livermore

Net Position by Component

Last Ten Fiscal Years (Accrual Basis of Accounting)

Net Position by Component
Last Ten Fiscal Years
(accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Governmental activities										
Net investment in capital assets	$ 278,093,595	$ 278,670,042	$ 282,932,408	$ 286,589,221	$ 288,382,796	$ 290,283,699	$ 308,461,598	$ 316,407,161	$ 316,616,522	$ 329,890,590
Restricted	22,454,139	34,034,587	61,824,573	78,250,270	76,320,882	92,305,699	81,561,447	88,497,962	145,907,840	137,933,441
Unrestricted	42,670,999	33,575,365	(59,176,525)	(36,129,816)	(20,113,778)	(31,158,732)	(28,940,594)	(35,517,921)	(79,949,428)	(74,637,389)
Total governmental activities net position	$ 343,218,733	$ 346,279,994	$ 285,580,456	$ 328,709,675	$ 344,589,900	$ 351,430,666	$ 361,082,451	$ 369,387,202	$ 382,574,934	$ 393,186,642
Business-type activities										
Net investment in capital assets	$ 144,486,932	$ 140,571,723	$ 141,163,645	$ 137,068,262	$ 139,333,158	$ 141,811,387	$ 132,533,193	$ 144,490,755	$ 144,545,798	$ 140,388,714
Unrestricted	93,219,127	97,792,547	91,680,464	96,819,619	94,747,853	102,114,754	113,918,054	112,447,010	113,873,028	121,205,214
Total business-type activities net position	$ 237,706,059	$ 238,364,270	$ 232,844,109	$ 233,887,881	$ 234,081,011	$ 243,926,141	$ 246,451,247	$ 256,937,765	$ 258,418,826	$ 261,593,928
Primary government										
Net investment in capital assets	$ 422,580,527	$ 419,241,765	$ 424,096,053	$ 423,657,483	$ 427,715,954	$ 432,095,086	$ 440,994,791	$ 460,897,916	$ 461,162,320	$ 470,279,304
Restricted	22,454,139	34,034,587	61,824,573	78,250,270	76,320,882	92,305,699	81,561,447	88,497,962	145,907,840	137,933,441
Unrestricted	135,890,126	131,367,912	32,503,939	60,689,803	74,634,075	70,956,022	84,977,460	76,929,089	33,923,600	46,567,825
Total primary government net position	$ 580,924,792	$ 584,644,264	$ 518,424,565	$ 562,597,556	$ 578,670,911	$ 595,356,807	$ 607,533,698	$ 626,324,967	$ 640,993,760	$ 654,780,570

City of Livermore
Changes in Net Position
Last Ten Fiscal Years (Accrual Basis of Accounting)

Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

	2013	2014	2015	2016	2017 *	2018	2019	2020	2021	2022
Expenses										
Governmental activities										
General Government	$ 16,669,390	$ 12,589,567	$ 11,880,499	$ 11,433,092	$ 11,513,994	$ 15,729,502	$ 18,619,685	$ 23,532,602	$ 15,550,878	$ 14,261,204
Fire	15,044,679	15,368,561	16,665,396	17,222,099	23,553,737	25,472,063	20,854,960	21,975,048	24,427,677	21,113,001
Police	31,441,958	31,092,970	30,516,594	29,624,394	32,703,145	36,741,948	37,862,170	37,301,780	40,395,532	38,985,776
Public Works	14,161,650	14,383,488	14,363,304	14,985,937	18,116,391	19,060,229	19,290,328	19,665,609	21,662,957	23,798,519
Community Development	26,867,068	23,528,766	15,711,525	27,302,011	22,044,584	20,012,366	36,444,392	32,628,435	24,802,552	26,558,158
Economic Development	-	-	-	-	2,353,896	2,165,309	2,820,265	2,805,692	4,418,752	2,596,471
Library	4,906,056	5,052,341	4,863,723	4,886,840	5,858,998	6,214,109	6,341,564	6,349,762	6,303,545	6,302,537
Redevelopment	-	-	-	-	-	-	-	-	-	-
Interest on long term debt	2,886,993	1,142,866	1,288,881	1,033,661	1,266,179	1,270,061	1,397,328	1,682,372	1,219,276	1,127,846
Total governmental activities expenses	111,977,794	103,158,559	95,289,922	106,488,034	117,410,924	126,665,587	143,630,692	145,941,300	138,781,169	134,743,512
Business-type activities:										
Airport	8,098,139	6,336,579	5,637,480	3,870,139	7,017,908	3,016,304	3,504,956	4,250,953	4,022,246	3,498,840
Water	11,860,758	11,408,389	9,907,976	10,996,708	13,884,791	14,701,669	15,934,857	15,625,538	18,821,642	17,126,698
Sewer	25,582,473	21,614,437	23,005,606	25,293,809	24,879,897	21,824,590	24,081,018	24,049,671	24,026,163	23,822,392
Stormwater	-	-	-	-	-	4,572,368	6,215,290	5,157,718	5,341,864	5,075,457
Las Positas	2,631,759	3,492,698	3,331,686	3,204,730	2,935,020	3,025,888	1,986,853	-	-	-
Springtown	16,568	38,399	32,171	105,030	-	-	-	-	-	-
Total business-type activities expenses	48,189,697	42,890,502	41,914,919	43,470,416	48,717,616	47,140,819	51,722,974	49,083,880	52,211,915	49,523,387
Total primary government expenses	$ 160,167,491	$ 146,049,061	$ 137,204,841	$ 149,958,450	$ 166,128,540	$ 173,806,406	$ 195,353,666	$ 195,025,180	$ 190,993,084	$ 184,266,899

* Starting fiscal year 2017, City Clerk is presented as a part of Administrative Services
* Starting fiscal year 2018, Stormwater is presented separately from Sewer

(Continued)

City of Livermore
Changes in Net Position
Last Ten Fiscal Years (Accrual Basis of Accounting)

Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Program Revenues										
Governmental activities:										
Charges for services:										
General Government	$ 125,000	$ 774,339	$ 1,083,813	$ 855,888	$ 1,534,690	$ 2,009,308	1,598,885	1,502,556	1,203,282	682,277
Fire	1,254,438	1,714,973	1,634,534	1,822,267	1,813,604	2,560,405	767,507	1,339,356	1,150,341	2,202,529
Police	1,239,236	1,340,240	1,600,551	1,718,669	1,596,383	1,866,310	1,936,452	1,781,262	1,664,591	1,848,328
Public Works	311,393	178,263	205,163	220,715	253,942	214,104	319,336	237,566	237,986	240,778
Community Development	8,076,312	10,414,752	14,881,608	19,070,042	13,679,642	12,374,344	8,685,435	12,068,342	9,082,146	11,234,653
Economic Development	-	-	-	-	-	-	-	-	-	-
Library	150,179	147,543	121,244	113,218	109,423	106,819	102,007	29,584	935	5,257
Redevelplment	-	-	-	-	-	-	-	-		
Operating grants and contributions	10,614,625	9,665,802	19,882,483	14,034,381	10,152,472	17,851,251	14,944,050	16,349,423	19,784,517	17,750,934
Capital grants and contributions	18,349,337	8,435,777	20,161,044	21,329,334	10,968,620	22,984,924	11,646,318	12,379,725	9,478,790	4,947,988
Total governmental activities program revenues	40,120,520	32,671,689	59,570,440	59,164,514	40,108,776	59,967,465	39,999,990	45,687,814	42,602,588	38,912,744
Business-type activities:										
Charges for services:										
Airport	7,609,923	6,925,128	6,166,771	4,671,643	3,989,363	3,638,327	3,949,727	3,988,814	3,807,332	3,426,583
Water	13,083,389	12,523,886	13,211,780	12,567,619	13,790,365	15,088,661	14,871,772	16,757,972	17,610,383	17,640,764
Sewer	18,474,750	18,822,193	20,401,801	22,853,237	20,438,612	21,391,758	22,944,348	24,535,578	25,604,994	28,379,195
Stormwater					-	1,112,473	1,136,319	1,137,063	1,134,233	1,145,489
Las Positas	2,957,505	3,259,879	3,087,554	3,016,898	2,636,577	2,733,407	1,628,472	-	-	-
Springtown	6,000	11,392	6,173	3,694	-	-	-	-	-	-
Operating grants and contributions	-	-	-	-	3,079,962	199,428	643,541	-	374,526	512,162
Capital grants and contributions	6,663,795	2,120,480	2,691,864	50,450	4,269,465	7,025,848	7,342,209	7,381,049	2,988,779	1,679,990
Total business-type activities program revenues	48,795,362	43,662,958	45,565,943	43,163,541	48,204,344	51,189,902	52,516,388	53,800,476	51,520,247	52,784,183
Total primary government program revenues	$ 88,915,882	$ 76,334,647	$ 105,136,383	$ 102,328,055	$ 88,313,120	$ 111,157,367	$ 92,516,378	$ 99,488,290	$ 94,122,835	$ 91,696,927
Net (Expense) Revenue										
Governmental activities	$ (71,857,274)	$ (70,486,870)	$ (35,719,482)	$ (47,323,520)	$ (77,302,148)	$ (66,698,122)	$ (103,630,702)	$ (100,253,486)	$ (96,178,581)	$ (95,830,768)
Business-type activities	605,665	772,456	3,651,024	(306,875)	(513,272)	4,049,083	793,414	4,716,596	(691,668)	3,260,796
Total primary government net expenses	$ (71,251,609)	$ (69,714,414)	$ (32,068,458)	$ (47,630,395)	$ (77,815,420)	$ (62,649,039)	$ (102,837,288)	$ (95,536,890)	$ (96,870,249)	$ (92,569,972)

(Continued)

City of Livermore
Changes in Net Position
Last Ten Fiscal Years (Accrual Basis of Accounting)

Changes in Net Position
Last Ten Fiscal Years
(accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes:										
Property taxes	$ 24,340,228	$ 24,721,318	$ 26,379,108	$ 28,340,602	$ 30,494,247	$ 32,960,384	35,577,827	37,797,380	38,874,958	40,754,977
Incremental property taxes	-	-	-	-	-	-	-	-	-	-
Sales taxes	23,711,235	25,159,952	27,278,151	29,932,022	30,684,026	32,346,374	35,556,493	32,869,001	35,441,550	39,907,361
Other taxes	11,466,048	11,859,580	13,587,065	15,204,335	15,429,188	17,211,775	16,895,027	16,253,107	16,150,202	18,389,594
Intergovernmental	5,893,271	6,055,370	6,506,780	6,964,071	7,411,648	7,897,068	8,417,344	8,962,999	9,417,844	10,029,277
Investment income	1,458,335	1,336,195	952,239	1,782,742	757,516	1,295,887	6,928,825	8,520,096	1,573,776	(7,655,464)
Miscellaneous	7,723,668	7,366,432	8,313,221	8,430,147	8,608,485	6,655,867	5,508,154	6,001,803	6,442,577	7,960,003
Change of value from investment in JPA	-	-	-	-	-	-	(1,354,554)	(1,522,359)	-	-
Transfers (net)	175,216	328,427	(4,258,088)	(201,180)	(202,737)	(12,507,742)	3,794,799	(323,790)	(1,767,363)	(2,943,272)
Assets transferred to/liabilities assumed by Successor Agency	(1,704,483)	-	-	-	-	-	-	-	-	-
Total governmental activities	73,063,518	76,827,274	78,758,476	90,452,739	93,182,373	85,859,613	111,323,915	108,558,237	106,133,544	106,442,476
Business-type activities:										
Interest and other income	-	281,708	388,004	1,034,225	293,279	711,495	4,250,989	3,293,931	405,366	(3,028,966)
Transfers (net)	(175,216)	(328,427)	4,258,088	201,180	202,737	12,507,742	(3,794,799)	323,790	1,767,363	2,943,272
Change in value of Investment in JPA	152,214	(232,754)	39,878	115,242	210,386	329,595	1,275,502	445,399	-	-
Total business-type activities	(23,002)	(279,473)	4,685,970	1,350,647	706,402	13,548,832	1,731,692	4,063,120	2,172,729	(85,694)
Total primary government activities	$ 73,040,516	$ 76,547,801	$ 83,444,446	$ 91,803,386	$ 93,888,775	$ 99,408,445	$ 113,055,607	$ 112,621,357	$ 108,306,273	$ 106,356,782
Change in Net Position										
Governmental activities	$ 1,206,244	$ 6,340,404	$ 43,038,994	$ 43,129,219	$ 15,880,225	$ 19,161,491	$ 7,693,213	$ 8,304,751	$ 9,954,963	$ 10,611,708
Business-type activities	582,663	492,983	8,336,994	1,043,772	193,130	17,597,915	2,525,106	8,779,716	1,481,061	3,175,102
Total primary government	$ 1,788,907	$ 6,833,387	$ 51,375,988	$ 44,172,991	$ 16,073,355	$ 36,759,406	$ 10,218,319	$ 17,084,467	$ 11,436,024	$ 13,786,810

City of Livermore

Fund Balances of Governmental Funds

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
General Fund										
Nonspendable	$ 6,832,287	$ 6,317,781	$ 5,423,421	$ 5,220,875	$ 5,191,768	$ 6,911,157	$ 5,712,441	$ 5,627,682	$ 5,609,833	$ 5,844,210
Restricted	-	-	-	-	-	-	-	-	-	-
Committed	12,003,511	12,548,889	12,897,711	13,980,181	14,534,792	15,689,514	15,954,446	16,561,703	17,419,222	18,137,383
Assigned	8,002,341	8,365,926	8,598,474	16,490,551	17,891,417	20,120,563	22,359,001	24,905,533	29,677,300	43,006,790
Unassigned	3,229,530	5,050,960	10,406,034	11,447,929	16,850,333	20,197,806	21,015,747	22,903,595	24,471,138	1,794,772
Total general fund	$ 30,067,669	$ 32,283,556	$ 37,325,640	$ 47,139,536	$ 54,468,310	$ 62,919,040	$ 65,041,635	$ 69,998,513	$ 77,177,493	$ 68,783,155
All Other Governmental Funds										
Nonspendable	$ -	$ 57,439,026	$ 4,000	$ -	$ 3,580	$ 510,525	$ 540,789	$ 537,935	$ 521,482	$ 589,503
Restricted	58,524,301	-	82,222,196	106,877,672	117,117,738	122,335,628	107,752,207	106,314,261	115,657,837	107,008,330
Committed	545,378	-	-	-	-	980,960	1,583,505	2,597,943	2,597,943	2,597,943
Assigned	363,585	-	-	-	-	-	-	-	-	-
Unassigned	(3,229,530)	(1,230,719)	(548)	-	(157,775)	(66,518)	(337,703)	-	-	-
Total all other governmental funds	$ 56,203,734	$ 56,208,307	$ 82,225,648	$ 106,877,672	$ 116,963,543	$ 123,760,595	$ 109,538,798	$ 109,450,139	$ 118,777,262	$ 110,195,776

City of Livermore

Changes in Fund Balances of Governmental Fund

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

Changes In Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Revenues										
Property Taxes and special assessments	$ 38,391,028	$ 39,047,027	$ 42,437,878	$ 46,106,890	$ 48,513,433	$ 52,797,891	$ 55,378,923	$ 57,137,281	$ 58,827,934	$ 63,508,257
Sales taxes	23,711,235	25,159,952	27,278,151	29,932,022	30,684,026	32,346,374	35,556,493	32,869,001	35,441,550	39,907,361
Licenses and permits	2,782,819	2,020,956	2,919,585	3,375,139	2,587,073	3,329,443	2,647,472	2,408,482	2,587,449	4,236,642
Intergovernmental	20,525,065	14,523,429	17,513,836	15,818,812	15,329,383	18,609,342	19,663,932	21,151,712	27,824,580	26,390,007
Contributions from outside sources	532,899	3,090,683	6,407,835	1,492,046	3,360,435	12,763,436	3,668,666	1,735,332	395,011	625,103
Fines and forfeitures	353,754	442,101	474,279	404,562	382,735	472,063	522,198	480,714	12,837,128	444,025
Charges for current services	18,826,809	18,937,543	34,250,853	39,071,843	23,669,667	25,413,665	15,988,594	20,392,611	5,322,238	14,008,997
Use of money and property	1,634,027	3,444,283	3,573,515	5,106,185	3,718,382	4,594,593	12,607,413	12,667,441	4,222,473	(4,288,535)
Miscellaneous	7,422,435	1,568,992	7,731,071	8,218,597	2,754,329	4,344,239	1,820,316	1,338,085	2,311,612	2,862,290
Total revenues	114,180,071	108,234,966	142,587,003	149,526,096	130,999,463	154,671,046	147,854,007	150,180,659	149,769,975	147,694,147
Expenditures										
General government	12,528,286	13,440,473	13,981,528	14,343,118	13,531,789	13,631,535	15,040,356	16,768,256	13,826,319	15,881,178
Fire	14,505,466	15,293,516	16,392,361	17,593,133	18,160,089	19,742,654	21,484,772	21,963,399	22,765,664	24,292,024
Police	27,091,180	30,000,873	32,114,470	31,248,269	32,611,631	35,474,413	37,991,489	37,855,355	39,584,317	41,583,398
Public Works	5,766,027	6,259,095	6,479,506	7,125,447	9,801,590	10,649,264	10,858,274	11,296,986	13,093,994	15,942,006
Community Development	30,608,371	22,660,129	23,177,157	26,435,968	22,366,625	26,613,789	41,744,030	31,872,893	23,269,924	28,304,312
Economic Development	-	-	-	-	2,355,266	2,169,717	2,815,442	2,826,509	4,435,600	2,912,656
Library	4,232,678	4,369,666	4,455,160	4,540,660	5,287,778	5,639,115	5,665,784	5,896,798	5,626,180	6,387,640
Redevelopment	-	-	-	-	-	-	-	-	-	-
Capital outlay	13,800,868	5,641,979	18,897,678	6,211,698	4,065,706	9,106,715	20,651,425	11,028,144	10,629,079	22,565,242
Debt service funds:										
Principal	8,583,683	8,445,369	4,703,788	5,597,905	3,908,648	3,274,972	2,817,102	3,125,453	122,607	3,287,228
Interest and fiscal charges	1,554,416	1,414,883	1,872,291	1,555,850	1,292,959	1,274,238	1,400,431	1,505,596	1,375,594	1,746,920
Issuance cost	-	-	-	-	-	-	-	407,260	-	-
Total Expenditures	118,670,975	107,525,983	122,073,939	114,652,048	113,382,081	127,576,412	160,469,105	144,546,649	134,729,278	162,902,604
Excess of Revenues over (under) expenditures	(4,490,904)	708,983	20,513,064	34,874,048	17,617,382	27,094,634	(12,615,098)	5,634,010	15,040,697	(15,208,457)

(Continued)

City of Livermore

Changes in Fund Balances of Governmental Fund

Last Ten Fiscal Years (Modified Accrual Basis of Accounting)

Changes In Fund Balances of Governmental Funds
Last Ten Fiscal Years
(modified accrual basis of accounting)

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Other Financing Sources (Uses)										
Proceeds from long term debt	$ 5,964,051	$ -	$ 49,776,268	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Payment to refunded bond escrow agent	-	-	(39,411,268)	-	-	-	-	(51,296,699)	-	-
Refunding bonds issued	-	-	-	-	-	-	-	42,932,418	-	-
Premium on refunding bonds issued	-	-	-	-	-	-	-	7,922,280	-	-
Transfers in	22,350,922	11,632,939	58,411,053	8,915,955	8,774,169	8,914,189	5,744,041	56,604,093	3,212,134	6,510,390
Transfers out	(22,154,575)	(11,449,012)	(58,229,692)	(9,324,083)	(8,976,906)	(20,951,304)	(7,186,717)	(56,927,883)	(4,979,497)	(8,277,757)
Total other financing sources (uses)	6,160,398	183,927	10,546,361	(408,128)	(202,737)	(12,037,115)	(1,442,676)	(765,791)	(1,767,363)	(1,767,367)
Net change in fund balances	$ 1,669,494	$ 892,910	$ 31,059,425	$ 34,465,920	$ 17,414,645	$ 15,057,519	$ (14,057,774)	$ 4,868,219	$ 13,273,334	$ (16,975,824)
Debt service as a percentage of noncapital expenditures	9.7%	9.7%	6.4%	6.6%	4.8%	3.8%	3.0%	3.5%	1.2%	3.6%

City of Livermore
Taxable Sales by Category
Last Ten Fiscal Years

TAXABLE SALES BY CATEGORY *
LAST TEN CALENDAR YEARS
(In thousands)

Business Type	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Apparel Stores	$ 75,592	$ 281,213	$ 301,420	$ 374,109	$ 464,023	$ 480,652	$ 518,405	$ 532,044	$ 272,474	$ 450,660
General Merchandise	220,493	237,158	239,714	237,252	237,408	248,349	256,779	264,109	231,840	267,864
Food Stores	40,687	41,699	41,826	43,382	44,270	44,271	43,356	44,351	48,180	46,387
Eating and Drinking Places	135,073	151,094	165,519	179,048	196,255	203,491	212,106	217,440	160,472	216,080
Building Materials	145,134	172,267	175,894	206,430	217,450	235,880	256,206	240,062	246,236	294,765
Auto Dealers and Supplies	230,403	285,901	388,357	447,319	452,109	469,775	471,729	511,014	404,080	472,281
Service Stations	204,243	199,835	192,465	161,129	150,645	169,036	200,023	177,362	129,325	190,303
Other Retail Stores	147,877	180,000	190,964	208,468	218,210	218,485	227,529	224,479	182,568	211,073
All Other Outlets	814,146	894,342	915,827	941,153	1,009,498	1,190,098	1,261,208	1,363,666	1,464,522	1,565,618
Total	**$ 2,013,648**	**$ 2,443,509**	**$ 2,611,986**	**$ 2,798,290**	**$ 2,989,868**	**$ 3,260,037**	**$ 3,447,341**	**$ 3,574,527**	**$ 3,139,697**	**$ 3,715,031**

Source: The HdL Companies

* The amounts reported are based on adjusted sales tax values and might fluctuate from what was reported the previous year.

City of Livermore

Direct and Overlapping Sales Tax Rates
Last Ten Fiscal Years (In Percentage)

Direct and Overlapping Sales Tax Rates Last Ten Fiscal Years (In Percentage)	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
City Direct Rate	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Alameda County	1.75%	1.75%	2.25% (b)	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%	3.25%
State of California	6.25% (a)	6.25%	6.25%	6.25%	6.00% (c)	6.00%	6.00%	6.00%	6.00%	6.00% (d)
Total Rate	**9.00%**	**9.00%**	**9.50%**	**9.50%**	**9.25%**	**9.25%**	**9.25%**	**9.25%**	**9.25%**	**10.25%**

(a) FY 2012-13 State Rate increased by 0.25%
(b) FY 2014-15 Alameda County rate increased by 0.50%
(c) FY 2016-17 State rate was reduced by 0.25%
(d) FY 2021-22 Alameda County rate increased by 1.00%

City of Livermore
Principal Sales Tax Payers
Current Year and Ten Years Ago (In alphabetical Order)

Principal Sales Tax Payers Current Year and Nine Years Ago In Alphabetical Order	
2022	**2013**
Audi Livermore	AMS Net
Coach/Kate Spade	Costco
Computacenter Fusionstorm	Electronic Products
Costco	Harris Rebar
Gillig	Home Depot
Gucci Outlet	JA Momaney Services
Home Depot	Kaiser Pharmacy
JA Momaney Services	Livermore Audi/Subaru/Honda
Jifco	Livermore Ford Lincoln Mitsubishi
Land Rover Jaguar Livermore	Lowes
Livermore Ford/Lincoln/Alfa/Maserati	Macpherson Western Tool Supply
Livermore Honda	Mobile Modular Management
Livermore Subaru	Owens & Minor Distribution
Livermore Toyota	Penske Truck Leasing
Lowes	Porsche Livermore
Mobile Modular Management Corp	Prada
Porsche Livermore	Quik Stop Market
Safeway	Safeway
Safeway Fuel	Safeway Fuel
Target	Solar Universe
Toyota Material Handling	Target
US Foodservice	US Foodservice
Veritiv Operating Company	Vanstar Corporation
Walmart	Walmart
Waxie Sanitary Supply	Waxies

Source: HdL Company

City of Livermore
Assessed Value and Estimates Taxable Property
Last Ten Fiscal Years

Assessed Value and Estimated Taxable Property Last Ten Fiscal Years					
Fiscal Year	Common Property	Public Utility	Unsecured Valuation	Total Taxable Assessed Valuation	Total Direct Tax Rate*
2012-2013	$ 12,785,579,465	$ 16,652,307	$ 712,651,650	$ 13,514,883,422	1.00%
2013-2014	13,495,749,069	16,534,025	677,891,857	14,190,174,951	1.00%
2014-2015	14,441,874,348	15,920,292	618,857,248	15,076,651,888	1.00%
2015-2016	15,425,274,831	16,125,723	644,740,332	16,086,140,886	1.00%
2016-2017	16,462,710,778	16,036,533	669,293,841	17,148,041,152	1.00%
2017-2018	17,584,794,540	13,149,678	665,835,413	18,263,779,631	1.00%
2018-2019	18,716,232,125	13,261,314	742,728,963	19,472,222,402	1.00%
2019-2020	19,706,452,617	12,659,804	887,677,095	20,606,789,516	1.00%
2020-2021	20,739,018,910	12,463,593	890,242,048	21,641,724,551	1.00%
2021-2022	21,764,066,539	27,593,705	908,083,685	22,699,743,929	1.00%

Note:

In 1978 the voters of the State of California passed Proposition 13 which limited property taxes to a total maximum rate of 1% based upon the assessed value of the property being taxed. Each year, the assessed value of property may be increased by an "inflation factor" (limited to a maximum increase of 2%). With few exceptions, property is only reassessed at the time that it is sold to a new owner. At that point, the new assessed value is reassessed at the purchese price of the property sold. The assessed valuation data shown above represents the only data currently available with respect to the actual market value of taxable property and is subject to the limitations described above.

* Direct tax rate is per $1,000 of assessed value.

Source: Alameda County Office of the Auditor-Controller.

City of Livermore

Direct and Overlapping Governments Property Tax Rates

Last Ten Fiscal Years

Direct and Overlapping Governments Property Tax Rates
(Rates per $1,000 of assessed value)
Last Ten Fiscal Years

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Direct Rates:										
City Direct Rate	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Overlapping Rates (1):										
Livermore Valley Joint Unified School District	0.0607	0.0596	0.0497	0.0404	0.0886	0.0803	0.0771	0.0743	0.0691	0.0706
Chabot Las Positas	0.0219	0.0214	0.0217	0.0198	0.0246	0.0445	0.0443	0.0422	0.0214	0.0458
Pleasanton Unified School District	0.0963	0.0916	0.0695	0.0239	0.0224	0.0672	0.0640	0.0642	0.0580	0.0435
Zone 7 Flood Control	0.0228	0.0257	0.0250	0.0343	0.0333	0.0359	0.0332	0.0309	0.0309	0.0307
Bay Area Rapid Transit	0.0043	0.0075	0.0045	0.0026	0.0080	0.0084	0.0070	0.0120	0.0139	0.006
East Bay Regional Park	0.0051	0.0078	0.0085	0.0067	0.0032	0.0021	0.0057	0.0060	0.0014	0.002
County General Obligation Bond							0.0112	0.0108	0.0036	0.0041
Total Direct and Overlapping Rate	1.2111	1.2136	1.1789	1.1277	1.1801	1.2384	1.2425	1.2404	1.1983	1.2027

Source: Alameda County Treasurer and Tax Collector.

Note:

(1) Overlapping rates are those of local and county governments that apply to property owners within the City of Livermore. Not all overlapping rates apply to all property owners. For an overlapping rate to apply, the property has to be located within that district's geographic boundary.

City of Livermore
Principal Property Taxpayers
Current Year and Nine Years Ago

Principal Property Taxpayers
Current Year and Nine Years Ago

Taxpayer	2022 Taxable Assessed Value Secured/ Unsecured	2022 Rank	2022 Percentage of Total City Taxable Assessed Value	2013 Taxable Assessed Value Secured/ Unsecured	2013 Rank	2013 Percentage of Total City Taxable Assessed Value
Livermore Premium Outlets LLC	$ 227,128,393	1	1.02%	$ -		
Livermore Oaks Joint Venture LLC	148,318,172	2	0.67%			
Longfellow Logistics Center LLC	137,408,960	3	0.62%			
Form Factor Inc	132,666,164	4	0.60%	81,485,673	2	0.62%
Kaiser	122,166,674	5	0.55%	119,526,864	1	0.91%
Arkay Properties LLC	107,181,609	6	0.48%			
Comcast of Alameda Inc	85,721,950	7	0.39%			
Jack London Blvd and Isabel Avenue LLC	83,746,604	8	0.38%			
Raintree Ironwood LLC	81,519,443	9	0.37%			
Lam Research Corporations	69,863,780	10	0.31%			
RT Tri Valley LLC				50,356,320	3	0.39%
Marathon Drive Buildings LLC				43,758,614	4	0.33%
Sutter Health				40,587,212	5	0.31%
Alere Home Monitoring Inc				40,054,133	6	0.31%
BNP Paribas Leasing Corporation				38,339,700	7	0.29%
Valley Care Senior Housing Inc				37,238,122	8	0.28%
Bridgelux Inc				36,538,625	9	0.28%
Golden Bears LLC & Ellis Street Property				34,278,392	10	0.26%
	$ 1,195,721,749		5.39%	$ 522,163,655		3.99%

Source: HdL Company

City of Livermore
Property Tax Levies and Collections
Last Ten Fiscal Years

Property Tax Levies and Collections Last Ten Fiscal Years					
Fiscal Year Ended June 30,	Taxes Levied for the Fiscal Year	Collected within the Fiscal Year of the Levy		Delinquent Property Taxes for the Fiscal Year	Delinquent Tax Collections (Refund)
		Amount	Percentage of Levy		
2013	$ 23,453,707 (a)	$ 23,241,857	99.10%	$ 211,850	$ 439,594 (b)
2014	24,137,249 (a)	23,526,725	97.47%	610,524	458,926 (b)
2015	26,171,312 (a)	26,034,522	99.48%	136,790	(7,631) (b)
2016	27,839,513 (a)	27,718,828	99.57%	120,685	320,482 (b)
2017	29,014,829 (a)	28,341,709	97.68%	673,120	321,785 (b)
2018	31,087,296 (a)	30,559,069	98.30%	528,227	338,288 (b)
2019	33,273,066 (a)	32,570,581	97.89%	702,485	533,453 (b)
2020	35,368,204 (a)	34,740,288	98.22%	627,916	341,676 (b)
2021	36,930,452 (a)	36,077,734	97.69%	852,718	451,056 (b)
2022	38,114,809 (a)	37,598,776	98.65%	516,033	414,496 (b)

Source: Alameda County Office of the Auditor-Controller and City of Livermore Finance Division

(a) Taxes Levied include secured, unsecured, and estimated unitary tax.
Tax levies are net of payments for
- Educational Revenue Augmentation Fund.
- Redevelopment agencies for the fiscal years 2005-06 through 2011-12
- Redevelopment Property Tax Trust Fund (RPTTF) payments beginning from Fiscal year 2012-13.

(b) Alameda County does not provide delinquent tax collection data by levy year, so the amounts shown in the delinquent tax collections column include delinquency collections for all prior years that were remitted to the City in each fiscal year.

City of Livermore

Ratios of Outstanding Debt by Type

Last Ten Fiscal Years

Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

	Governmental Activities			Business-Type Activities						
Fiscal Year	Certificates of Participation	Notes & Loans Payable	Capital Lease	Certificates of Participation	Revenue Loans	State Loan	Capital Lease	Total Primary Government	Percentage of Personal Income [1]	Per Capita
2013	$ 61,481,383	$ 10,167,572	$ 13,470,406	$ 16,566,456	$ -	$ 813,753	$ 481,818	$ 102,981,388	4.8%	1,236
2014	58,367,644	4,803,697	12,654,274	15,589,104	-	-	847,354	92,262,073	5.9%	1,075
2015	64,032,534	3,970,233	11,668,003	15,348,123	-	-	740,467	95,759,360	6.6%	1,100
2016	60,193,384	2,566,738	11,330,801	14,186,182	-	-	619,257	88,896,362	5.5%	1,008
2017	56,386,950	2,440,343	10,300,691	13,003,050	-	-	512,946	82,643,980	7.5%	922
2018	53,758,606	1,793,715	9,152,150	12,336,394	-	-	392,972	77,433,837	8.5%	847
2019	54,295,394	1,667,320	8,189,116	8,429,606	-	-	321,293	72,902,729	9.8%	801
2020	50,854,698	1,540,562	7,563,146	7,783,689	-	-	296,702	68,038,797	11.3%	747
2021	50,270,524	1,417,955	6,883,846	7,697,470	-	-	270,016	66,539,811	13.1%	729
2022	46,998,880	818,197	6,148,494	7,213,722	-	-	241,127	61,420,420	0.7%	713

Note: Details regarding the city's outstanding debt can be found in the footnotes.

(1) Personal income is income for Alameda County.

EXHIBIT A

City of Livermore
Direct and Overlapping Governmental Activities Debt
June 30, 2022

Direct and Overlapping Governmental Activities Debt
As of June 30, 2022

City Assessed Valuation, net of exemptions		$ 22,172,608,303
Redevelopment Agency Incremental Valuation*		-
Total Assessed Valuation		$ 22,172,608,303

Governmental Unit	Percentage Applicable [1]	Outstanding Debt 6/30/22	Estimated share of Overlapping Debt
Overlapping Debt Repaid with Property Taxes:			
Alameda County	6.397%	$ 183,745,000	$ 11,754,168
Bay Area Rapid Transit District	2.492%	2,521,570,000	62,837,524
Chabot-Las Positas Community College District	15.242%	805,595,000	122,788,790
Livermore Valley Joint Unified School District	93.462%	246,710,000	230,580,100
East Bay Regional Park District	0.086%	184,590,000	158,747
City of Livermore Community Facilities District No. 99-1	100.000%	10,295,000	10,295,000
City of Livermore Community Facilities District No. 2009-1 I.A. No. 1	100.000%	16,843,452	16,843,452
City of Livermore Community Facilities District No. 2009-1 I.A. No. 2	100.000%	4,318,815	4,318,815
City of Livermore Community Facilities District No. 2009-1 I.A. No. 3	100.000%	2,568,315	2,568,315
City of Livermore Community Facilities District No. 2016-2	100.000%	8,500,000	8,500,000
City of Livermore 1915 Act Bonds	100.000%	1,812,000	1,812,000
CA Statewide Communities Development Authority Assessment District Bonds	100.000%	9,376,390	9,376,390
Total overlapping debt repaid with property taxes		3,995,923,972	481,833,301
Overlapping Other Debt:			
Alameda County Gen. Fund Obligations & Coliseum Authority	6.397%	742,688,000	47,509,751
Tax Increment Debt (Successor Agency)	100.000%	17,190,000	17,190,000
Total overlapping other debt		759,878,000	64,699,751
Total overlapping debt		$ 4,755,801,972	546,533,052
City of Livermore Certificate of Participation			46,998,880
City of Livermore Notes & Loans			818,197
City of Livermore Capital Leases			6,148,494
Total gross direct debt			53,965,571
Less: City of Livermore Obligations Supported by Rate Payers' Fees			(6,411,179)
Less: City of Livermore Obligations Funded by Grants Revenues			(8,103,197)
Total net direct debt			39,451,195
Total direct and overlapping debt			$ 585,984,247

Notes:

(1) The percentage of overlapping debt applicable to the city is estimated using taxable assessed property value. Applicable pecentages were estimated by determining the portion of the overlapping district's assessed value that is within the boundaries of the City divided by the district's total taxable assessed value.

(2) Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the City. This schedule estimates the Only includes the debt that is paid with property tax.

(2) Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue and non-bonded capital lease obligations

* Redevelopment Agency was dissolved effective January 31, 2012, in accordance with Assembly Bill 1X 26.

City of Livermore
Legal Debt Margin Information
Last Ten Fiscal Years

Legal Debt Margin Information
Last Ten Fiscal Years

Legal Debt Margin Calculation for Fiscal Year 2021-22

Common Property Assessed Valuation-Secured Roll	$ 21,764,066,539
Government Code Sec. 43605 Debt Limit 15% of Assessed Valuation	3,264,609,981
Amount of debt applicable to the limit	-
Legal debt margin	3,264,609,981
Percent of debt limit authorized and issued	0.00%

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Debt limit	$ 1,917,836,920	$ 2,024,362,360	$ 2,166,281,152	$ 2,313,791,225	$ 2,469,406,617	$ 2,637,719,181	$ 2,807,434,819	$ 2,955,967,893	$ 3,110,852,837	$ 3,264,609,981
Total net debt applicable to limit	-	-	-	-	-	-	-	-	-	-
Legal debt margin	$ 1,917,836,920	$ 2,024,362,360	$ 2,166,281,152	$ 2,313,791,225	$ 2,469,406,617	$ 2,637,719,181	$ 2,807,434,819	$ 2,955,967,893	$ 3,110,852,837	$ 3,264,609,981
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Source: City of Livermore Finance Division
Alameda County Office of the Auditor-Controller

Demographic and Economic Statistics Last Ten Calendar Years					
Year	Livermore Population (1)	Per Capita Personal Income Alameda County (2)		Total Personal Income	Unemployment Rate (3) (3)
2013	84,486	Est.	54,774	4,627,636,164	4.8%
2014	85,819	Est.	58,175	4,992,520,325	4.1%
2015	87,090	Est.	62,926	5,480,225,340	3.1%
2016	88,974	Est.	65,884	5,861,963,016	3.1%
2017	90,454	Est.	71,947	6,507,893,938	2.9%
2018	91,411	Est.	77,233	7,059,945,763	2.8%
2019	91,039	Est.	81,171	7,389,726,669	2.6%
2020	91,082	Est.	87,078	7,931,238,396	11.2%
2021	91,216	Est.	99,746	7,942,906,848	5.9%
2022	86,149	Est.	99,746 (2)	8,593,018,154 (2)	3.6%

Note:

1. Data Source: State of California, Department of Finance
2. Data Source: U.S. Department of Commerce, Bureau of Economic Analysis, Regional Economic Accounts, Local Area Personal Income. County income estimates are not currently available after 2020.
3. Data Source: Bureau of Labor Statistics

Population Demographics[1]		
Age	**Number**	**Percent of Population**
Under 5 years	6,381	7.4%
5 to 9 years	5,502	6.3%
10 to 14 years	4,271	4.9%
15 to 19 years	4,637	5.3%
20 to 24 years	3,934	4.5%
25 to 29 years	5,163	5.9%
30 to 34 years	6,939	8.0%
35 to 39 years	5,920	6.8%
40 to 44 years	4,936	5.7%
45 to 49 years	6,041	7.0%
50 to 54 years	7,014	8.1%
55 to 59 years	6,827	7.9%
60 to 64 years	6,580	7.6%
65 to 69 years	2,901	3.3%
70 to 74 years	4,526	5.2%
75 to 79 years	1,998	2.3%
80 to 84 years	1,171	1.3%
85 years and over	2,071	2.4%
Total Population	86,812	100.0%

City of Livermore
Principal Employers
Current Year and Nine Years Ago

Principal Employers Current Year and Nine Years Ago						
	2022			2013		
Employer	Employees	Rank	Percentage of Total City Employment	Employees	Rank	Percentage of Total City Employment
Lawrence Livermore National Lab	8,100	1	15.40%	5,870	1	17.42%
Sandia National Lab	1,770	2	3.36%	1,100	2	3.26%
Livermore Valley Joint Unified School District	1,351	3	2.57%	1,077	3	3.20%
Lam Research	1,205	4	2.29%			
Form Factor	950	5	1.81%	850	4	2.52%
Kaiser Permanente	935	6	1.78%	750	5	2.23%
GILLIG	920	7	1.75%			
US Foodservice Inc	690	8	1.31%			
Topcon Positioning Systems	500	9	0.95%			
Las Positas College	478	10	0.91%	515	9	1.53%
Comcast				710	6	2.11%
Wente				676	7	2.01%
Livermore Area Recreation and Parks District				540	8	1.60%
Valley Care Health Systems				432	10	1.28%
			32.13%			37.16%

* Estimated

Source: City of Livermore Office of Innovation and Economic Development
U.S. Bureau of Labor Statistics

City of Livermore

Full-Time Equivalent City Government Employees by Function/Program

Last Ten Fiscal Years

Full-time Equivalent City Government Employees by Function/Program

Last Ten Fiscal Years

Function/Program	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
General government										
Administrative Services [1,4]	31.50	31.75	31.75	32.50	33.50	35.50	39.25	38.25	39.25	39.25
City Manager [2]	6.00	7.00	7.00	7.00	6.00	7.00	7.00	7.00	7.00	7.00
City Attorney	8.00	8.00	8.00	8.50	8.50	8.50	8.50	9.00	9.00	9.00
Police [4]	140.25	140.75	141.75	141.75	142.75	141.75	145.00	145.50	145.50	145.50
Public Works	42.70	42.70	42.70	41.45	43.80	43.80	45.50	45.50	45.50	45.50
Community Development	64.50	63.50	63.50	63.50	64.50	66.50	66.50	68.50	68.50	67.50
Economic Development [3]	3.00	-	-	-	3.00	3.00	3.00	4.00	4.00	4.00
Library	29.00	28.00	28.00	28.00	27.00	27.00	27.00	27.35	27.35	27.35
Airport	8.00	8.00	8.00	8.00	8.00	8.00	8.00	8.50	8.50	8.50
Water	15.25	15.00	15.00	15.00	13.75	13.75	10.00	11.00	10.00	10.00
Sewer	47.50	48.50	48.50	48.50	49.50	49.50	49.50	49.50	50.50	50.50
Las Positas Golf Course	0.80	0.80	0.80	0.80	0.70	0.70	-	-	-	-
Total	396.50	394.00	395.00	395.00	401.00	405.00	409.25	414.10	415.10	414.10

Notes:

1. Administrative Services was created in fiscal year 2010 and includes Human Resources, Finance and Information Technology employees. Starting in FY17, includes City Clerk employees. Prior years' data is added to Administrative Services for comparison purposes.
2. Prior to fiscal year 2010, City Manager included Information Technology employees.
3. In fiscal year 2011, Redevelopment employees are included in Community Development.
3. In fiscal years 2014-2016, Economic Development employees are included in Community Development.
4. Starting in FY18, two police Information Technology employees are included in Administrative Services.
6. Fire safety services are provided by Livermore-Pleasanton Fire Department, a JPA.

EXHIBIT A

City of Livermore
Capital Assets Statistics by Function/Program
Last Ten Fiscal Years

Capital Asset Statistics by Function/Program Last Ten Fiscal Years										
Function/Program	**2013**	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**
Police										
Stations	1	1	1	1	1	1	1	1	1	1
Patrol units	52	58	57	58	59	63	61	63	61	65
Fire stations	5	5	5	5	5	5	5	5	5	5
Public Works										
Streets (centerline miles)	306	306	306	308	306	308	308	308	308	310
Streetlights	7,301	7,382	7,382	7,382	7,500	7,500	7,500	7,500	7,500	7,526
Traffic Signals	103	111	104	105	106	106	106	108	114	112
Enhanced Crosswalks	11	10	11	15	17	17	17	22	24	24
Las Positas Municipal Golf Course [2]										
Total acreage	195	195	195	195	195	195	195	195	195	195
Length of 18-hole course in yards	6,723	6,723	6,723	6,723	6,723	6,723	6,723	6,723	6,723	6,723
Length of 9-hole executive course in yards	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133	1,133
Springtown Municipal Golf Course										
Total acreage	90	90	90	90	N/A [1]	N/A [1]	N/A [1]	N/A [1]	N/A [1]	N/A [1]
Length of 9-hole course in yards	2,941	2,941	2,941	2,941	N/A [1]	N/A [1]	N/A [1]	N/A [1]	N/A [1]	N/A [1]
Water										
Water mains (miles)										
Potable water	147	147	148	148	148	151	162	162	162	163
Recycled water	23	23	21	21	21	21	20	20	20	20
Fire hydrants	1,493	1,560	1,487	1,495	1,516	1,548	1,550	1,559	1,567	1,567
Fire hydrants (recycled)	160	160	121	122	122	121	120	120	120	120
Wastewater										
Sanitary sewers (miles)	295	295	297	297	297	302	304	304	304	304
Storm sewers (miles)	210	210	214	214	214	224	226	226	226	226
Treatment capacity (millions of gallons)	9	9	9	9	9	9	9	9	9	9
Municipal Airport										
Length of longest runway in feet	5,253	5,253	5,253	5,253	5,253	5,253	5,253	5,253	5,253	5,253
Length of longest taxiway in feet	5,720	5,720	5,720	5,720	5,720	5,720	5,720	5,720	5,720	5,720
Total acreage	644	644	644	644	644	644	644	644	644	644
Number of hangars	393	393	393	393	393	393	393	393	393	393

* No data available

Sources: Various city departments.

9/6/12: The 9-hole Executive Course was closed as of July 1, 2011 and re-opened as a 9-hole Par 3 Course on May 17, 2012.
1/24/12: Measurement is in centerline miles.

(1) Springtown Golf Course has closed. The City has asked the Livermore Area Recreation and Park District to lead the Springtown Open Space Master Plan process.
(2) Las Positas Golf Course ceased as an enterprise fund in February 2019. The City Of Livermore has leased the golf course to a private management company.

EXHIBIT A

City of Livermore
Operating Indicators by Function/Program
Last Ten Fiscal Years

Operating Indicators by Function/Program
Last Ten Fiscal Years [1]

Function/Program	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Police										
Physical arrests	2,537	2,613	2,323	2,781	2,278	3,034	3,502	2,922	2,168	1,726
Parking violations	1,296	1,056	1,613	1,708	2,021	2,269	2,819	2,736	1,482	1,431
Traffic violations	8,635	7,114	6,813	5,142	4,540	5,344	8,620	8,576	5,531	4,060
Fire										
Emergency responses	6,684	6,664	6,777	7,233	7,620	7,539	7,536	7,610	7,700	8,329
Fires extinguished	237	221	192	210	210	227	218	239	322	291
Inspections [1]	1,106	453	505	1,195	1,411	1,013	810	839	849	605
Annual fire inspection program	540	529	594	541	624	674	602	712	74	545
Public Works										
Street resurfacing (centerline miles)	12.7	3.8	4.1	3.3	-	-	-	3.6	1.4	-
Potholes repaired	204	190	653	504	1,347	969	1,152	858	639	700
Maintenance of Landscaping (acres)	316	316	320	329	330	334	338	340	350	350
Library										
Volumes in collection	262,410	255,333 [2]	261,818	281,469	276,849	268,154 [5]	267,319	266,803	270,155	275,662
Total volumes borrowed	868,861	849,145	777,970	762,939	762,304	753,072	760,960	540,073 [7]	249,348 [7]	685,183 [8]
Community Development										
Building permits issued	NA	NA	NA	NA	3,694	4,086	3,755	3,729	5,948	-
Water										
New connections	79	32	52	200	232	120	89	57	27	1
Water mains breaks	-	1	1	3	3	-	-	-	-	-
Other water breaks & leaks	20	14	14	18	19	16	30	17	31	29
Average Daily Consumption										
Potable water (millions of gallons)	5.90	5.50	4.20	4.10	4.40	4.80	5.20	5.40	5.50	5.40
Recycled water (millions of gallons)	1.97	1.85	2.04	2.02	1.70	1.84	1.91	1.88	2.00	1.85
Peak daily consumption - potable (millions of gallons)	9.50	9.30	9.10	8.80	9.00	9.50	10.10	10.20	10.40	10.30
Wastewater										
Average daily sewage treatment (millions of gallons)	6.70	6.60	6.10	5.90	5.80	5.80	5.60	5.50	5.50	5.30
New connections	280	190	389	659	311	385	347	200	286	96
Municipal Airport										
Number of tenant aircraft	506	517	508	503	507	512	495	487	497	466
Total landings & takeoffs	143,651	160,733	122,140	121,050	117,834	146,988	156,405	148,568	170,707 [7]	195,952
Gallons of fuel pumped	642,239	734,597	644,617	281,288	- [4]	- [4]	- [4]	- [4]	- [4]	-
Las Positas Municipal Golf Course										
Rounds Played	62,733	77,408	69,387	66,711	58,982	61,418	N/A [6]	N/A [6]	N/A [6]	N/A
Springtown Municipal Golf Course										
Rounds Played	19,583	19,583	N/A [3]	N/A [3]	N/A [3]	N/A [3]	N/A [3]	N/A [3]	N/A [3]	N/A

(1) Data is reported on a fiscal year basis.
(2) In FY 13/14, the City added 28,000 new volumes to the Library Collection, and removed items that were outdated or in poor condition, consequently the overall number decreased.
(3) Springtown Golf Course closed in October 2015. The City Of Livermore has asked the Livermore Area Recreation & Park District to lead the Springtown Open Space Master Plan process.
(4) Starting 11/25/2015, fuel was transitioned to Five Rivers Aviation.
(5) Volume decreased due to removal of outdated materials.
(6) Las Positas Golf Course ceased as an enterprise fund in February 2019. The City Of Livermore has leased the golf course to a private management company.
(7) Reduction due to COVID-19 shelter in place order that began in mid-March 2020.
(8) 600,531 physical + 84,652 digital checkouts
NA Data not available.
Source: Various city departments.

EXHIBIT A

City of Livermore
Water and Sewer Rates
Year Ended June 30, 2022

Water and Sewer Rates
For Year Ended June 30, 2022

Customers in the City's Water service area are billed monthly with rates shown below. The rates provided below are those in effect as of June 30, 2022. Residential sewer customers are billed via their property tax bill while the Commercial customers are billed monthly.

The monthly residential water bill for a customer using 10 CCF of water per month with a 5/8" meter would be $76.20.

Water

Meter Size (inches)	City Service Meter Charge Flat Rate	Alameda County Zone 7 Meter Charge Flat Rate	Total Meter Charge
5/8" (0.625)	$ 22.85	$ 24.40	$ 47.25
3/4" (0.75)	30.46	36.60	67.06
1" with Fire Line	22.85	24.40	47.25
1"	45.66	61.00	106.66
1 1/2" Displacement	83.68	122.00	205.68
1 1/2" Turbine	98.89	146.40	245.29
2" Displacement	129.31	195.20	324.51
2" Turbine	152.12	231.80	383.92
3" Turbine	338.42	530.70	869.12
4" Turbine	577.95	915.00	1,492.95
6" Turbine	1,224.29	1,952.00	3,176.29
8"	2,136.79	3,416.00	5,552.79
10"	3,201.35	5,124.00	8,325.35
1" Fire Line	2.82	exempt	2.82
1 1/2" Fire Line	4.23	exempt	4.23
2" Fire Line	5.63	exempt	5.63
3" Fire Line	8.44	exempt	8.44
4" Fire Line	11.25	exempt	11.25
6" Fire Line	16.86	exempt	16.86
8" Fire Line	22.48	exempt	22.48
10" Fire Line	28.08	exempt	28.08

Sewer

Residential

	Billing Type	Monthly Charge
Single Family	per Dwelling Unit	$ 64.98
Multi-Family	per Dwelling Unit	53.17

Commercial

	Billing Type	Monthly Charge
Fixed Charge:	Flat Rate	$29.40

Variable Charge:	Billing Type	Monthly Charge	*Winter Water Use* (Monthly + 10%) 1
Auto Steam Cleaning	per 100 Cubic ft.	n/a	n/a
Bakeries	per 100 Cubic ft.	11.05	$ 12.16
Commercial Laundries	per 100 Cubic ft.	6.88	$ 7.57
Markets	per 100 Cubic ft.	11.08	$ 12.19
Mortuaries	per 100 Cubic ft.	11.08	$ 12.19
Restaurants	per 100 Cubic ft.	11.05	$ 12.16
All Other	per 100 Cubic ft.	4.91	$ 5.40
Institutional:			
Schools	per 100 Cubic ft.	4.78	$ 5.26
All Other - Institution	per 100 Cubic ft.	4.78	$ 5.26

Water and Sewer Rates
For Year Ended June 30, 2022

Water	Sewer

Water Usage Cost Per Unit:

	City Distribution Cost	Zone 7 Wholesale Cost	Total Variable Cost
Residential:			
Tier 1 (0-7 Units)	$ 1.38	2.06	3.44
Tier 2 (8+ Units)	$ 1.92	2.06	3.98
Commercial, Institution, Hydrant (Non-REC) & Public Agency:			
All Units	1.50	2.06	3.56
Irrigation			
All Units	1.92	2.06	3.98
Recycled Water:			
All Units (Non-Deminer	3.30		3.3

[1] Winter Water Use amount is the average consumption during Winter months multiplied by the Normal Monthly rate with an additional 10% service fee to the normal rate.

Livermore Sewer System
Revenues by Class of User
Fiscal Year 2021-22

User Class	Fiscal Year Revenues	Percentage of Revenues
Residential	$ 23,042,514	83.3%
Commercial/Industri	4,603,591	16.7%
Total	$ 27,646,105	100%

Sewer Connection Fees City of Livermore	
Effective Date	July 1, 2022
Residential	
Single Family	$ 7,894.61
Multi-Family	
Studio	$ 4,166.60
One Bedroom	4,692.91
Two Bedroom	6,052.53
Three Bedroom	6,885.85
Four Bedroom	7,894.61
Commercial (BOD & SS = 285 mg/L, unless otherwise shown)	
Auto Repair	$ 4.82
Assembly Facilities	6.58
Eating/drinking w/o cooking	15.35
Gas Stations	20.61
General Use	1.75
Gyms, Health Clubs	13.16
Hotels, Motels (excluding dining facilites)	6.58
Markets	8.33
Mixed use	4.39
Medical/Dental Office/Clinic	9.65
Restaurants	35.55
Warehouse	0.44
Industrial	
F = Flow cost $/gpd	$ 33.97
B = BOD cost $/lb-day	2,954.71
S = SS cost $/lb-day	1,202.76

Livermore Sewer System
Number of Dwelling Unit Equivalents and Connections
by Classification of User
As of June 30, 2022

User Type	Flow/Volume in mg	2021 DUEs	Connections
Single Family Residential	1,078	23,985	23,985
Condominiums/Multiple Family Residential	315	7,009	9,103
Commercial/Institutional	554	10,297	1,090
Total Users	1,947	41,291	34,178

Note: Commercial Connection data prior to FY 2016/17 included double-counting of some accounts. Revised, lower numbers do not indicate a loss of commercial customers. Reduction

Note: DUE calculations were revised for FY2019/20 to ensure that 1 DUE is equal to the average wastewater generated by a single family home.

The declines in Single Family parcels was caused by the reclassification of certain Single Family Residential parcels in FY 2019-20 as Multi-Family Residential due to a use code charge at the Alameda County level.

City of Livermore

Sewer System – Summary of Historical Operating Results

Fiscal Year Ended June 30

Livermore Sewer System
Summary of Historical Operating Results [1]
Fiscal Year Ended June 30

	Audited 2013[5]	Audited 2014[5]	Audited 2015	Audited 2016	Audited 2017[5]	Audited 2018	Audited 2019	Audited 2020	Audited 2021	Audited 2022
Gross Revenues										
Charges for services	$ 18,411,889	$ 18,611,369	$ 18,264,709	$ 18,901,732	$ 20,388,467	$ 21,341,703	$ 22,920,343	$ 24,503,188	$ 25,500,934	$ 27,646,105
Connection Fees	2,323,680	922,479	1,857,287	3,677,231	1,834,854	2,477,971	2,311,224	1,341,958	1,966,329	689,915
Investment Income (Loss)	(176,366)	552,475	306,248	834,666	178,872	395,756	1,783,751	1,955,582	234,858	(2,091,441)
Other Revenue[4]	112,296	72,686	211,846	59,991	50,147	33,205	20,806	32,390	73,041	53,414
Total Gross Revenues	20,671,499	20,159,009	20,640,090	23,473,620	22,452,340	24,248,635	27,036,124	27,833,118	27,775,162	26,297,993
Maintenance & Operations Costs[2]	15,837,894	14,477,020	14,871,652	17,392,930	15,784,287	15,982,653	18,020,641	18,480,604	17,778,653	17,565,418
LAVWMA Net Revenues	4,833,605	5,681,989	5,768,438	6,080,690	6,668,053	8,265,982	9,015,483	9,352,514	9,996,509	8,732,575
Other Livermore Obligations										
1994 State Loan Payments[3]	835,725	835,725	-	-	-	-	-	-	-	-
Net Revenue minus Obligations[3]	3,997,880	4,846,264	5,768,438	6,080,690	6,668,053	8,265,982	9,015,483	9,352,514	9,996,509	8,732,575
Share of LAVWMA Debt Service										
Rehabilitation Project	1,096,397	973,529	974,153	973,711	973,985	974,289	973,970	974,183	974,244	910,398
Expansion Project	1,410,991	1,252,868	1,253,670	1,253,103	1,253,455	1,253,847	1,253,436	1,253,710	1,253,788	1,171,623
Total LAVWMA Debt Service	$ 2,507,388	$ 2,226,397	$ 2,227,823	$ 2,226,814	$ 2,227,440	$ 2,228,136	$ 2,227,406	$ 2,227,893	$ 2,228,032	$ 2,082,021
LAVWMA Debt Service Coverage	1.59	2.18	2.59	2.73	2.99x	3.71x	4.05x	4.2x	4.49x	4.19x
Net Revenues Available after Obligations/LAVWMA	1,490,492	2,619,867	$ 3,540,615	$ 3,853,876	$ 4,440,613	$ 6,037,846	$ 6,788,077	$ 7,124,621	$ 7,768,477	$ 6,650,554

[1] Balances are derived from the Livermore audited financial statements.

[2] M&O excludes depreciation and debt service. M&O includes Payments to LAVWMA for LAVWMA Maintenance and Operation Costs. See "SECURITY FOR THE 2021 BONDS." Includes Operating

[3] Reflects Net Revenues remaining after payment of debt service on Livermore's Obligations.

[4] Includes Operating Transfers in, if any.

[5] In fiscal year 2016-17, Stormwater activities were reported together with Sewer activities, but were approximately 5% fo total gross revenues. Stormwater revenues are not pledged to the 2021 Bonds. Starting in fiscal year 2017-18, Stormwater activites are reported seperately from Sewer.

City of Livermore
Schedule of Insurance
June 30, 2022

SCHEDULE OF INSURANCE AS OF JUNE 30, 2022

COVERAGE	BROKER	COVERAGE	POLICY NO	LIMITS	TERM
General/Auto Liability Primary Layer	City of Livermore - Self Insured Retention		Not applicable	$750,000 Self Insured Retention.	7/1/21-6/30/22
General/Auto Liability Excess Coverage First Layer	California Joint Powers Risk Management Authority (CJPRMA)	Bodily Injury, Property Damage, Personal Injury, Public Officials Errors & Omissions, Employment Practices, Mold, Sexual Abuse at day care, terrorism, Pollution	2021-2022 MOC	CJPRMA jointly indemnifies members from SIR to $7.5M	7/1/21-6/30/22
General/Auto Liability Excess Coverage Second Layer	Alliant - Munich Re A.M. Best Rating A++:XV	Following CJPRMA Memorandum of Coverage	152376-3019263-2021	$5,000,000 per occurrence excess of $7,500,000 per occurrence retention for Bodily Injury / Property Damage / Personal Injury / Public Officials E&O	7/1/21-6/30/22
General/Auto Liability Excess Coverage Third Layer	Applied A.M. Best Rating A++:XV	Following CJPRMA Memorandum of Coverage	CI21NPX-01042-01	$2,500,000 per occurrence excess of $12,500,000 per occurrence retention for Bodily Injury / Property Damage / Personal Injury / Public Officials E&O	7/1/21-6/30/22
General/Auto Liability Excess Coverage Fourth Layer	Everest Re A.M. Best Rating A+:XV	Following CJPRMA Memorandum of Coverage	FC10045252-2020	$5,000,000 per occurrence excess of $15,000,000 per pccurrence retention for Bodily Injury / Property Damage / Personal Injury / Public Officials E&O	7/1/21-6/30/22
General/Auto Liability Excess Coverage Fifth Layer	Chubb +A.M. Best Rating A++:XV	Following CJPRMA Memorandum of Coverage	G71816370001	$5,000,000 per occurrence excess of $20,000,000 per pccurrence retention for Bodily Injury / Property Damage / Personal Injury / Public Officials E&O	7/1/21-6/30/22
Genera/Auto Liability Excess Coverage Sixth Layer	Scor Reinsurance Company A.M. Best Rating A-:XV	Following CJPRMA Memorandum of Coverage	10F148843-2020-1	$7,500,000 excess of $25,000,000	7/1/21-6/30/22
Genera/Auto Liability Excess Coverage Seventh Layer	AWAC	Following CJPRMA Memorandum of Coverage	0312-9438	$7,500,000 excess of $32,500,000	7/1/21-6/30/22
Commercial Property	Lloyd's of London APIP	Real and Personal Property / Business Interruption / Extra Expense / Rental Coverage / Flood, Excluding Earthquake Coverage is on a replacement cost basis.	Lloyds - B0180PJ1900047 APIP - 017471589/06	Primary Property Limit: $400,000,00 Deductible $250,000 $500,000 for Wildfire $1,000,000 Flood Zones A & V	7/1/21-6/30/22
*Boiler and Machinery included in property program	APIP/ Travelers Boiler & Machinery		APIP 017471589/06 Travelers BME1-2H11173A	100000000	7/1/21-6/30/22
Pollution	Allianz Interstate Fire & Casualty Company	Claims Made and Reported Pollution Liability	USL00889720	$3,000,000 per occurrence $3,000,000 aggregate with $75,000 deductible	7/1/21-6/30/22
Pollution	APIP/Interstate Fire & Casualty Company	Claims Made and Reported Pollution Liability		$2,000,000 per occurrence $25,000,000 aggregate (all insureds combined)	7/1/21-6/30/22
Aircraft Policy - Drones	Starr Indemnity & Liability Company	Hull and Liability coverage for reported drones to CJPRMA	1000233406-04	$5,000,000 Combine Single Limit for BI & PD - No Deductible	7/1/21-6/30/22
Cyber Liability	APIP/Beazley	Information security & privacy insurance with electronic media liability coverage	MLN624127.01/2019	$2,000,000 per member; $25,000,000 aggregate. Deductible is $100,000.	7/1/21-6/30/22
Excess Cyber	APIP/Axis	Information security & privacy insurance with electronic media liability coverage	MLN624127.01/2018	$3,000,000 excess of $2,000,000 pool aggregate $4,000,000	7/1/20-6/30/21
Excess Cyber	Tokio Marine HCC	Information security & privacy insurance with electronic media liability coverage	H21CXS2022800	$1,000,000 each claim/ $1,000,000 aggregate, $4,000,000 each claim/$43,000,000 aggregate	7/1/21-6/30/22

SCHEDULE OF INSURANCE AS OF JUNE 30, 2022

COVERAGE	BROKER	COVERAGE	POLICY NO	LIMITS	TERM
Deadly Weapon Respsonse Program	APIP/Lloyds	Claims Made and Reported	PJ20000500004	$500,000 per occurrence & aggregate $2,500,000 deductible	7/1/21-6/30/22
Auto Physical Damage	Hanover - Inland Marine	Auto physical damage coverage for city-owned vehicles	IH3 9163180-09	Per occurrence limit: $10,000,000 $10,000 deductible with replacement value as scheduled	7/1/21-6/30/22
EPL sublimit $12.5M. This is $7.5M CJPRMA retention and $5M with Munich. Retained $5M aggregate with Munich.	Subsidence sublimit changed $7.5M. This reflects CJPRMA increased retention. No coverage in reinsurance.	Communicable disease sublimit of $7.5M added. This reflects coverage in CJPRMA retention. Not excluded in CJPRMA. No coverage in reinsurance.	Fungal pathogens sublimit $12.5M. This is $7.5M CJPRMA retention and $5M with Munich. Retained $5M aggregate with Munich.	Sexual abuse in daycare operations $12.5M. This is $7.5M CJPRMA retention and $5M with Munich. Kept $5M aggregate with Munich.	Terrorism sublimit $12.5M. This is $7.5M CJPRMA retention and $5M with Munich. Retained $5M aggregate with Munich.
Three other sublimits increased from $5M to $7.5M. No reinsurance for these. These are airport public officials error and omissions and some pollution items These are all as exception to exclusions. Exclusion #2 & Exclusion #27.					
Fiduciary	AON/Travelers	457 Governmental money purchase plan and trust.	T 06104-2989	$1,000,000 for all claims, $100,000 for each settlement program notice.	7/1/21-6/30/22
DIC (Difference in Conditions) Earthquake and Flood	AON - ACE: Westchester Surplus Lines Insurance	Property coverage per schedule for damage from Earthquake or Flood as excluded from Property Program.	D3740021A010	$5,000,000 per occurrence with $5,000,000 annual aggregate; deductible is $25,000 for flood; 10% of the separate insurable value subject to a minimum of $100,000 per occurrence	7/1/21-6/30/22
DIC (Difference in Conditions) Earthquake and Flood (Excess)	AON - Evanston Insurance Company	Property coverage per schedule for damage from Earthquake or Flood as excluded from Property Program.	MKLV5XPR000359	Additional $5,000,000 coverage	7/1/21-6/30/22
DIC (Difference in Conditions) Earthquake and Flood (Excess)	AON - Arch Specialty Insurance Company	Property coverage per schedule for damage from Earthquake or Flood as excluded from Property Program.	ESP100342301	Additional $5,000,000 coverage	7/1/21-6/30/22
Public Employee Blanket Bond (Crime/Fidelity)	AON – Great American Insurance Group	Faithful performance, any dishonest act, including forgery, alteration, & theft Covers all employees statutorily required to maintain bonding.	GVT 0521778 08 00	Deductible is $10,000 per loss Coverage is $500,000 per loss	7/1/21-6/30/22
Airport Liability	AON/Old Republic Insurance Co.	Airport liability / Hangerkeeper's / Advertising / Vehicles / Non-owned aircraft / Fire Legal Liability / Products and Completed Operations / Premises	PR00269704	$75,000,000 per occurrence with $0 deductible; $4M Excess of $1M for airport owned vehicles off site	7/1/21-6/30/22
Workers' Compensation and Employer Liability Primary Layer	City of Livermore - Self Insured Retention	State Mandated workers' compensation coverage for miscellaneous and safety member employees, including volunteers. Also covers employer liability not covered under statutory workers' compensation coverage.	Not applicable	Self Insured retention of $500,000	7/1/21-6/30/22
Workers' Compensation and Employer Liability Excess Coverage First Layer	Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX)	State mandated workers' compensation coverage for miscellaneous and safety member employees, including volunteers. Also covers employer liability not covered under statutory workers' compensation coverage.	2021-2022 MOC	$5 million in excess of SIR of $500,000 per claim	7/1/21-6/30/22
Worker's Compensation and Employer Liability Reinsurance and Excess Coverage Second Layer	PRISM, Reinsurance from ACE American Insurance Co.	State mandated workers' compensation coverage for miscellaneous and safety member employees, including volunteers. Also covers employer liability not covered under statutory workers' compensation coverage.	PRISM PE 21 EWC-32	$50,000,000 each accident/each employee (Difference between $50,000,000 and the individual member's retention)	7/1/21-6/30/22
Worker's Compensation and Employer Liability Reinsurance and Excess Coverage Third Layer	Liberty Insurance Corporation	State mandated workers' compensation coverage for miscellaneous and safety member employees, including volunteers. Also covers employer liability not covered under statutory workers' compensation coverage.	EW7-64N-444785-011	Statutory excess of $50,000,000	7/1/21-6/30/22

City of Livermore
Redevelopment Project – Historical Tax Revenues
Last Ten Fiscal Years

Livermore Successor Agency to the Former Redevelopment Agency
Redevelopment Project
Historical Tax Revenues

Category	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	FY2020-21	FY2021-22
Secured Assessed Values	$ 605,121,061	$ 669,402,838	$ 724,912,255	$ 758,981,194	$ 791,094,983	$ 822,520,189	$ 850,789,180
Unsecured Assessed Values	48,359,416	53,829,143	50,958,223	45,926,379	35,085,427	51,529,379	62,774,541
Total Assessed Values	653,480,477	723,231,981	775,870,478	804,907,573	826,180,410	874,049,568	913,563,721
Percentage Change	7.44%	10.67%	7.28%	3.74%	2.64%	5.79%	4.52%
Base Year Assessed Values	$ 70,060,057	$ 70,060,057	$ 70,060,057	$ 70,060,057	$ 70,060,057	$ 70,060,057	$ 70,060,057
Incremental Assessed Values	583,420,420	653,271,924	705,810,421	734,847,516	756,120,353	803,989,511	844,092,046
Gross Tax Increment Revenue	6,058,269	6,874,820	7,445,163	7,580,878	7,803,155	8,120,693	8,450,605
Unitary Tax Revenues	22,544	20,139	26,881	33,058	34,184	34,184	295,127
Gross Revenues	6,080,813	6,894,959	7,472,044	7,613,936	7,837,339	8,154,877	8,745,732
Adjustments to Gross Revenues:							
County Administrative Fees	43,624	46,546	48,779	58,375	52,352	53,869	53,438
Sections 33676 Payments	2,407	2,500	2,620	2,742	2,867	2,994	3,114
Tax Revenues	$ 6,034,782	$ 6,845,913	$ 7,420,645	$ 7,552,819	$ 7,782,120	$ 8,098,014	$ 8,689,180
Negotiation Pass-Through Payments	1,081,931	1,199,765	1,296,935	1,313,615	1,358,458	1,410,293	1,469,000
Statutory Pass-Through Payments	271,154	375,440	449,671	451,116	497,712	541,976	643,000
Net Tax Increment Revenues	$ 4,681,697	$ 5,270,708	$ 5,674,039	$ 5,788,088	$ 5,925,950	$ 6,145,745	$ 6,577,180

Source: The HDL Companies

1) Secured values include state assessed non-unitary utility property
2) Represents section 33676 payments to the Bart, the Abatement District, the Community College and the Flood Control District
3) Represents payments pursuant to the Pass-Through Agreements. Such payments were not subordinate to the payment of debt service on the 2001 Bonds but, because such payments are subordinate to the payment of debt service on the 2016 Bonds, are shown as such for purposes of showing historical Tax Revenues.
4) Represents statutory pass-through payments with respect to the Project Area required pursuant to AB 1290. Such payments were not subordinate to the payment of debt service on the 2016 Bonds, are shown as such for purposes of showing historical Tax Revenues
5) Starting in FY21-22 Supplemental Tax Increment was added to the Unitary Tax Increment line. Before FY 21-22, only Unitary tax was included.

City of Livermore
Redevelopment Project – Ten Largest Taxable Property Owners
Last Ten Fiscal Years

Livermore Successor Agency to the Former Redevelopment Agency
Redevelopment Project
Ten Largest Taxable Property Owners

Assessee	Land Use	Total FY 2021-22 Assessed Value	% of Total Assessed Value	% of Incremental Value
ValleyCare Senior Housing Inc.	Assisted Care Senior Housing Development	$ 59,465,421	6.50%	7.04%
Hospital Comm Livermore	Stanford Valleycare Medical Offices/Facilities	53,041,650	5.80%	6.28%
Sequoia Equities Mill Springs	Mill Springs Park Apartments	53,000,863	5.80%	6.28%
Dorothy J. Anderson Trust (1)	Orchard Hardware / Safeway Retail Center	38,903,801	4.26%	4.61%
Maroon Bear 2 LP	Commercial Center - Livermore Ave at 1st Street	32,582,234	3.56%	3.86%
Comcast of California	Cable Television/Internet Facilities	30,713,960	3.36%	3.64%
35 Fenton Street LLC	The Watermark - Assisted Living	23,094,240	2.53%	2.74%
Serra LLC (1)	Walgreens Pharmacy - 1st Street & SP Street	15,584,227	1.70%	1.85%
Sai La Family LP et al and LAC et al	Trader Joe's Home Furnishings Retail Center	13,047,791	1.43%	1.55%
Taylor Morrison California LLC	Vacant	12,459,252	1.36%	1.48%
Top Ten Total		**$ 331,893,439**	**36.30%**	**39.33%**
Total FY 2021-22 Assessed Valuation		**$ 914,152,103**	**100.00%**	
Total FY 2021-22 Incremental Assessed Valuation		**$ 844,092,046**		**100.00%**

Source: The HDL Companies

1) Taxpayers have pending assessment appeals with respect to property within the Project Area.

Livermore Successor Agency to the Former Redevelopment Agency
Assessment Appeals
Appeals for FY 2015-16 to FY 2020-21

Total Appeals Filed	No. of Resolved Appeals	No. of Successful Appeals	Average AV Reduction	No. of Appeals Pending	Value of Appeals Pending
79	41	6	16.30%	38	$ 150,796,619

City of Livermore

Redevelopment Project – Actual and Projected Tax Revenues and Debt Service Coverage

Last Ten Fiscal Years

Livermore Successor Agency to the Former Redevelopment Agency Redevelopment Project Actual[1] and Projected[2] Tax Revenues and Debt Service Coverage (Assumes 0% Growth)						
Fiscal Year	Gross Tax Revenues	SB 2557 Charge	Section 33676 Payments	Tax Revenues	Debt Service on 2016 Bonds	Debt Service Coverage
2016-17	$ 6,894,959	$ (46,546)	$ (2,500)	$ 6,845,913	$ 2,151,702	3.18
2017-18	7,472,044	(48,779)	(2,620)	7,420,645	2,073,969	3.58
2018-19	7,613,936	(58,375)	(2,742)	7,552,819	2,075,969	3.64
2019-20	7,837,339	(52,352)	(2,867)	7,782,120	2,074,969	3.75
2020-21	8,154,877	(53,869)	(2,994)	8,098,014	2,075,969	3.90
2021-22	8,745,732	(53,438)	(3,114)	8,689,180	2,073,719	4.19
2022-23	6,293,445	(46,309)	(2,268)	6,244,868	2,078,219	3.00
2023-24	6,293,445	(46,309)	(2,268)	6,244,868	2,068,969	3.02
2024-25	6,293,445	(46,309)	(2,268)	6,244,868	2,071,469	3.01
2025-26	6,293,445	(46,309)	(2,268)	6,244,868	2,074,969	3.01
2026-27	6,293,445	(46,309)	(2,268)	6,244,868	2,073,519	3.01
2027-28	6,293,445	(46,309)	(2,268)	6,244,868	2,070,569	3.02
2028-29	6,293,445	(46,309)	(2,268)	6,244,868	2,076,581	3.01
2029-30	6,293,445	(46,309)	(2,268)	6,244,868	2,070,481	3.02
2030-31	6,293,445	(46,309)	(2,268)	6,244,868	2,075,175	3.01
2031-32	6,293,445	(46,309)	(2,268)	6,244,868	-	0.00
2032-33	6,293,445	(46,309)	(2,268)	6,244,868	-	0.00

1) FY 2016-17 through FY 2021-22 are based on actual

2) FY 2022-23 and on are the projections set forth in the official statement

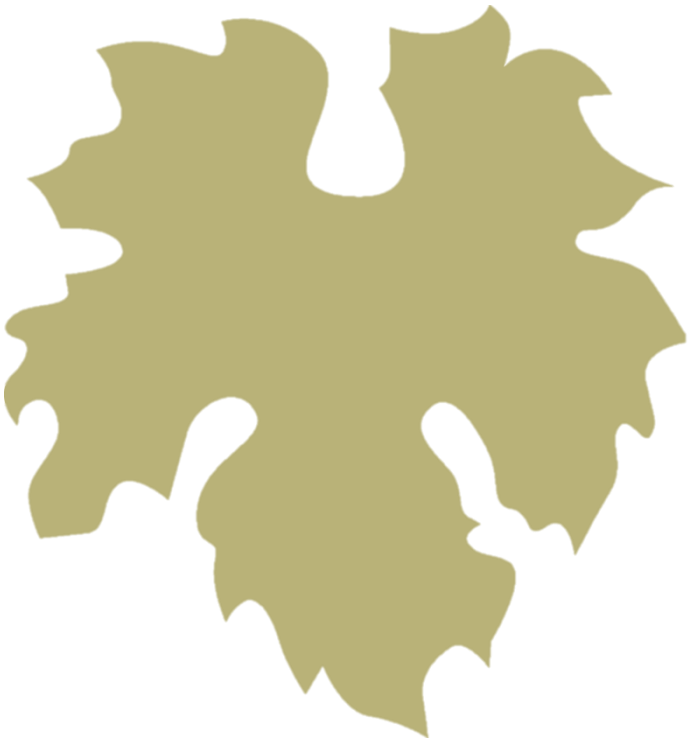
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CITY OF LIVERMORE

ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS
FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

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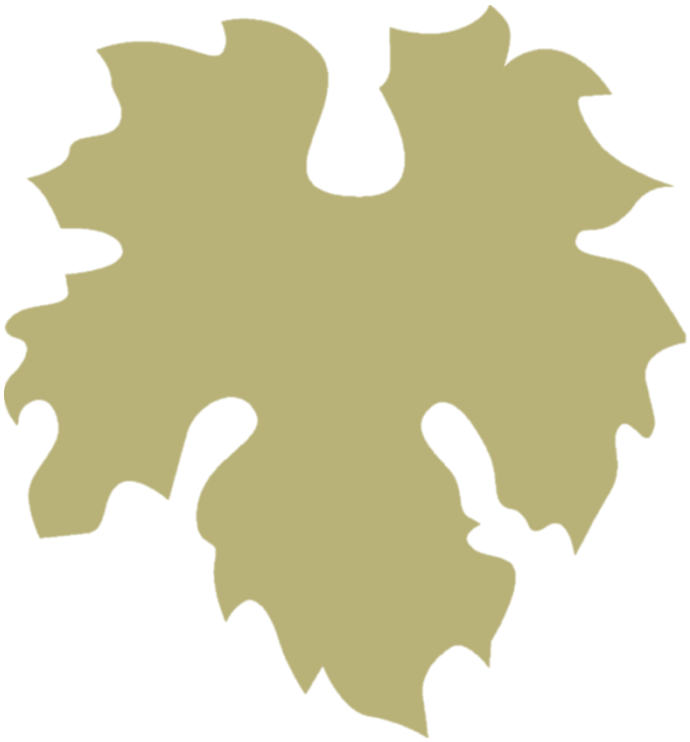
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CPAs & BUSINESS ADVISORS

Independent Auditor's Report

The Honorable City Council
City of Livermore, California

Report on the Audit of the Financial Statements

Opinions

We have audited the Financial Statements of the Measure B Funds, a special revenue funds of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and the related notes to the financial statements.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the Measure B Funds of the City, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 1, the financial statements specific to Measure B are intended to present the financial position and the changes in financial position attributable to the transactions of that Fund. They do not purport to, and do not, present fairly the financial position of the City as of June 30, 2022, and the changes in its financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibility of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

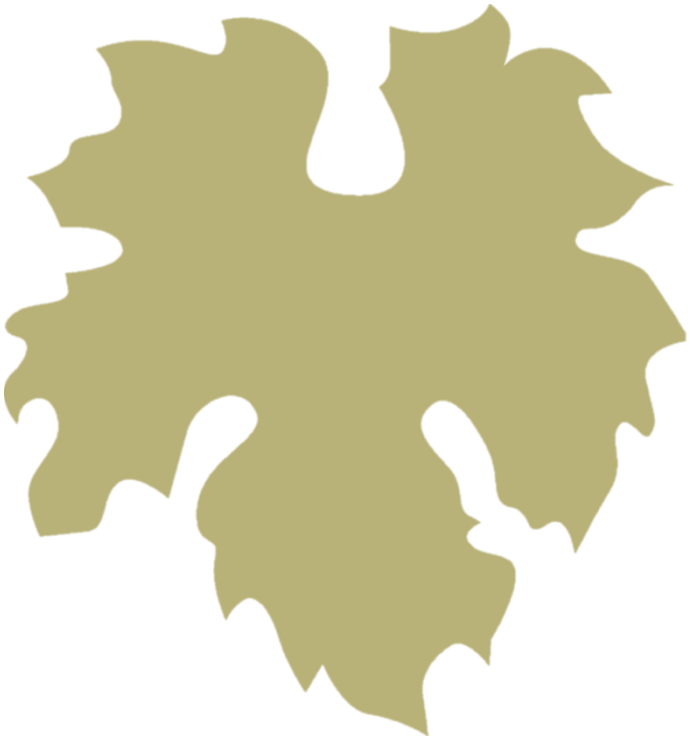
Management has omitted management's discussion and analysis and budgetary comparison information that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 31, 2023, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Eide Bailly LLP

Menlo Park, California
January 31, 2023



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS

BALANCE SHEET
As of June 30, 2022

	Bicycle and Pedestrian	Local Streets and Roads	Totals
ASSETS			
Cash and Investments (Note 2)	$ 442,446	$ 2,437,573	$ 2,880,019
Measure B Direct Local Distribution Program Receivable	3,950	14,726	18,676
Total Assets	$ 446,396	$ 2,452,299	$ 2,898,695
LIABILITIES			
Accounts Payable	$ 14,090	$ 353,087	$ 367,177
Accrued Liabilities	-	2,500	2,500
Total Liabilities	14,090	355,587	369,677
FUND BALANCES			
Restricted for Measure B Programs and Projects	432,306	2,096,712	2,529,018
Total Fund Balances	432,306	2,096,712	2,529,018
Total Liabilities & Fund Balances	$ 446,396	$ 2,452,299	$ 2,898,695

See accompanying notes to financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
For the Fiscal Year Ended June 30, 2022

	Bicycle and Pedestrian	Local Streets and Roads	Totals
REVENUES			
Measure B Direct Local Distribution			
Program Revenue			
Direct Local Distribution Funds Allocation	$ 277,061	$ 1,032,815	$ 1,309,876
Interest and Investment Income	(11,444)	(59,478)	(70,922)
Total Program Revenues	265,617	973,337	1,238,954
EXPENDITURES			
Measure B Direct Local Distribution			
Expenses-Current			
General Government	161,458	70,600	232,058
Construction	46,159	1,290,661	1,336,820
Total Program Expenditures	207,617	1,361,261	1,568,878
REVENUES OVER (UNDER) EXPENDITURES/ NET CHANGE IN FUND BALANCE	58,000	(387,924)	(329,924)
FUND BALANCES			
Beginning Fund Balance	374,306	2,484,636	2,858,942
Ending Fund Balance	$ 432,306	$ 2,096,712	$ 2,529,018

See accompanying notes to financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO THE FINANCIAL STATEMENTS

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

All transactions of the Measure B Direct Local Distribution (DLD) funds of the City of Livermore, California (City) distributed by Alameda County Transportation Commission (ACTC) - Measure B Program (Measure B Program), are combined with other ACTC fundings and reported as a separate special revenue fund in the basic financial statements of the City. The Measure B Program is used to account for the City's share of DLD revenues earned and expenditures incurred under the City's local streets and roads, and bike and pedestrian programs. The accompanying financial statements are for the Measure B Program only and are not intended to fairly present the financial position of the City and the results of its operations.

B. Basis of Accounting

The accompanying financial statements are prepared on the modified accrual basis of accounting. Revenues are generally recorded when measurable and available, and expenditures are recorded when the related liabilities are incurred.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a "*current financial resources*" measurement focus, wherein only current assets and current liabilities generally are included on the balance sheets. Operating statements of governmental funds present increased (revenues and other financing sources) and decreased (expenditures and other financing uses) in net current assets.

C. Description of Funds

The accounts are maintained on the basis of fund accounting. A fund is a separate accounting entity with a self-balancing set of accounts. The City uses Special Revenue Funds to account for the proceeds of specific revenues (other than for capital projects) that are legally restricted to be expended for specified purposes.

D. Use of Estimates

Management uses estimates and assumptions in preparing the financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE B FUNDS
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO THE FINANCIAL STATEMENTS

NOTE 2 – CASH AND INVESTMENTS

Cash and investments are maintained on a pooled basis with those of other funds of the City. Pooled cash and investments consist of U.S. Treasury or its agencies, money market funds investing in such obligations, medium term corporate notes that meet specified rating requirements, and the State Treasurer's investment pool (Local Agency Investment Fund). All investments are stated at fair value. Pooled investment earnings are allocated based on the average cash and investment balances of the various funds and related entities of the City. Due to the recent federal rate hikes occurring at the end of fiscal year 2022, the City ended with a large adjustment to fair market value of pooled cash, resulting in negative interest income in the fiscal year.

See the City's Annual Comprehensive Financial Report for disclosures related to cash and investments and the related custodial risk categorization.

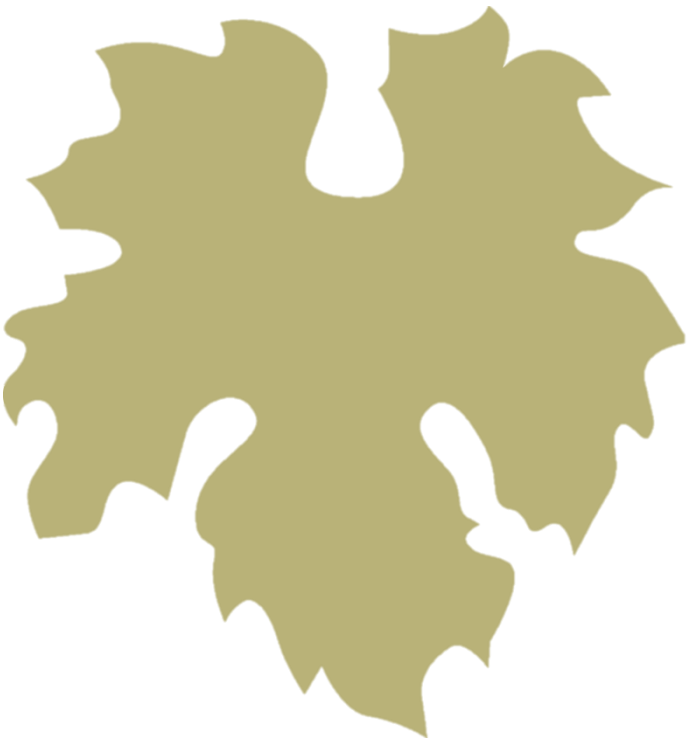
NOTE 3 – MEASURE B PROGRAM

Under Measure B, approved by the voters of Alameda County in 2000, the City receives a portion of the proceeds of an additional one-half cent sales tax to be used for transportation-related expenditures. This measure was adopted with the intention that the funds generated by the additional sales tax will not fund expenditures previously paid by property taxes but, rather, would be used for additional projects and programs.

Projects funded by Measure B 2000 were as follows:

Local Streets and Roads - To improve, repair, and overlay city streets.

Bike and Pedestrian - To provide sidewalk and ADA improvements and to implement the bikeway network.



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Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable City Council
City of Livermore, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Measure B Fund (Measure B Fund) of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and have issued our report thereon dated January 31, 2023. Our opinion included an emphasis of matter as discussed in Note 1, that the financial statements present only the Fund specific to Measure B Fund and are not intended to present fairly the financial position and results of operations of the City in conformity with accounting principles generally accepted in the United States of America.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (Internal Control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Measure B Fund's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements including the applicable compliance requirements specified in the Measure B agreement between the City and Alameda County Transportation Commission, and noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Eide Bailly LLP

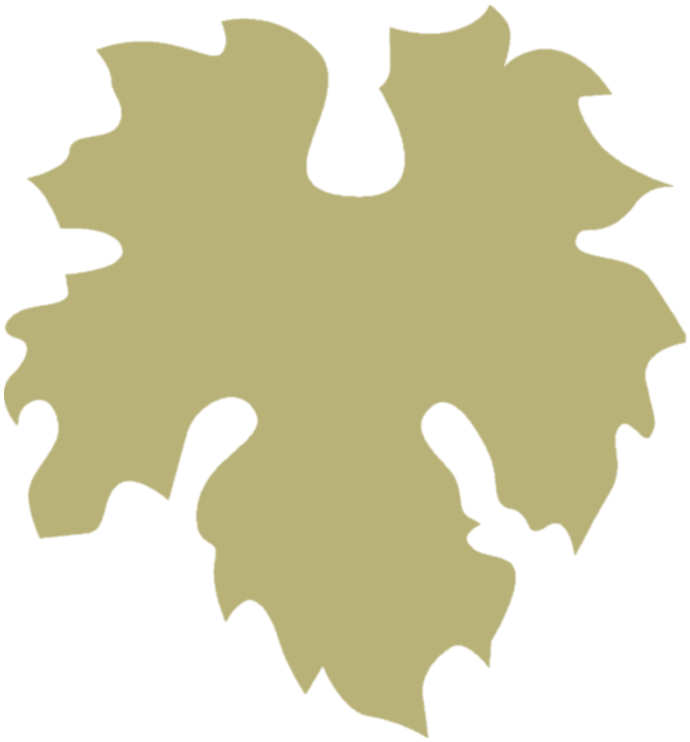
Menlo Park, California
January 31, 2023



CITY OF LIVERMORE

ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS
FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

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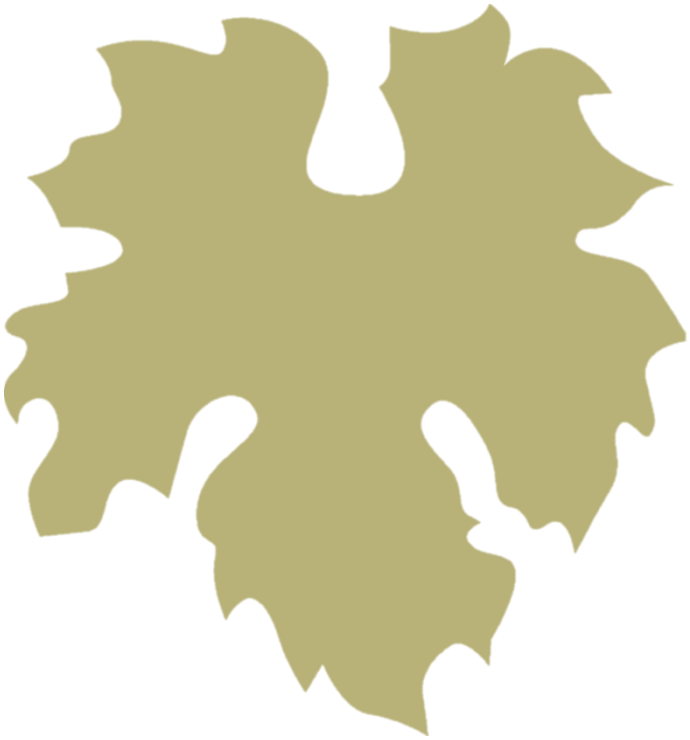
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CPAs & BUSINESS ADVISORS

Independent Auditor's Report

The Honorable City Council
City of Livermore, California

Report on the Audit of the Financial Statements

Opinions

We have audited the Financial Statements of the Measure BB Funds, a special revenue fund of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and the related notes to the financial statements.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the Measure BB Funds of the City, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 1, the financial statements specific to Measure BB are intended to present the financial position and the changes in financial position attributable to the transactions of that Fund. They do not purport to, and do not, present fairly the financial position of the City as of June 30, 2022, and the changes in its financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibility of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

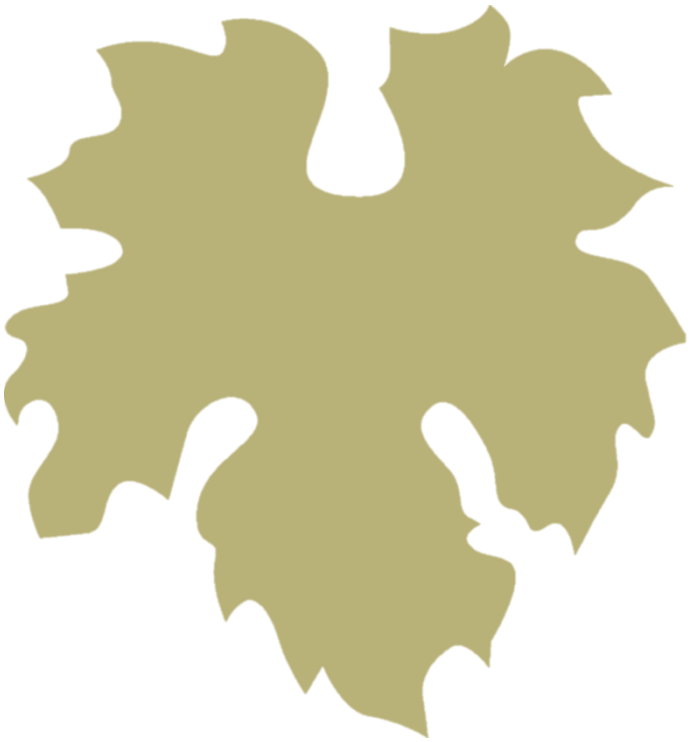
Management has omitted management's discussion and analysis and budgetary comparison information that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 31, 2023, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Eide Bailly LLP

Menlo Park, California
January 31, 2023



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS

BALANCE SHEET
As of June 30, 2022

	Bike and Pedestrian	Local Streets and Roads	Total
ASSETS			
Cash and Investments	$ 596,962	$ 3,179,269	$ 3,776,231
Measure BB Direct Local Distribution Program Receivable	155,827	638,893	794,720
Total Assets	$ 752,789	$ 3,818,162	$ 4,570,951
FUND BALANCE			
Restricted for Measure BB Programs and Projects	752,789	3,818,162	4,570,951
Total Fund Balances	752,789	3,818,162	4,570,951
Total Liabilities & Fund Balances	$ 752,789	$ 3,818,162	$ 4,570,951

See accompanying notes to financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
For the Fiscal Year Ended June 30, 2022

	Bike and Pedestrian	Local Streets and Roads	Total
REVENUES			
Measure BB Direct Local Distribution			
Program Revenue			
Direct Local Distribution Funds Allocation	$ 379,562	$ 1,556,219	$ 1,935,781
Interest and Investment Income	(14,847)	(76,034)	(90,881)
Total Program Revenues	364,715	1,480,185	1,844,900
EXPENDITURES			
Measure BB Direct Local Distribution			
Expense-Current			
General Government	780	48,470	49,250
Construction	85,599	297	85,896
Total Program Expenditures	86,379	48,767	135,146
REVENUES OVER (UNDER) EXPENDITURES/ NET CHANGE IN FUND BALANCE	278,336	1,431,418	1,709,754
FUND BALANCES			
Beginning Fund Balance	474,453	2,386,744	2,861,197
Ending Fund Balance	$ 752,789	$ 3,818,162	$ 4,570,951

See accompanying notes to financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO FINANCIAL STATEMENTS

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

All transactions of the Alameda County Transportation Commission - Measure BB Funds (Measure BB Funds) of the City of Livermore, California (City), are included as a separate special revenue fund in the basic financial statements of the City. The Measure BB Funds are used to account for the City's share of revenues earned and expenditures incurred under the City's local streets and roads, and bike and pedestrian programs. The accompanying financial statements are for the Measure BB Funds only and are not intended to fairly present the financial position of the City and the results of its operations.

B. Basis of Accounting

The accompanying financial statements are prepared on the modified accrual basis of accounting. Revenues are generally recorded when measurable and available, and expenditures are recorded when the related liabilities are incurred.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a "*current financial resources*" measurement focus, wherein only current assets and current liabilities generally are included on the balance sheets. Operating statements of governmental funds present increased (revenues and other financing sources) and decreased (expenditures and other financing uses) in net current assets.

C. Description of Funds

The accounts are maintained on the basis of fund accounting. A fund is a separate accounting entity with a self-balancing set of accounts. The City uses Special Revenue Funds to account for the proceeds of specific revenues (other than for capital projects) that are legally restricted to be expended for specified purposes.

D. Use of Estimates

Management uses estimates and assumptions in preparing the financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
MEASURE BB FUNDS
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO FINANCIAL STATEMENTS

NOTE 2 – CASH AND INVESTMENTS

Cash and investments are maintained on a pooled basis with those of other funds of the City. Pooled cash and investments consist of U.S. Treasury or its agencies, money market funds investing in such obligations, negotiable certificates of deposit, commercial paper and medium-term corporate notes that meet specified rating requirements, mutual funds, guaranteed investment contracts, repurchase agreements, reverse repurchase agreements when authorized by the City's Council, the State Treasurer's investment pool (Local Agency Investment Fund), and banker's acceptances. The City did not enter into any reverse repurchase agreements during 2021-2022. All investments are stated at fair value. Pooled investment earnings are allocated quarterly based on the average quarterly cash and investment balances of the various funds are related entities of the City. Due to the recent federal rate hikes occurring at the end of fiscal year 2022, the City ended with a large adjustment to fair market value of pooled cash, resulting in negative interest income in the fiscal year.

See the City's Annual Comprehensive Financial Report for disclosures related to cash and investments and the related custodial risk categorization.

NOTE 3 – MEASURE BB FUNDS

Under Measure BB, approved by the voters of Alameda County in 2014, the City receives a portion of the proceeds of an additional 0.5 percent sales tax to be used for transportation-related expenditures. These measures were adopted with the intention that the funds generated by the additional sales tax will not fund expenditures previously paid by property taxes but, rather, would be used for additional projects and programs.

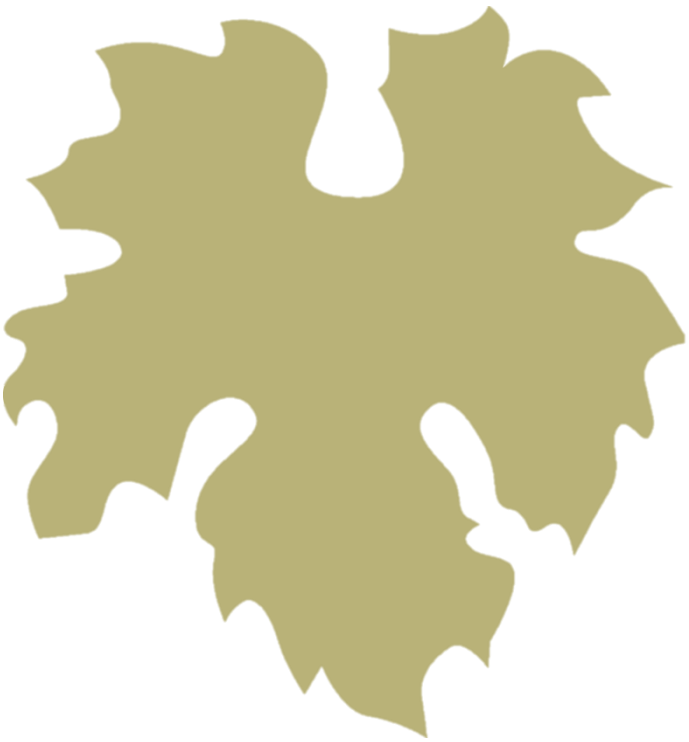
Projects funded by Measure BB 2014 were as follows:

Local Streets and Roads - To improve, repair, and overlay city streets.

Bike and Pedestrian - To provide sidewalk and ADA improvements and to implement the bikeway network.

NOTE 4 - COMMITMENTS AND CONTINGENCIES

The City participates in several grant programs. These programs have been audited by the City's independent accountants in accordance with the provisions of applicable State requirements. No cost disallowances were proposed as a result of these audits; however, these programs are still subject to further examination by the grantors and the amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time. The City expects such amounts, if any, to be immaterial.



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Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable City Council
City of Livermore, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Measure BB Funds (Measure BB Funds) of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and have issued our report thereon dated January 31, 2023. Our opinion included an emphasis of matter as discussed in Note 1, that the financial statements present only the Fund specific to Measure BB Funds and are not intended to present fairly the financial position and results of operations of the City in conformity with accounting principles generally accepted in the United States of America.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (Internal Control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Measure BB Fund's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements including the applicable compliance requirements specified in the Measure BB agreement between the City and Alameda County Transportation Commission, and noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Eide Bailly LLP

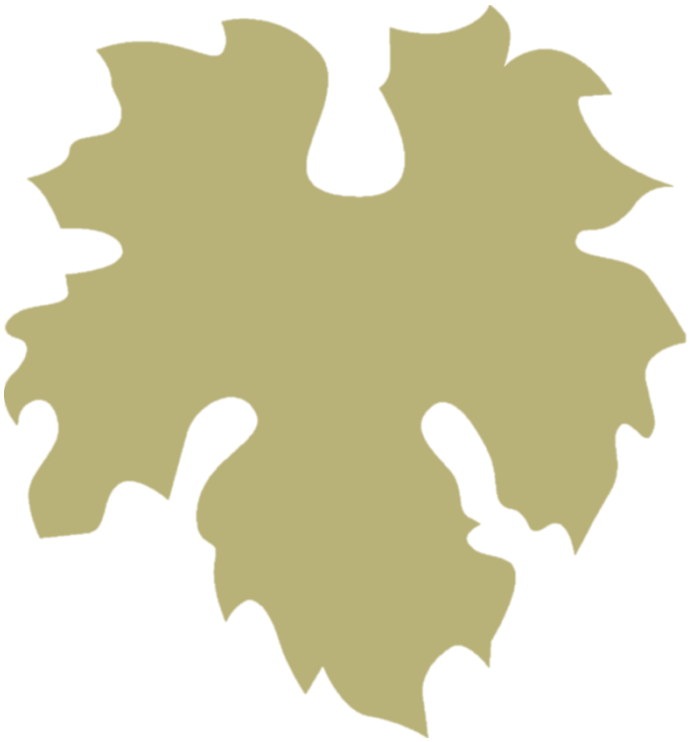
Menlo Park, California
January 31, 2023



CITY OF LIVERMORE

ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)
FINANCIAL STATEMENTS

FOR THE FISCAL YEAR ENDED JUNE 30, 2022



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)
Financial Statements
For the Fiscal Year Ended June 30, 2022

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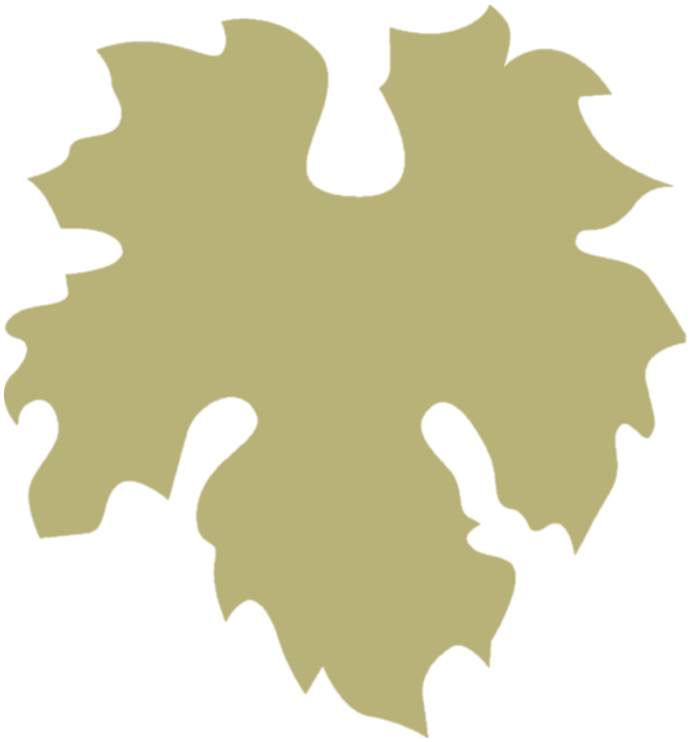
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CPAs & BUSINESS ADVISORS

Independent Auditor's Report

The Honorable City Council
City of Livermore, California

Report on the Audit of the Financial Statements

Opinions

We have audited the Financial Statements of the Measure F Fund, a special revenue fund of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and the related notes to the financial statements.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the Measure F Fund of the City, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 1, the financial statements specific to Measure F are intended to present the financial position and the changes in financial position attributable to the transactions of that Fund. They do not purport to, and do not, present fairly the financial position of the City as of June 30, 2022, and the changes in its financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibility of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control–related matters that we identified during the audit.

Required Supplementary Information

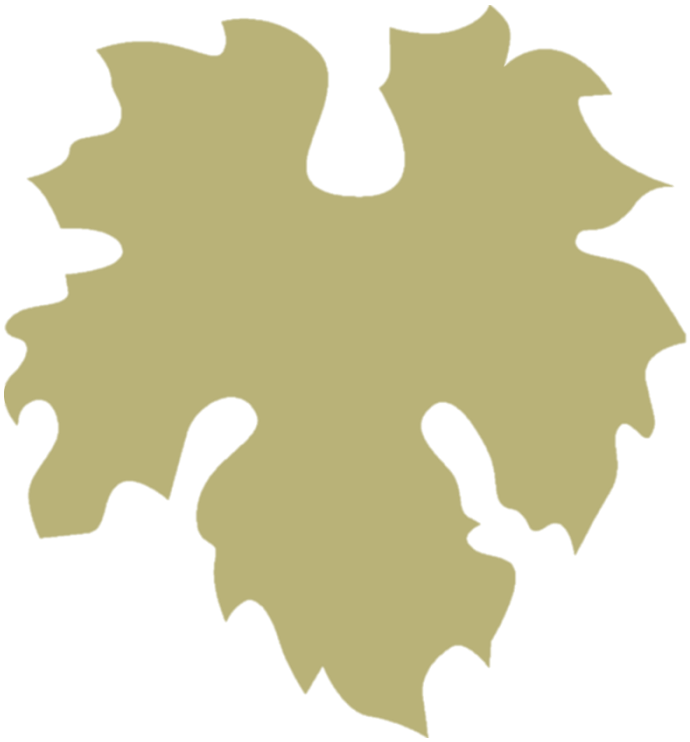
Management has omitted management's discussion and analysis and budgetary comparison information that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 31, 2023, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Eide Bailly LLP

Menlo Park, California
January 31, 2023



CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)

BALANCE SHEET
As of June 30, 2022

	Local Streets and Roads
ASSETS	
Cash and Investments	$ 1,069,541
Measure F Direct Local Distribution Program Receivable	69,229
Total Assets	$ 1,138,770
FUND BALANCE	
Restricted for Measure F Programs and Projects	1,138,770
Total Fund Balances	1,138,770
Total Liabilities & Fund Balances	$ 1,138,770

See accompanying notes to financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2022

	Local Streets and Roads
REVENUES	
Measure F Direct Local Distribution Program Revenue	
Direct Local Distribution Funds Allocation	$ 405,050
Interest	(26,730)
Total Program Revenues	378,320
EXPENDITURES	
Measure F Direct Local Distribution Expenses	
General Government	1,500
Construction	72,859
Total Program Expenditures	74,359
REVENUES OVER (UNDER) EXPENDITURES	
Net Change in Fund Balance	303,961
FUND BALANCE	
Beginning Fund Balance	834,809
Ending Fund Balance	$ 1,138,770

See accompanying notes to the financial statements

CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO FINANCIAL STATEMENTS

NOTE 1 - BACKGROUND

The Measure F Alameda County Vehicle Registration Fee Program (VRF) was approved by the voters in November 2010, with 63 percent of the vote. The collection of the $10 per year vehicle registration fee started in the first week of May 2011. The goal of the VRF is to sustain the County's transportation network and reduce traffic congestion and vehicle related pollution. The program includes four categories of projects:

- Local Road Improvement and Repair Program (60 percent)
- Transit for Congestion Relief (25 percent)
- Local Transportation Technology (10 percent)
- Pedestrian and Bicycle Access and Safety Program (5 percent)

The Alameda County Transportation Commission administers the program and distributes an equitable share of the funds among the four planning areas of the county over successive five year cycles. Geographic equity will be measured by a formula, weighted 50 percent by population of the planning area and 50 percent of the registered vehicles of the planning area.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity – All transactions of the VRF Program of the City of Livermore, California (City), are combined with other Alameda County Transportation Commission funds which are reported as a separate special revenue fund in the basic financial statements of the City. The VRF Program is used to account for the City's share of revenues earned and expenditures incurred under the City's local streets and roads program. The accompanying financial statements include VRF Funds only and are not intended to fairly present the financial position, results of operations and cash flows of the City in accordance with accounting principles generally accepted in the United States of America.

Basis of Accounting - The accompanying financial statements are prepared on the modified accrual basis of accounting. Revenues are generally recorded when measurable and available, and expenditures are recorded when the related liabilities are incurred.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a "*current financial resources*" measurement focus, wherein only current assets and current liabilities generally are included on the balance sheets. The financial statements of governmental funds present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets.

Description of Funds - The accounts are maintained on the basis of fund accounting. A fund is a separate accounting entity with a self-balancing set of accounts**.** The City uses a Special Revenue Fund to account for the proceeds of specific revenues (other than for capital projects) that are legally restricted to be expended for specified purposes.

Use of Estimates – Management uses estimates and assumptions in preparing the financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

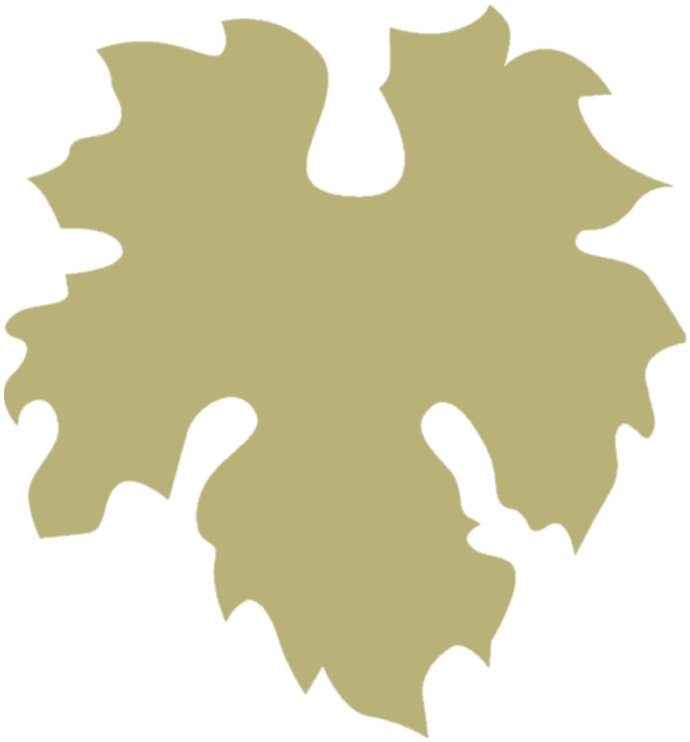
CITY OF LIVERMORE
ALAMEDA COUNTY TRANSPORTATION COMMISSION
VEHICLE REGISTRATION FEE PROGRAM (VRF)
FOR THE YEAR ENDED JUNE 30, 2022

NOTES TO FINANCIAL STATEMENTS

NOTE 3 – CASH AND INVESTMENTS

Cash and investments are maintained on a pooled basis with those of other funds of the City. Pooled cash and investments consist of U.S. Treasury or its agencies, money market funds investing in such obligations, medium term corporate notes that meet specified rating requirements, guaranteed investment contracts and the State Treasurer's investment pool (Local Agency Investment Fund). All investments are stated at fair value. Pooled investment earnings are allocated based on the average cash and investment balances of the various funds and related entities of the City. Due to the recent federal rate hikes occurring at the end of fiscal year 2022, the City ended with a large adjustment to fair market value of pooled cash, resulting in negative interest income in the fiscal year.

See the City's Annual Comprehensive Financial Report for disclosures related to cash and investments and the related custodial risk categorization. The ACFR may be obtained from the City of Livermore, 1052 S. Livermore Avenue, Livermore, CA, 94550.



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Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

The Honorable City Council
City of Livermore, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Measure F Fund (Measure F Fund) of the City of Livermore, California (City), as of and for the year ended June 30, 2022, and have issued our report thereon dated January 31, 2023. Our opinion included an emphasis of matter as discussed in Note 1, that the financial statements present only the Fund specific to Measure F Fund and are not intended to present fairly the financial position and results of operations of the City in conformity with accounting principles generally accepted in the United States of America.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (Internal Control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Measure F Fund's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements including the applicable compliance requirements specified in the Measure F agreement between the City and Alameda County Transportation Commission, and noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Eide Bailly LLP

Menlo Park, California
January 31, 2023

Independent Accountant's Report on
Applying Agreed-Upon Procedures Related To
The Article XIII-B Appropriations Limit Calculation
For the Fiscal Year Ended June 30, 2022

City of Livermore, California

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Independent Accountant's Report on Applying Agreed-Upon Procedures Related to the Article XIII-B Appropriations Limit Calculation

To the Honorable Mayor and Members of the City Council
of the City of Livermore
Livermore, California

We have performed the procedures enumerated below, on the Appropriations Limit Calculation of the City of Livermore, California (City) prepared in accordance with Article XIII-B of the California Constitution for the fiscal year ended June 30, 2022. The City's management is responsible for the Appropriations Limit Calculation.

The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting the City in evaluating its Appropriations Limit Calculation and we will report on findings based on the procedures performed. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures performed and associated findings are as follows:

1. We obtained the completed worksheets setting forth the calculations necessary to establish the City's 2021-2022 appropriations limit calculation and compared the limit and annual adjustment factors included in those worksheets to the limit and annual adjustment factors that were adopted by resolution of the City Council. We also compared the population and inflation options included in the aforementioned worksheets to those that were selected by a recorded vote of the City Council.

   Finding: No exceptions were found as a result of this procedure.

2. We added last year's limit to the annual adjustment amount and compared the resulting amount to the 2021-2022 appropriations limit.

   Finding: No exceptions were found as a result of this procedure.

3. We compared the current year information to the worksheets described in No. 1 above.

   Finding: No exceptions were found as a result of this procedure.

4. We agreed the prior year appropriations limit to the prior year appropriations limit adopted by the City Council.

   Finding: No exceptions were no as a result of this procedure.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the City's Appropriation Limit Calculation. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

No procedures have been performed with respect to the determination of the appropriation limit for the base year, as defined by Article XIII-B of the California Constitution.

This report is intended solely for the information and use of the City Council and management of the City and is not intended to be and should not be used by anyone other than those specified parties.

Eide Bailly LLP

Menlo Park, California
January 31, 2023

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CPAs & BUSINESS ADVISORS

Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

To Honorable Mayor and Members
of the City Council of the City of Livermore
Livermore, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements the of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Livermore, California, (City) as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated January 31, 2023. Our report included an emphasis of matter relating to the adoption of GASB Statement No. 87, *Leases*.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Eide Bailly LLP

Menlo Park, California
January 31, 2023

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CPAs & BUSINESS ADVISORS

January 31, 2023

To Honorable Mayor and Members
of the City Council of the City of Livermore
Livermore, California

We have audited the financial statements of the City of Livermore, California (City) as of and for the year ended June 30, 2022, and have issued our report thereon dated January 31, 2023. Professional standards require that we advise you of the following matters relating to our audit.

We are currently performing the audit of the City's federal award programs (Single Audit) and anticipate issuing our report thereon prior to March 31, 2023.

Our Responsibility in Relation to the Financial Statement Audit under Generally Accepted Auditing Standards and *Government Auditing Standards*

As communicated in our letter dated May 11, 2022, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of its respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our comments regarding internal controls during our audit in our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards* dated January 31, 2023.

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Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and other firms utilized in the engagement, if applicable, have complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the fiscal year, other than the implementation of GASB Statement No. 87, *Leases*.

No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements are related to the City Pension, Other Postemployment Benefits (OPEB), lease accounting discount rates and insurance liabilities.

Management's estimate of the City Pension, OPEB and insurance liabilities is based on actuarial estimated performed by management specialists. Management's estimate of the lease accounting discount rates is based the Treasury SLGS rates over the period of lease agreements with adjustment for the District's risk profile.

We evaluated the key factors and assumptions used to develop the management estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the City's financial statements relate to the following:

- **Note 1** summarizes the City's accounting policies and describes significant changes in accounting policies due to the implementation of new accounting standards about leases. The effect of the restatement is further described at **Note 10**.

- **Note 11** describes the valuation of the City's net pension liability and related deferred outflows and inflows of resources. Such amounts are sensitive to the underlying actuarial assumptions used including, but not limited to, the investment rate of return and discount rate. As disclosed, a one percent increase or decrease in the discount rate has a material effect on the City's net pension liability.

- **Note 12** describes the City's postemployment benefits liability and related deferred outflows and inflows of resources are sensitive to the underlying actuarial assumptions used including, but not limited to, the discount rate and healthcare cost trend rate. As disclosed, a one percent increase or decrease in the discount rate or the healthcare cost trend rate has a material effect on the City's post-employment benefits liability.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. There were no uncorrected or corrected missstatements identified as a result of our audit procedures.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the financial statements or the auditor's report. No such disagreements arose during the course of the audit.Representations Requested from Management

Circumstances that Affect the Form and Content of the Auditor's Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditor's report. Our report contains an emphasis of matter for the implementation of the GASB Statement 87, *Leases*.

Representations Requested from Management

We have requested certain written representations from management which are included in the management representation letter dated January 31, 2023.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating conditions affecting the entity, and operating plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditors.

Other Information in Documents Containing Audited Financial Statements

Pursuant to professional standards, our responsibility as auditors for other information in documents containing the City's audited financial statements does not extend beyond the financial information identified in the audit report, and we are not required to perform any procedures to corroborate such other information.

However, in accordance with such standards, we will review the information inputted into the data collection form and will consider whether such information, or the manner of its presentation, is materially consistent with the financial statements.

Our responsibility also includes communicating to you any information which we believe is a material misstatement of fact. Nothing came to our attention that caused us to believe that such information, or its manner of presentation, is materially inconsistent with the information, or manner of its presentation, appearing in the financial statements.

The financial statements include investment in Livermore Pleasanton Fire Department (Department) using the equity interest method, which we considered to be a significant component of the financial statements of the governmental activities of the City. Consistent with the audit of the financial statements as a whole, our audit included obtaining an understanding of the Department and their environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements of Department and completion of further audit procedures

The financial statements include investment in Livermore Amador Valley Water Management Agency (Agency) using the equity interest method, which we considered to be a significant component of the financial statements of the Water Fund and Business-Type Activities. The financial statements of the Agency were audited by other auditors. Eide Bailly assumed responsibility for the audit of the financial statements of the Agency and no reference is made in the auditor's report to the other auditor. Consistent with the audit of the financial statements as a whole, our audit included obtaining an understanding of the Agency and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements of

the City and completion of further audit procedures. Additionally, our audit procedures included obtaining and reading their auditor's report and the related financial statements

This report is intended solely for the information and use of the governing board, and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

Eide Bailly LLP

Menlo Park, California

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.11**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Christine Martin, Assistant City Manager

SUBJECT: Resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

SUMMARY

On September 16, 2021, the Governor signed Assembly Bill 361 ("AB 361") into law, allowing the City's legislative bodies to continue to meet via teleconference during proclaimed states of emergency under modified Brown Act requirements when a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558. AB 361 further requires that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees. AB 361 requires reauthorization every 30 days.

DISCUSSION

An outbreak of coronavirus disease 2019 (COVID-19) caused by the 2019 novel coronavirus (SARS-CoV-2) began in Wuhan, Hubei Province, China in December 2019, and has now spread throughout the world.

On March 1, 2020, the Health Officer of Alameda County declared a public health emergency throughout the County of Alameda.

On March 4, 2020, the Governor of California proclaimed a state of emergency exists in California after making determinations that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid

region or regions to appropriately respond; and,
2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 12, 2020, the Alameda County Department of Public Health confirmed evidence of community-acquired transmission.

On March 13, 2020, the President of the United States of America declared a National state of emergency in response to the spread of COVID-19 within the United States of America.

On March 13, 2020, the City Manager declared a Local Emergency. The local emergency was ratified by City Council and continued every 30 days into 2022, where the emergency was terminated by Council in April 2022, then reinstated in May 2022 (Reso. No. 2022-077) and continued in June 2022 (Reso. No. 2022-099). The local emergency terminated thirty days thereafter, as it was not renewed.

However, the state continues its COVID-19 emergency response and the Governor has signed Executive Order N-11-22, which retains a limited set of provisions that remain necessary to continue responding to the threat posed by, and mitigating the effects of, the COVID-19 pandemic; and precautions toward reducing the spread of COVID-19, including strongly encouraging masking indoors and social distancing.

Based on the above, staff recommends the City Council adopt a resolution reauthorizing teleconference or hybrid meetings of the City's legislative bodies in accordance with AB 361.

FISCAL AND ADMINISTRATIVE IMPACTS

There are no fiscal or administrative impacts associated with the resolution.

ATTACHMENTS

1. Resolution

Prepared by: Christine Martin
Assistant City Manager

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 REAUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE CITY OF LIVERMORE'S LEGISLATIVE BODIES IN ACCORDANCE WITH ASSEMBLY BILL 361, INCLUDING HYBRID

An outbreak of coronavirus disease in 2019 (COVID-19) caused by the novel coronavirus (SARS-CoV-2) began in Wuhan, Hubei Province, China, in December 2019, and spread throughout China and to numerous other countries and territories, including the United States.

COVID-19 is an infectious disease that causes respiratory illness. Experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or have underlying chronic health conditions.

It is imperative to prepare for and respond to suspected or confirmed COVID-19 cases, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization.

The United States Centers for Disease Control and Prevention (CDC), the United States Health and Human Services Agency, the California Department of Public Health, and the Alameda County Department of Public Health are each working to monitor and plan for the potential spread of COVID-19 to support and guide local actions to preserve public health.

On January 23, 2020, the CDC activated its emergency response system to provide ongoing support for the response to COVID-19 in the United States.

On January 31, 2020, the Secretary of the United States Department of Health and Human Services declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19.

On February 25, 2020, the Centers for Disease Control and Prevention announced that community spread of COVID-19 is likely to occur in the United States.

On March 1, 2020, Health Officer of Alameda County declared a public health emergency throughout the County of Alameda.

On March 4, 2020, the Governor of California proclaimed a state of emergency exists in California after making determinations that:

1. The conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and
2. Local authority is inadequate to cope with the threat posed by COVID-19.

On March 12, 2020, the Alameda County Department of Public Health confirmed evidence of community-acquired transmission.

On March 13, 2020, the President of the United States of America declared a national state of emergency in response to the spread of COVID-19 within the United States of America.

On March 16, 2020, the City Council adopted a resolution ratifying the declaration of local emergency (Resolution No. 2020-033).

On June 8, July 27, September 14, November 9, December 14, 2020, February 8, March 22, May 10, June 28, July 26, September 13, October 25, November 22, December 13, 2021, January 10, February 14, and February 28, 2022, the City Council adopted resolutions of continued local emergency (Resolution Nos. 2020-78, 2020-133, 2020-166, 2020-207, 2020-235, 2021-018, 2021-037, 2021-063, 2021-112, 2021-140, 2021-155, 2021-179, 2021-195, 2021-217, 2022-006, 2022-016, and 2022-022, respectively).

On April 11, 2022, the City Council adopted a resolution terminating the proclamation of local emergency and the temporary suspension and revision of the City Council Meeting Rules of Procedure, and all unexpired emergency orders declared in response to the spread of COVID-19.

On May 13, 2022, the Alameda County Department of Public Health, along with twelve Bay Area health officers, urged the public to take precautions as COVID-19 levels rise, including but not limited to continued masking indoors as the region experienced a new swell of COVID-19 cases and hospitalizations.

On May 20, 2022, the Director of Emergency Services declared a local emergency. The declaration was based on the Alameda County Department of Public Health's guidance issued on May 13, 2022, and the increase of positive cases among Livermore residents and City of Livermore staff.

On May 23, June 13, and July 11, 2022, the City Council adopted resolutions ratifying the declaration of local emergency and to reauthorize remote teleconference meetings in accordance with Assembly Bill 361 (Reso. Nos. 2022-077, 2022-099, and 2022-121).

On September 12, October 10, October 24, November 14, and December 12, 2022, and January 9, and January 27, 2023, the City Council adopted a resolution to reauthorize remote teleconference meetings in accordance with Assembly Bill 361

(Resolution Nos. 2022-153, 2022-167, 2022-175, 2022-185, 2022-217, 2023-001, 2023-008).

The State continues its COVID-19 emergency response, and the Governor has signed Executive Order N-11-22, which retains a limited set of provisions that remain necessary to continue responding to the threat posed by and mitigating the effects of the COVID-19 pandemic; and precautions toward reducing the spread of COVID-19, including strongly encouraging masking indoors and social distancing.

Alameda County continues to align its response to the State and strongly encourages COVID-19 safety precautions, including masking indoors.

On October 17, 2022, Governor Newsom issued a press release announcing his intent to end the COVID-19 State of Emergency on February 28, 2023, and that he has been charting a path to phase out his executive orders. However, that has not yet occurred and the effects of COVID are still present.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that it hereby finds that conditions warrant reauthorization of remote or hybrid teleconference meetings for the City of Livermore's legislative bodies in accordance with Assembly Bill 361 due to the COVID-19 pandemic.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore that:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by reference.

2. The City Council has determined that COVID-19 continues to impact the ability of the City of Livermore’s legislative bodies to meet safely in person with no teleconference option. In-person meetings of the City of Livermore’s legislative bodies with no teleconference option might present imminent risks to the health or safety of some or all attendees.

3. The staff and legislative bodies of the City of Livermore are hereby reauthorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for fully teleconferenced meetings, or hybrid meetings that accommodate both in person and teleconference participation by the legislative body members, staff, and the public.

4. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of March 27, 2023, or such time the City Council makes subsequent findings in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the City of Livermore may continue to teleconference without compliance with Government Code section 54953(b)(3).

5. If any section, subsection, clause, or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The City Council would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases thereof be held invalid.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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 R. Alcala
City Attorney

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.12**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Ratification of Council Member appointments to intergovernmental agencies.

RECOMMENDED ACTION

Staff recommends the Mayor and City Council Members ratify changes made to intergovernmental agency appointments.

SUMMARY

Each year the Mayor appoints Council Members to serve on the various regional boards, commissions, and committees that require City Council representatives. In December of 2022, Council Member Barrientos was appointed to both East Bay Community Energy and Livermore Amador Valley Water Management Authority, however, the meeting times conflict and a change in appointment was needed. The City Council appointed Council Member Branning as the delegate to Livermore Amador Water Management Authority.

DISCUSSION

Due to conflicting schedules between East Bay Community Energy and Livermore Amador Valley Water Management Authority meetings, the City Council requested that Council Member Barrientos remain a delegate for East Bay Community Energy and Council Member Branning be appointed as a delegate for Livermore Amador Valley Water Management Authority.

FISCAL AND ADMINISTRATIVE IMPACTS

No material fiscal or administrative impact results from appointing Council Members to serve on various regional boards, commissions or committees.

ATTACHMENTS

1. Intergovernmental Agency Appointments

Prepared by: Marie Weber
City Clerk

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

City Council Appointments to Intergovernmental Agencies/City Bodies Appointed by the Mayor
UPDATED: FEBRUARY 13, 2023

Intergovernmental Agency	Delegate	Alternate	Date Appointe	Meetings	Website
Alameda County Transportation Commission (ACTC)	John Marchand	Evan Branning	12/12/2022	4th Thursday of the month, 2:00 p.m.	https://www.alamedactc.org/
ACTC - Paratransit Advisory and Planning Committee (PAPCO)	Ben Barrientos Member		12/12/2022	4th Monday of the month, 1:30 to 3:30 p.m.	https://www.alamedactc.org/about-us/committees
Altamont Landfill Community Monitor Committee	Ben Barrientos Member		12/12/2022	Quarterly, 2nd Wednesday (Jan, Apr, July, Oct), 4:00 p.m.	https://altamontcmc.org/
Altamont Landfill Open Space Account Advisory Committee	Robert Carling Member		12/12/2022	(Jan, March, May, July, Sept, Nov) – 3rd Friday of the month, 12:30 pm to 2:30 p.m.	https://www.acgov.org/bc/alosc/index.htm
Altamont Regional Traffic Authority	John Marchand	Brittni Kiick	12/12/2022	At least one regular meeting each year, date and time per resolution.	Altamont Regional Traffic Authority
Association of Bay Area Governments (ABAG) General Assembly	Evan Branning	Ben Barrientos	12/12/2022	As announced, 1 day program (Other meetings, as announced)	ABAG

City Council Appointments to Intergovernmental Agencies/City Bodies Appointed by the Mayor
UPDATED: FEBRUARY 13, 2023

Intergovernmental Agency	Delegate	Alternate	Date Appointe	Meetings	Website
Chamber of Commerce Liaison	John Marchand		12/12/2022	4th Wednesday of the month, 8:00 a.m.	https://www.livermorechamber.org/
East Bay Community Choice Energy JPA (EBCE JPA)	Ben Barrientos	Evan Branning	12/12/2022	3rd Wednesday of the month, 6:00 p.m.	https://ebce.org/meetings/
Government of Livermore Financing Authority (GOLFA)	John Marchand (only Mayor)	Scott Lanphier (only PW Dir)	12/12/2022	As needed	City of Livermore and LARPD
Intergovernmental Committee (City / LARPD / LVJUSD)	Evan Branning	Ben Barrientos	12/12/2022	Bi-monthly - next date set at end of meeting	Meetings rotates between agencies
League of California Cities East Bay Division (LOCC)	Evan Branning	Robert Carling	12/12/2022	Regular Meetings 4th Thursday of each month, 7:00 p.m.	LOCC Board of Directors
Livermore-Amador Valley Transit Authority (LAVTA)	Evan Branning & Brittni Kiick	John Marchand	12/12/2022	1st Monday of the month, 4:00 p.m.	http://www.wheelsbus.com/
Livermore Amador Valley Water Management Agency (LAVWMA) JPA	Robert Carling & Evan Branning	John Marchand	12/12/2022 (Carling & Marchand) 2/13/2023 (Branning)	Quarterly; 3rd Wed of January, April, July, October, 6:00 p.m.	https://lavwma.com/
Livermore Cultural Arts Council (LCAC)	John Marchand	Evan Branning	12/12/2022	Varies	http://www.lcac.org/
Livermore Downtown Inc (LDI)	Evan Branning	Robert Carling	12/12/2022	Tuesday of the month	https://www.livermoredowntown.com/

City Council Appointments to Intergovernmental Agencies/City Bodies Appointed by the Mayor
UPDATED: FEBRUARY 13, 2023

Intergovernmental Agency	Delegate	Alternate	Date Appointe	Meetings	Website
Livermore-Dublin City Council Liaison Committee	John Marchand	Ben Barrientos	12/12/2022	As needed	Alternates between Livermore and Dublin
Livermore-Pleasanton City Council Liaison Committee	John Marchand	Robert Carling	12/12/2022	As needed	Alternates between Livermore and Pleasanton
Livermore-Pleasanton Fire Department JPA (LPFD JPA)	John Marchand	Brittni Kiick	12/12/2022	As needed	Alternates between Livermore and Pleasanton. Mayor and one Council Member appointed
Stockmen's Association Liaison	John Marchand		12/12/2022	As needed	P.O. Box 180 • Livermore, CA 94551-0180 • 925-447-3008 • info@livermorerodeo.com
Sister Cities Committee - Yotsukaido, Japan	John Marchand	Evan Branning	12/12/2022		
Sister Cities Committee - Quezaltenango, Gutemala	John Marchand	Ben Barrientos	12/12/2022		
Sister Cities Committee - Snezhinsk, Russia	John Marchand	Robert Carling	12/12/2022		City of Livermore Sister Cities
StopWaste.Org (ACWMA and The Alameda County Source Reduction and Recycling Board)	Robert Carling	Brittni Kiick	12/12/2022	meetings – 4th Wednesday of each month, 3:00 p.m. Subcomm 2nd Thurs of the month, time varies	https://www.stopwaste.org/
Tri-Valley Cities Council	Mayor and all Council Members		12/12/2022	Quarterly	Cities of Danville, San Ramon, Dublin, Pleasanton and Livermore
Tri-Valley Community Television Corporation (TVCTV)	John Marchand	Marianna Marysheva	12/12/2022	As needed	
Tri-Valley Council - Affordable Housing Committee	Robert Carling	Ben Barrientos	12/12/2022	Quarterly	

City Council Appointments to Intergovernmental Agencies/City Bodies Appointed by the Mayor
UPDATED: FEBRUARY 13, 2023

Intergovernmental Agency	Delegate	Alternate	Date Appointe	Meetings	Website
Tri-Valley-San Joaquin Valley Regional Rail Authority	John Marchand		12/12/2022		https://www.valleylinkrail.com/
Tri-Valley Transportation Council (TVTC)	Brittni Kiick	Ben Barrientos & rest of Council	12/12/2022	As needed	https://www.tvtc-jpa.com/
Tri-Valley Water Liaison Committee/Agencies Round Table Liaison Committee	Robert Carling & John Marchand	Brittni Kiick	12/12/2022	Quarterly when mutually agreed upon by the participating agencies.	https://www.dsrsd.com/about-us/board-committee
Zone 7 Intergovernmental Liaison Committee	Robert Carling	John Marchand	12/12/2022	As needed	Zone 7 Tri-Valley Water Liaison Committee

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.13**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Christine Martin, Assistant City Manager

SUBJECT: Resolution of continued local emergency.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution of continued local emergency.

SUMMARY

On January 10, 2023, the City Council adopted a resolution Ratifying the Proclamation of the Director of Emergency Services Concerning the Existence of a Local Emergency (Resolution No. 2023-001). California Government Code section 8630 directs the City Council to review the need for continuing the local emergency at least once every 60 days.

DISCUSSION

On January 10, 2023, the City Council ratified a proclamation by the Emergency Services Director of the existence of a local emergency due to conditions of extreme peril to the safety of persons and property that arose within the City of Livermore caused by a series of severe rainstorms and high wind commencing in December 2022 and continuing through January 2023.

On December 31, 2022, the City of Livermore experienced its third atmospheric river since December 26, which caused rapid rises in creeks and streams, downed trees, standing water, and roadway flooding.

On January 4, 2023, a particularly severe rainstorm began. The National Weather Service anticipated the storm would have widespread impact due to heavy rain and flooding that would be compounded by the saturated or near saturated soils from the prior storms.

As a result, the city experienced rapid rises in creeks and streams resulting in localized roadway and other flooding. In addition, strong winds with gusts up to 35-55 mph led to downed trees and power outages, with concerns of imminent threats to life and property.

Also on January 4, 2023, California Governor Newsom proclaimed a state of emergency due to the severe winter storms that began on December 27, 2022. Those storms included a series of atmospheric river systems that brought high winds, substantial precipitation, and river and urban flooding throughout California. The Governor issued his order since the series of atmospheric river systems have continuously impacted the State, forcing the closure and causing damage to highways and roads, and various other impacts, which local agencies have not had time to mitigate. The cascading impacts of the storm events exacerbated those conditions. The Governor's proclamation directed the California Office of Emergency Services to provide assistance to local governments for the protection of public health and the environment, allowed for the mobilization of the California National Guard, allowed for state-owned properties to be made available for staging debris, and modifying the hours-of-service limits in the California Vehicle Code and California Code of Regulations for fuel transportation and relief efforts.

On January 4, 2023, pursuant to authority and designation by the Director of Emergency Services, the Acting Director of Emergency Services declared a local proclamation of emergency for the City of Livermore (see attached Local Proclamation 23-01) in reliance upon the declaration of emergency by the State of California, and due to the existing damage and impacts from the prior rainstorms and the anticipated additional impacts from impending rainstorms, these existing conditions were likely to continue to be, beyond the control of the services, personnel, equipment, and facilities of the City of Livermore.

On January 6, 2023, the Director of Emergency Services for the County of Alameda proclaimed a state of emergency exists in the Alameda County Operational Area, which includes the region where the City of Livermore is situated.

Proclamation 23-01 was ratified, as required, by the City Council within seven days (Resolution No. 2023-001). Once ratified, California Government Code section 8630 directs the City Council to review the need for continuing the local emergency at least once every 60 days.

At this time staff recommends that the Council continue the emergency proclamation to reflect the fact that emergency repairs have not been fully implemented and on-going work is required to recover from the damage. Continuing the emergency proclamation allows staff to seek reimbursement of the eligible costs of this work from FEMA and OES through the public assistance program.

Work includes removing sediments and debris from creeks and trails, repairing creek banks that have been washed away, repairing damaged trails, and pedestrian bridge abutments. While the repair projects are still under evaluation, staff estimates about 40 damaged sites totaling approximately $7 million.

FISCAL AND ADMINISTRATIVE IMPACTS

The continuance of a Local Emergency allows the City to access federal, state and county resources, including potential financial reimbursements.

ATTACHMENTS

1. Resolution

Prepared by: Christine Martin
Assistant City Manager

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 OF CONTINUED LOCAL EMERGENCY

On January 10, 2023, the City Council adopted a resolution, *Ratifying the Proclamation of the Director of Emergency Services Concerning the Existence of a Local Emergency* (Resolution No. 2023-001). The emergency services proclamation concerns conditions of extreme peril to the safety of persons and property which have arisen within the City of Livermore caused by a series of severe rainstorms and high winds commencing in December 2022, and continuing through January 2023.

Although efforts have been made to remedy the emergency conditions, City staff report that the emergency conditions identified by the proclamation still exist. City staff recommends continuing the declaration of emergency since it is required to be active in order to remain eligible to apply for and receive funding for costs to respond to and repair damages cause by the storm events.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it has reviewed the January 4, 2023, proclamation of local emergency, that the City Council ratified on January 10, 2023 (Resolution No. 2023-001), and hereby finds that conditions warrant continued maintenance of that proclamation of local emergency.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.1**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Hearing to waive the first reading and **Introduce an Ordinance** considering amendments to Livermore Development Code Section 11.01.020 Definitions and Section 3.03.150 Heavy Industrial (I-3) Zoning District relating to warehousing and distribution facilities.

RECOMMENDED ACTION

City of Livermore Planning Commission and staff recommend the City Council take the following actions to approve the Development Code Amendment:

1. Adopt a resolution finding that the project is categorically exempt under the California Environmental Quality Act Guidelines Section 15061(b)(3) (common sense exemption);
2. Waive the first reading and introduce an Ordinance approving Development Code Amendment (DCA) 22-002 to amend Livermore Development Code Section 11.01.020 Definitions and Section 3.03.150 Heavy Industrial (I-3) Zoning District relating to warehousing and distribution facilities.

SUMMARY

The staff-initiated Development Code (Code) Amendment (DCA) 22-002 proposes amendments relating to warehousing and distribution facilities. The primary amendments to the Code include:

- Section 11.01.020 to modify the definition of “Warehousing and distribution facility” to distinguish between traditional facilities and e-commerce facilities;
- Section 11.01.020 to modify the definition of “Manufacturing/processing heavy, medium and light industrial” to delete references to warehousing and distribution so that the Code has only one consolidated definition of warehousing and distribution; and
- Section 3.03.150 to modify the Heavy Industrial (1-3) Zoning District to allow E-Commerce/Third Party Logistics (3PL) facilities with approval of a conditional use permit. Traditional warehouse and distribution facilities would remain permitted uses in the I-3 District.

DISCUSSION

Within the last two years a large warehouse building located on Longfellow Court was purchased by a large e-commerce business and converted into a delivery station, also known as "last-mile" delivery. While the new use is a permitted use in the zoning district, it raises concerns regarding the potential expansion of these types of e-commerce warehouse uses in the City's industrial areas.

Traditionally, warehouse and distribution facilities are generally associated with specific manufacturing uses and used exclusively to distribute their own products. Warehouse and distribution facilities associated with e-commerce function much differently. With the expansion of on-line shopping, e-commerce businesses have developed a delivery system in response to increased consumer expectations of quick delivery. E-commerce warehouse and distribution businesses generally include three types of facilities in their distribution network:

- Distribution Center (or Fulfillment Center): a building specifically designed to receive, store and redistribute goods for rapid turnaround for e-commerce and similar "just in time" product deliveries.
- Sortation Center: facilities generally used to sort packages for a geographical region where the packages originated from one or more fulfillment centers within the e-commerce companies' network. Packages are usually shipped to delivery stations.
- Delivery Station: facilities where packages are sorted and then dispatched directly to the customer. These facilities represent the last leg of the delivery network.

While e-commerce facilities provide some employment and support e-commerce for the community, they require large land parcels and large facilities. A distribution center can easily exceed 1-2 million square feet. For example, the e-commerce facility at 400 Longfellow Court is a 610,000 square foot building on 34 acres of land. A concentration of e-commerce facilities in one location could displace the development of other types of job generating uses and/or have adverse noise and traffic impact on nearby residential areas.

PROPOSED AMENDMENTS

Amendments to the Development Code are proposed to: 1) amend the definition of warehouse and distribution facility to distinguish between traditional facilities and e-commerce facilities, and 2) require e-commerce facilities in the I-3 (Heavy Industrial) zoning district to be subject to approval of a conditional use permit. Traditional warehouse and distribution facilities would remain permitted in the I-3 district. How e-commerce facilities fit in with other employment and economic development goals will be examined with the current General Plan update. As an interim step, staff is proposing the following Development Code amendments (see redline version of Code changes in Attachment 3):

- Amend the definition of "Warehousing and distribution facility" to distinguish between traditional facilities and e-commerce facilities and allow traditional "Warehousing and distribution facilities" to remain as a permitted use only in the Heavy Industrial I-3 district.
- Amend the existing "Manufacturing/processing heavy, medium and light industrial" definitions to delete references to warehousing and distribution to avoid confusion and so that the Code has only one consolidated definition of warehousing and distribution. If warehousing and distribution is ancillary to the primary manufacturing/processing use, it would be permitted as is custom with other land uses in Livermore.
- Create a new land use definition - "Warehousing and distribution facility - E-Commerce/Third Party Logistics (3PL)" - defined as an establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail, also

known as business-to-consumer distribution. Facilities include fulfillment/distribution, sorting, and delivery centers. E-commerce facilities will only be permitted in the I-3 (Heavy Industrial) zoning district with the approval of a conditional use permit (CUP). The CUP will allow for review of the potential impacts from e-commerce facilities on adjacent uses, such as traffic and noise. The effects on employment and economic development goals can also be considered.

The Planning Commission held a public hearing on the proposed amendment at its October 18, 2022, meeting (see Attachment 1 - PC staff report). There was no public testimony. The Planning Commission noted concerns related to available industrial land inventory and potential environmental impacts. Staff noted that these issues can be addressed through the proposed CUP process, but additional evaluation of land use and impacts would occur through the General Plan update process that is currently underway. Staff also received a letter from the Livermore Valley Chamber of Commerce expressing concerns about adding another entitlement requirement on businesses and creating potential barriers for e-commerce third party logistics uses (Attachment 3).

ENVIRONMENTAL DETERMINATION

The project is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

FISCAL AND ADMINISTRATIVE IMPACTS

The proposed amendments would require a conditional use permit application for e-commerce warehouse and distribution facilities in the I-3 zoning district. A large number of applications for such facilities are not anticipated in the near future and application fees would cover staff time needed to process submitted applications.

ATTACHMENTS

1. Planning Commission Staff Report 10-18-22
2. Planning Commission 10-18-2022 - Draft Meeting Minutes
3. Livermore Valley Chamber of Commerce letter dated October 18, 2022
4. Proposed Amendments Redline Edits
5. Resolution - CEQA
6. Exhibit A - Planning Commission Resolution 23-22
7. Ordinance
8. Exhibit A - Planning Commission Resolution 23-22
9. Exhibit B - Draft Development Code Sections 3.03.150 and 11.01.020

Prepared by: Susan Frost
Special Projects Coordinator

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 5.1**

DATE: October 18, 2022

TO: Chairperson and Members of the Planning Commission

FROM: Steve Stewart, Planning Manager

SUBJECT: Hearing to consider Development Code (Code) Amendment (DCA) 22-002 for amendments relating to warehousing and distribution facilities.

RECOMMENDED ACTION

Staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and that the City Council approve Development Code Amendment (DCA) 22-002.

SUMMARY

The staff-initiated Development Code (Code) Amendment (DCA) 22-002 proposes amendments relating to warehousing and distribution facilities. The primary amendments to the Code include:

- Section 11.01.020 to modify the definition of “Warehousing and distribution facility” to distinguish between traditional facilities and e-commerce facilities;
- Section 11.01.020 to modify the definition of “Manufacturing/processing heavy, medium and light industrial” to delete references to warehousing and distribution so that the Code has only one consolidated definition of warehousing and distribution; and
- Section 3.03.150 to modify the Heavy Industrial (1-3) Zoning District to allow E-Commerce/Third Party Logistics (3PL) facilities with approval of a conditional use permit. Traditional warehouse and distribution facilities would remain permitted uses in the I-3 district.

DISCUSSION

Within the last two years a large warehouse building located on Longfellow Court was purchased by a large e-commerce business and converted into a delivery station, also known as "last-mile" delivery. While the new use is a permitted use in the zoning district, it raises concerns regarding the potential expansion of these types of e-commerce warehouse uses in the City's industrial areas.

Traditionally, warehouse and distribution facilities are generally associated with specific manufacturing uses and are used exclusively for their own distribution activities. This is often referred to as business-to-business distribution. Warehouse and distribution facilities associated with e-commerce function much differently. With the expansion of on-line shopping, expectations of quick delivery from consumers have increased. In response to consumer demands, e-commerce businesses developed a delivery system that has been copied by other large retailers to some extent. E-commerce warehouse and distribution businesses generally include three types of facilities in their distribution network:

- **Distribution Center (or Fulfillment Center):** A building specifically designed to receive, store and redistribute goods and designed for rapid turnaround for e-commerce and similar "just in time" product deliveries.
- **Sortation Center:** Facilities generally used to sort packages for a geographical region whereby the packages have originated from one or more fulfillment centers within the E-commerce companies' network. Packages are usually shipped to delivery stations.
- **Delivery Station:** Facilities where packages are sorted and then dispatched directly to the customer. These facilities represent the last leg of the delivery network.

While e-commerce facilities provide some employment and support e-commerce for the community, they require large land parcels and large facilities. A distribution center can easily exceed 1-2 million square feet. For example, the e-commerce facility at 400 Longfellow Court is a 610,000 square foot building on 34 acres of land. A concentration of e-commerce facilities in one location could displace the development of other types of job generating uses and/or have adverse noise and traffic impact on nearby residential areas.

PROPOSED AMENDMENTS

Amendments to the Development Code are proposed to: 1) amend the definition of warehouse and distribution facility to distinguish between traditional facilities and e-commercial facilities, and 2) allow for e-commerce facilities in the I-3 (Heavy Industrial) zoning district through a conditional use permit. Traditional facilities would remain permitted in the I-3 district. How e-commerce facilities fit in with other employment and economic development goals will be examined with the current General Plan update. As an interim step, staff is proposing the following Development Code amendments (see Attachment 2):

- Amend the definition of "Warehousing and distribution facility" to distinguish between traditional facilities and e-commercial facilities and allow traditional "Warehousing and distribution facilities" to remain as a permitted use only in the Heavy Industrial I-3 district.
- Amend the existing "Manufacturing/processing heavy, medium and light industrial" definitions to delete references to warehousing and distribution to avoid confusion and so that the Code has only one consolidated definition of warehousing and distribution. If warehousing and distribution is ancillary to the primary manufacturing/processing use, it would be permitted as is custom with other land uses in Livermore.
- Create a new land use definition - "Warehousing and distribution facility - E-Commerce/Third Party Logistics (3PL)" - defined as an establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail, also known as business-to-consumer distribution. Facilities include fulfillment/distribution, sorting, and delivery centers. E-commerce facilities will only be permitted in the I-3 (Heavy Industrial) zoning district with the approval of a conditional use permit (CUP). The CUP will allow for review of the potential impacts from e-commerce facilities on adjacent uses,

such as traffic and noise. The effects on employment and economic development goals can also be considered.

ENVIRONMENTAL DETERMINATION

The project is exempt under Section 15061(b)(3) of the California Environmental Quality Act, the common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

RECOMMENDATION

Staff recommends the Planning Commission adopt the attached resolution recommending the City Council:

1. Find that the project is exempt under Section 15061(b)(3) of the California Environmental Quality Act, the common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

2. Approve Development Code Amendment (DCA) 22-002 to amend the Livermore Development Code Section 11.01.020, Definitions, and Section 3.03.150, Heavy Industrial (I-3) Zoning District relating to e-commerce facilities.

ATTACHMENTS

1. Resolution
2. Exhibit A - Proposed Amendments

Prepared by: Susan Frost
Special Projects Coordinator

LIVERMORE
CALIFORNIA

PLANNING COMMISSION
REGULAR MEETING MINUTES

October 18, 2022

1. CALL TO ORDER – The meeting of the Planning Commission was called to order by Chairperson Steven Dunbar at 7:00 p.m., via Zoom teleconferencing.

2. ROLL CALL – Present were Chairperson Steven Dunbar, CM Jacob Anderson, CM Evan Branning, and CM John Stein. Absent was Vice Chairperson Daniel Leary.

Also present were: Planning Manager Steve Stewart, Senior Assistant City Attorney Kim Cilley, Special Projects Coordinator Susan Frost, Division Clerk Michele Donley

PLEDGE OF ALLEGIANCE – Led by Chairperson Dunbar.

2. CITIZENS FORUM – None.

3. CONSENT CALENDAR – None.

4. PROJECT REVIEW – None.

5. PUBLIC HEARINGS

5.1 Hearing to consider Development Code (Code) Amendment (DCA) 22-002 for amendments relating to warehousing and distribution facilities.

Recommendation:

Staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and that the City Council approve Development Code Amendment (DCA) 22-002.

Special Projects Coordinator Susan Frost gave the staff report and overview of the item.

Chairperson Dunbar opened the public hearing and comment period, and there were no speakers. He then closed the public hearing.

CM Anderson questioned vehicle miles and how the City is differentiating and taking VMT into account for this designation.

Ms. Frost said currently the City does not make a distinction in its traffic impact fees between warehouse facility types, and it is a new business model but transportation engineers and modelers are becoming more aware of this and taking it into account, but it is not always implemented. The CUP, however, will allow the City the opportunity to delve into that further with review of an application.

CM Anderson thinks this is important given this is coming to the City quickly and will see more of these facilities throughout the region.

CM Stein referred to an article in the paper regarding similar facilities in the Inland Empire. Livermore is in an area on the west side of the Altamonte so the City is in an ideal location for these uses. He supports the Development Code Amendment, thinks it is worth taking an extra look, and asked if staff if they know the number of parcels between 10 and 20 acres of either undeveloped or land that can be assembled there are in the City.

Planning Manager Steve Stewart said staff is looking at some of that in the General Plan Update analysis right now and an inventory of vacant land and will have that information when the analysis of the focused areas return to the Planning Commission and City Council.

CM Stein noted that 600,000 square feet is 13 acres under roof, and his question is what are the advantages and disadvantages of preserving these parcels in terms of City economics versus converting to residential, commercial, or subdividing parcels, so he believes the General Plan Committee should review. Otherwise, he can make the findings and believes this is a very useful thing to consider.

CM Branning asked and confirmed what the Commission is being asked to approve today would simply separate out e-commerce facilities from heavy industrial use warehouse. In the future, he also confirmed with Mr. Stewart that this would allow the City to add specific regulations to e-commerce sites if they saw a need to condition it to ensure land use compatibility and if it were the difference of making a finding or not.

CM Branning voiced his support of the request.

Chairperson Dunbar echoed Commissioner comments, said this makes a lot of sense, can make the findings, and said there are cost trade-offs for tax evaluation of the parcel, but obviously these facilities and warehousing have a large proportion of heavy duty trucks and possibly more for e-commerce versus a number one would see for another type of warehouse. Regardless, that comes with an asset management cost because the axle weight rating of a truck is proportional to the amount of damage it does to the street.

He knows Hayward has been going through a similar process and this is one to find in their Legi-Star. The point about vehicle miles was made, and he can also make all findings.

Mr. Stewart pointed out that staff received a letter from the Livermore Valley Chamber of Commerce late this evening expressing concern about adding another layer or entitlement requirement on business, in general, and creating potential barriers for a third party logistics e-commerce. Therefore, staff will be reaching out to the Chamber prior to the matter going to the Council to try and address concerns.

Regarding the VMT piece, this would be reviewed on a project-by-project and case-by-case basis at this point. In the General Plan Update, the City will be adding VMT policy as well.

Chairperson Dunbar said he thinks the goal is not to leave it as a CUP for an indefinite time period. The City simply wants to come to its own standards and thanked staff for reaching out to the Chamber.

MOTION BY ANDERSON, SECONDED BY STEIN, TO ADOPT A RESOLUTION RECOMMENDING THE CITY COUNCIL FIND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3), IN THAT CEQA APPLIES ONLY TO PROJECTS WHICH HAVE THE POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THAT THE CITY COUNCIL APPROVE DEVELOPMENT CODE AMENDMENT (DCA) 22-002.

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

5.2 Hearing to consider amendments to Livermore Development Code Section 6.02.060.A; Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit. Exempt home occupations are subject to other Home Occupation standards in the Development Code. Cottage food operations are not exempt from obtaining a home occupation permit.

Recommendation:

City of Livermore staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA), under Section 15301, minor alterations of existing facilities, and Section 15061(b)(3) the common sense exemption, and that the City Council approve Development Code Amendment (DCA) 22-001.

Special Projects Coordinator Susan Frost gave the staff report and overview of the matter.

Chairperson Dunbar opened the public hearing and comment period, and there were no speakers. He then closed the public hearing for the item.

C Branning voiced support of cottage food operations and that the City is fixing an error in the code. One thing that might need to be monitored is a business that fits the exemption but has excessive deliveries, and this be something for the Commission to be able to monitor.

CM Stein said he can make the findings and said this reduces the impacts on a business. In addition to pickups, there are also deliveries. While the number of heavy trucks on a cottage food kitchen is no different than a warehouse, the number of small delivery vans might increase. He thinks nowadays there is a substantial change in the character of how business is done with app-based store deliveries, it remains to be seen if this has an impact on air quality or not as many vans are electric, but this will probably decrease the number of shopping trips.

CM Anderson echoed Commissioner's comments and voiced his support.

Chairperson Dunbar asked if staff has seen home occupations that required additional parking.

Mr. Stewart said there are rare cases where a home occupation requires an additional parking space or have any impacts that would affect the compatibility with the neighborhood or residential use. Staff would rely on information they include on their home occupation permit.

Chairperson Dunbar stated he can make all findings and voiced support.

MOTION BY BRANNING, SECONDED BY ANDERSON, TO ADOPT A RESOLUTION RECOMMENDING THE CITY COUNCIL FIND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), UNDER SECTION 15301, MINOR ALTERATIONS OF EXISTING FACILITIES, AND SECTION 15061(B)(3) THE COMMON SENSE EXEMPTION, AND THAT THE CITY COUNCIL APPROVE DEVELOPMENT CODE AMENDMENT (DCA) 22-001.

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

5.3 **THE PREVIOUSLY NOTICED ITEM HAS BEEN CONTINUED TO THE NOVEMBER 1, 2022 PLANNING COMMISSION MEETING.**

Hearing to receive a tracking update on the Isabel Neighborhood Specific Plan progress and consider amendments to the Specific Plan including new and clarified policies, revised development and design standards, and text clarifications.

6. MATTERS FOR CONSIDERATION – None.

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

7.1 Planning Manager Steve Stewart said staff will be looking for comments from the Planning Commission on the Draft Climate Action Plan for the November 1st meeting. It should be on the City's website. He added that the National Planning Conference in 2023 is in April in Philadelphia this year.

7.2 CM Stein asked if the winter tree planting of Caribs at Carnegie Park on the east and west side will be replaced with another species, as well as at the City parking lot at 3rd Street and Livermore Avenue. Lastly, the bank adjacent to that is vacant and he wondered if the landscaping is being maintained.

8. ADJOURNMENT – 7:28 p.m. to the next Regular Planning Commission meeting on Tuesday, November 1, 2022 at 7:00 p.m., Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

Minutes prepared by:
Lisa Harper Consulting

Livermore Valley
CHAMBER of COMMERCE

October 18, 2022

Commissioner Steven Dunbar, Chair
City of Livermore Planning Commission
1052 South Livermore Avenue
Livermore CA 94550

Re: Planning Commission 10/18/22 Meeting Agenda Item #5.1
Development Code Amendments Relating to Warehousing & Distribution Facilities

Dear Chair Dunbar & Commissioners:

I am writing on behalf of the Livermore Valley Chamber of Commerce (LVCC), to express interest in and concern on the proposed development code amendments as they relate to warehousing and distribution facilities within the City of Livermore.

Incorporated in 1937, LVCC is a member business association representing private, public, and non-profit businesses and organizations from a range of industry sectors doing business within the Livermore Valley.

LVCC has reservations about the proposed amendments to the development code as it relates to warehousing and distribution facilities. LVCC is not opposed to the City recognizing the distinction between various types of warehousing and distribution facilities in its development code by creating a new category, in this case facilities intended for the purpose of E-Commerce/Third Party Logistics.

However, we do have strong concerns about adding the requirement for a Conditional Use Permit for this new designation. While new to Livermore, this is not a new industry. E-Commerce/Third Party Logistics businesses already operate in communities through California and the U.S. Models for best practices and standards for this land use must already be established and can inform Livermore's new development code.

A conditional Use Permit process adds more layers of review, increasingly more stringent, and sometimes arbitrary standards for a project. The evolution of traditional types of commercial and industrial businesses has accelerated. In this case, the pandemic created the conditions resulting in greater demand for this type of service resulting in the growth of this industry.

Creating increased barriers for E-Commerce/Third Party Logistics operations, when consumers in this City and in the Tri-Valley and East Bay region are part of the demand for that service, will potentially serve to push this service further away, increasing greenhouse gas emissions and impacts to the regional transportation system. Even as these businesses aggressively adopt practices in their operations to ensure that their vehicles and equipment are fueled by clean, renewable energy sources.

LVCC deeply appreciates the efforts and due diligence of City staff and the commission. We urge you to give careful consideration to staff recommendation as it relates to applying a Conditional Use Permit requirement on E-Commerce/Third Party Logistics, and do your best to avoid and/or minimize the impacts of "unintended consequences."

Respectfully,

Dawn P. Argula
Dawn P. Argula
President & CEO

Amend Livermore Development Code Section 3.03.150 Heavy Industrial (I-3) Zone as follows:

G. I-3 Use Table

Land Use Type [1, 3]	Specific Use Regulations	Permit Required
Industry, Manufacturing and Processing		
Fuel Station, Private	6.03.160	ZUP
Manufacturing/Processing		
Light industrial		P
Medium industrial		P
Heavy industrial	6.02.040	P
Recycling Facility:		
Processing [2]		P
Wholesale certified [4]		P
Research and Development		
Facility		P
Storage:		
Self-storage facility		P
Contractor storage yard/open		
storage [2]	6.03.100	P
Warehousing and Distribution		
Facility,:		P
Warehousing and Distribution		
Facility, E-Commerece/3PL		
		CUP

Land Use Type [1, 3]	Specific Use	Permit equired
Recreation, Education & Public Assembly		
Commercial Recreation Facility:	6.03.050	
Commercial amusement facility		CUP
Public and Quasi-Public	6.02.090	CUP
Commercial		
Drive-In Business:		
Restaurant [5]		CUP
Restaurant		P
Services: Business, Financial, Professional		
ATM		CUP
Bank, Financial Services [5]		CUP
Office: Professional,		
Administrative		P
Services: General		
Dog Day Care		CUP
Lodging:		
Hotel, motel [5]		CUP

Key	
P	Permitted Use
CUP	Conditional Use Permit Required
--	Use Not Allowed

End Notes:

[1] A definition of each listed use type is in Part 11.

[2] Outdoor storage shall be fully screened.

[3] Similar uses permitted or conditionally permitted as determined by the Director to be of the same general character as the listed

(Ord. 2082 § 2(J), 2019; Ord. 1915 § 3 (Exh. B), 2010) ZUP

Zoning Use Permit Required

uses.

[4] Permitted within a building or fully screened from public view by a solid wall or fence.

[5] Use shall be shown as reasonably required for the convenience or support of occupants of uses in the surrounding I-District.

[6]

Amend Livermore Development Code Part 11 Definitions as follows:

Warehousing and distribution facility– An establishment engaged in selling of their own products or merchandise to retailers, also known as business-to-business distribution, such as to contractors, industrial, commercial, institutional, farm, or professional business users; or to other wholesalers. Warehousing and distribution facilities may also be accessory to permitted manufacturing/processing uses. Does not include warehousing and distribution facilities – e-commerce/third party logistics, which is defined separately below. ~~Also includes storage, processing, packaging and shipping facilities for mail order and electronic commerce retail establishments.~~

Warehousing and distribution facility –E-Commerce/Third Party Logistics (3PL). An establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail, also known as business-to-consumer distribution. Facilities include fulfillment/distribution, sorting, and delivery centers.

Manufacturing/processing - heavy industrial. Uses in this category are distinguished by a tendency to create noise, odors, vibration, glare or hazards that may be objectionable in other areas. They often include the ~~warehousing and distribution,~~ manufacturing/processing and/or outdoor storage of substantial amounts of raw materials or bulky items. Examples include, but are not limited to, metal products fabrication, truck terminals, saw and planing mills, and the manufacture ~~or distribution~~ of major utility components, construction and farm equipment, and/or heavy building materials. Examples also include the manufacturing, processing, storage, or packaging for distribution, or wholesaling of chemicals, petroleum, heavy agricultural products such as pesticides or fertilizers or other similar hazardous materials.

Manufacturing/processing ~~–~~ ~~light~~ medium industrial intensity. The manufacturing, assembling, processing, storage or packaging of products except: 1) uses manufacturing, processing, storage or packaging chemicals, petroleum, and heavy agricultural products or other hazardous materials, 2) vehicle-dismantling yards, scrap and waste yards. ~~Light~~ Medium intensity manufacturing and processing includes:

1. The manufacturing of electric and electronic circuits and instruments and devices, such as, but not limited to, radio and television, phonographic

equipment, calculators, computers, semi-conductors and transistors, and similar uses.

2. The manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials such as, but not limited to, cloth, plastic, paper, leather, and precious or semi-precious metals or stones, but not including such operations as saw and planing mills, any manufacturing uses involving primary production of wood, metal or chemical products from raw materials and similar uses.

3. The manufacturing of pharmaceutical products.

Manufacturing/processing - ~~medium~~ light industrial. Any manufacturing, processing, and storage~~, and distribution~~ that does not include hazardous wastes or resulting large truck usage/ parking on the site. The use shall be accomplished entirely inside of the building except for incidental movement of products or materials into and out of the building to a delivery vehicle. ~~Size of an individual light distribution business shall generally be limited to 4,000 square feet of storage (warehouse) area and one truck delivery door.~~

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IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION FINDING THAT THE WAREHOUSE AND DISTRIBUTION FACILITIES DEVELOPMENT CODE AMENDMENT 22-002 IS EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

(Development Code Amendment 22-002)

The City of Livermore initiated an application for Development Code Amendment 22-002 to consider amendments to Section 11.01.020 (Definitions) and Section 3.03.150 (Heavy Industrial (I-3) Zoning District) relating to warehouse and distribution facilities ("Project").

On October 18, 2022, at a duly noticed public hearing, the Planning Commission considered the Project, made the necessary findings, and adopted Planning Commission Resolution No. 23-22, attached hereto as Exhibit A, recommending the City Council find the Project is exempt from the provisions of the California Environmental Quality Act ("CEQA").

On February 27, 2023, the City Council held a duly noticed public hearing to consider the Project, Planning Commission and staff recommendations, and all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that prior to taking action on the Project, and at a properly noticed public hearing, the City Council reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The City Council's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore, has considered the findings made in Planning Commission Resolution No. 23-22, attached hereto as Exhibit A, and the City Council hereby adopts the same findings by this reference and incorporates them as their own findings as part of this resolution. Based upon the City Council's own independent review of the Record Evidence and considerations, the City Council hereby finds that the Project is exempt under CEQA Guidelines Section 15061(b)(3) (common sense exemption) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

1. Finding. The proposed ordinance amendment clarifies the definition of warehouse and distribution facilities to distinguish between traditional facilities and e-commerce facilities. Both uses are consistent with the Heavy Industrial general plan designation and included in the I-3 zoning district. The proposed amendment to require a conditional use permit for e-commerce facilities does not significantly alter land uses permitted in the Heavy Industrial zoning district.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore directs the Planning Manager to file a Notice of Exemption with the Alameda County Clerk, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the City Clerk's Office, 1052 S. Livermore Avenue, in Livermore, California. This resolution shall be effective upon adoption by the City Council.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 23-22

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE STATE OF CALIFORNIA

A RESOLULTION RECOMMENDING APPROVAL

Development Code Amendment (DCA) 22-002

Amendments to Development Code Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District regarding e-commerce warehouse and distribution facilities

The City staff initiated a Development Code (Code) Amendment (DCA) 22-002 for amendments relating to warehousing and distribution facilities. The primary amendments to the Code are to: 1) Section 11.01.020, modify the definition of *"Warehousing and distribution facility"* to distinguish between traditional facilities and e-commerce facilities and add a new definition for "*Warehousing and distribution facility – E-Commerce/Third Party Logistics (3PL)*" generally defined as an establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail; 2) Section 11.01.020 modify the definition of "*Manufacturing/processing heavy, medium and light industrial*" to delete references to *warehousing and distribution* so that the Code has only one consolidated definition of *warehousing and distribution*; and 3) Section 3.03.150, modify the Heavy Industrial (I-3) Zoning District to allow *E-Commerce/Third Party Logistics (3PL* facilities with approval of a conditional use permit. Traditional warehouse and distribution facilities would remain permitted uses in the I-3 district.

The Planning Commission held a duly noticed public hearing on October 18, 2022, considered the staff recommendation for approval, and heard public testimony.

NOW, THEREFORE, BE IT RESOLVED with respect to the Development Code Amendments, that the Livermore Planning Commission finds based upon the information presented that:

1. The proposed amendment is consistent with the General Plan and any applicable Specific Plan.

   Response: General Plan policies support the health, safety and welfare of residential neighborhoods. The Development Code currently includes regulations and operational criteria to ensure that warehouse and distribution facilities will not be detrimental to neighborhoods. Current definitions of warehouse and distribution would include e-commerce facilities. The proposed amendments would distinguish between traditional warehouse and distribution facilities and e-commerce facilities for purposes of project permit processing. The amendments would still be consistent with the General Plan by conditionally permitting e-commerce warehouse and distribution facilities in the I-3 zoning district and

corresponding Heavy Industrial (HII) General Plan designation, which currently includes warehousing as an appropriate use in the HII designation.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

   Response: The proposed amendments would distinguish between traditional warehouse and distribution facilities and e-commerce facilities for purposes of project permit processing. No new land uses would be included in the definition of warehouse and distribution or in the I-3 zoning district. The conditional use permit process for e-commerce facilities would allow additional consideration of potential environmental and economic effects.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

   Response: The amendment includes changes to Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District. Other related sections of the Development Code have been reviewed and additional amendments are not needed to maintain internal consistency.

4. The project is exempt from the provisions of California Environmental Quality Act (CEQA) under Section 15061(b)(3), common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends the City Council find that Development Code Amendment 22-002 is exempt from the California Environmental Quality Act Section 15061(b)(3), the common sense exemption, in that it can be seen with certainty that the amendment does not have the potential for causing a significant effect on the environment.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Livermore that, based on staff recommendations, public testimony and the above findings, which are necessary to protect the public health safety and general welfare, the amendment to the Development Code Amendment 22-002, enclosed hereto as Exhibit A, is recommended to the City Council for approval.

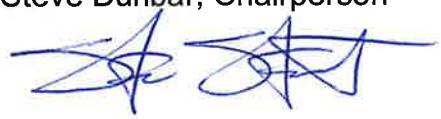
BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends the City Council direct staff to file a Notice of Exemption if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Anderson, seconded by Commissioner Stein, the foregoing Resolution was adopted at the Planning Commission meeting of October 18, 2022, by the following vote:

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

Steve Dunbar, Chairperson



by Steve Stewart, Planning Manager
Secretary to the Planning Commission

Exhibit A: Proposed amendments to Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE AMENDING THE LIVERMORE DEVELOPMENT CODE BY AMENDING SECTION 11.01.020 (DEFINITIONS) AND SECTION 3.03.150 (HEAVY INDUSTRIAL ZONING DISTRICT) RELATING TO WAREHOUSE AND DISTRIBUTION FACILITIES

City of Livermore initiated an application for Development Code Amendment 21-002 to consider amendments to Section 11.01.020 (Definitions) and Section 3.03.150 (Heavy Industrial (I-3) Zoning District).

At a public hearing on October 18, 2022, the Planning Commission of the City of Livermore considered the staff recommendation for approval and recommended that the City Council approve Development Code Amendment 22-002 in Planning Commission Resolution No. 23-22, attached hereto as Exhibit A.

On February 27, 2023, the City Council held a duly noticed public hearing to consider the project, Planning Commission and staff recommendations, and all public comments and testimony.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council has adopted Resolution No. _____ that finds that the Warehouse and Distribution Facilities Code amendments are exempt from review under the California Environmental Quality Act (CEQA).

Section 2. The ordinance is consistent with the Livermore General Plan, any applicable specific plan, and the Livermore Development Code.

Section 3. The City Council has considered the findings made in Planning Commission Resolution No. 23-22, attached hereto as Exhibit A, and hereby adopts the same findings by this reference and incorporates them as part of this resolution, and based upon the City Council's own independent review and considerations, the City Council hereby approves Development Code Amendment 22-001 for amendments to Section 11.01.020 (Definitions) and Section 3.03.150 (Heavy Industrial (I-3) Zoning District), attached hereto as Exhibit B.

Section 4. This ordinance or a comprehensive summary thereof shall be published once in a newspaper of general circulation of the City of Livermore within 15 days after its adoption and shall take effect and be in force thirty days from and after its adoption.

Section 5. The Planning Manager is directed to file a Notice of Exemption with the Alameda County Clerk.

Section 6. The documents that constitute the record of proceedings upon which this decision is based on can be found in the City Clerk's Office, 1052 S. Livermore Avenue, Livermore, California.

Section 7. If any part of this ordinance is declared unconstitutional or invalid by a court, such unconstitutionality or invalidity shall not affect any remaining parts.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 27, 2023, by the following vote:

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

The ordinance was adopted at the regular meeting of the City Council held on _____, by the following vote:

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

_____
Mayor, City of Livermore

ATTEST:

Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 23-22
Exhibit B – Development Code Amended Section 11.01.020 and Section 3.03.150

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE STATE OF CALIFORNIA

A RESOLULTION RECOMMENDING APPROVAL

Development Code Amendment (DCA) 22-002

Amendments to Development Code Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District regarding e-commerce warehouse and distribution facilities

The City staff initiated a Development Code (Code) Amendment (DCA) 22-002 for amendments relating to warehousing and distribution facilities. The primary amendments to the Code are to: 1) Section 11.01.020, modify the definition of *"Warehousing and distribution facility"* to distinguish between traditional facilities and e-commerce facilities and add a new definition for "*Warehousing and distribution facility – E-Commerce/Third Party Logistics (3PL)*" generally defined as an establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail; 2) Section 11.01.020 modify the definition of "*Manufacturing/processing heavy, medium and light industrial*" to delete references to *warehousing and distribution* so that the Code has only one consolidated definition of *warehousing and distribution*; and 3) Section 3.03.150, modify the Heavy Industrial (I-3) Zoning District to allow *E-Commerce/Third Party Logistics (3PL* facilities with approval of a conditional use permit. Traditional warehouse and distribution facilities would remain permitted uses in the I-3 district.

The Planning Commission held a duly noticed public hearing on October 18, 2022, considered the staff recommendation for approval, and heard public testimony.

NOW, THEREFORE, BE IT RESOLVED with respect to the Development Code Amendments, that the Livermore Planning Commission finds based upon the information presented that:

1. The proposed amendment is consistent with the General Plan and any applicable Specific Plan.

   Response: General Plan policies support the health, safety and welfare of residential neighborhoods. The Development Code currently includes regulations and operational criteria to ensure that warehouse and distribution facilities will not be detrimental to neighborhoods. Current definitions of warehouse and distribution would include e-commerce facilities. The proposed amendments would distinguish between traditional warehouse and distribution facilities and e-commerce facilities for purposes of project permit processing. The amendments would still be consistent with the General Plan by conditionally permitting e-commerce warehouse and distribution facilities in the I-3 zoning district and

corresponding Heavy Industrial (HII) General Plan designation, which currently includes warehousing as an appropriate use in the HII designation.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

   Response: The proposed amendments would distinguish between traditional warehouse and distribution facilities and e-commerce facilities for purposes of project permit processing. No new land uses would be included in the definition of warehouse and distribution or in the I-3 zoning district. The conditional use permit process for e-commerce facilities would allow additional consideration of potential environmental and economic effects.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

   Response: The amendment includes changes to Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District. Other related sections of the Development Code have been reviewed and additional amendments are not needed to maintain internal consistency.

4. The project is exempt from the provisions of California Environmental Quality Act (CEQA) under Section 15061(b)(3), common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends the City Council find that Development Code Amendment 22-002 is exempt from the California Environmental Quality Act Section 15061(b)(3), the common sense exemption, in that it can be seen with certainty that the amendment does not have the potential for causing a significant effect on the environment.

BE IT FURTHER RESOLVED by the Planning Commission of the City of Livermore that, based on staff recommendations, public testimony and the above findings, which are necessary to protect the public health safety and general welfare, the amendment to the Development Code Amendment 22-002, enclosed hereto as Exhibit A, is recommended to the City Council for approval.

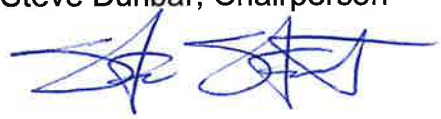
BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends the City Council direct staff to file a Notice of Exemption if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Anderson, seconded by Commissioner Stein, the foregoing Resolution was adopted at the Planning Commission meeting of October 18, 2022, by the following vote:

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

Steve Dunbar, Chairperson



by Steve Stewart, Planning Manager
Secretary to the Planning Commission

Exhibit A: Proposed amendments to Section 11.01.020, Definitions and Section 3.03.150, Heavy Industrial (I-3) District

Amend Livermore Development Code Section 3.03.150 Heavy Industrial (I-3) Zone as follows:

G. I-3 Use Table

Land Use Type [1, 3]	Specific Use Regulations	Permit Required
Industry, Manufacturing and Processing		
Fuel Station, Private	6.03.160	ZUP
Manufacturing/Processing		
Light industrial		P
Medium industrial		P
Heavy industrial	6.02.040	P
Recycling Facility:		
Processing [2]		P
Wholesale certified [4]		P
Research and Development Facility		P
Storage:		
Self-storage facility		P
Contractor storage yard/open storage [2]	6.03.100	P
Warehousing and Distribution Facility,:		P
Warehousing and Distribution Facility, E-Commerce/3PL		CUP

Land Use Type [1, 3]	Specific Use	Permit equired
Recreation, Education & Public Assembly		
Commercial Recreation Facility:	6.03.050	
Commercial amusement facility		CUP
Public and Quasi-Public	6.02.090	CUP
Commercial		
Drive-In Business:		
Restaurant [5]		CUP
Restaurant		P
Services: Business, Financial, Professional		
ATM		CUP
Bank, Financial Services [5]		CUP
Office: Professional, Administrative		P
Services: General		
Dog Day Care		CUP
Lodging:		
Hotel, motel [5]		CUP

Key	
P	Permitted Use
B), 2010) ZUP	Zoning Use Permit Required
CUP	Conditional Use Permit Required
--	Use Not Allowed

End Notes:

[1] A definition of each listed use type is in Part 11.

[2] Outdoor storage shall be fully screened.

[3] Similar uses permitted or conditionally permitted as determined by the Director to be of the same general character as the listed uses.

[4] Permitted within a building or fully screened

(Ord. 2082 § 2(J), 2019; Ord. 1915 § 3 (Exh.

from public view by a solid wall or fence.

[5] Use shall be shown as reasonably required for the convenience or support of occupants of uses in the surrounding I-District.

Amend Livermore Development Code Part 11 Definitions as follows:

Warehousing and distribution facility– An establishment engaged in selling of their own products or merchandise to retailers, also known as business-to-business distribution, such as to contractors, industrial, commercial, institutional, farm, or professional business users; or to other wholesalers. Warehousing and distribution facilities may also be accessory to permitted manufacturing/processing uses. Does not include warehousing and distribution facilities – e-commerce/third party logistics, which is defined separately below.

Warehousing and distribution facility –E-Commerce/Third Party Logistics (3PL). An establishment engaged in storing, processing, packaging, shipping, and distributing goods and merchandise to consumers from e-commerce, online, and mail order retail, also known as business-to-consumer distribution. Facilities include fulfillment/distribution, sorting, and delivery centers.

Manufacturing/processing - heavy industrial. Uses in this category are distinguished by a tendency to create noise, odors, vibration, glare or hazards that may be objectionable in other areas. They often include the manufacturing/processing and/or outdoor storage of substantial amounts of raw materials or bulky items. Examples include, but are not limited to, metal products fabrication, truck terminals, saw and planing mills, and the manufacture of major utility components, construction and farm equipment, and/or heavy building materials. Examples also include the manufacturing, processing, storage, or packaging for distribution, or wholesaling of chemicals, petroleum, heavy agricultural products such as pesticides or fertilizers or other similar hazardous materials.

Manufacturing/processing — medium industrial. The manufacturing, assembling, processing, storage or packaging of products except: 1) uses manufacturing, processing, storage or packaging chemicals, petroleum, and heavy agricultural products or other hazardous materials, 2) vehicle-dismantling yards, scrap and waste yards. Medium intensity manufacturing and processing includes:

1. The manufacturing of electric and electronic circuits and instruments and devices, such as, but not limited to, radio and television, phonographic equipment, calculators, computers, semi-conductors and transistors, and similar uses.

EXHIBIT B

2. The manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials such as, but not limited to, cloth, plastic, paper, leather, and precious or semi-precious metals or stones, but not including such operations as saw and planing mills, any manufacturing uses involving primary production of wood, metal or chemical products from raw materials and similar uses.

3. The manufacturing of pharmaceutical products.

Manufacturing/processing - light industrial. Any manufacturing, processing, and storage that does not include hazardous wastes or resulting large truck usage/ parking on the site. The use shall be accomplished entirely inside of the building except for incidental movement of products or materials into and out of the building to a delivery vehicle.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.2**

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Hearing to waive the first reading and **Introduce an Ordinance** considering amendments to Livermore Development Code Section 6.02.060. A Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit.

RECOMMENDED ACTION

City of Livermore Planning Commission and staff recommend the City Council take the following actions to approve the Development Code Amendment:

1. Adopt a resolution finding that the project is categorically exempt under California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) and 15061(b)(3) (common sense exemption);
2. Waive the first reading and introduce an ordinance approving Development Code Amendment (DCA) 22-001 to amend Livermore Development Code Section 6.02.060 Home Occupations.

SUMMARY

In general, a home occupation is when a resident is employed and works from their home either for themselves or for a company. The proposed Development Code amendment would exempt residents who work from home that do not see clients at the home or have outside employees (other than the person residing at the home) from the requirement to obtain a home occupation permit. It is common for persons that are independent consultants or provide services at their client's home or business to utilize their homes as offices for their businesses. No clients or employees go to the homes and there are no, or few deliveries associated with the business. As such, a home occupation permit (HOP) is not necessary to regulate the home occupation. Other types of home occupations that have clients visit or have outside employees will still be required to obtain a home occupation permit to ensure they meet Development Code standards to not adversely affect neighborhoods.

DISCUSSION

BACKGROUND

Prior to 2021, home occupations were not permitted to have clients at the home (except for limited tutoring) and were also not allowed to have an employee at the home other than the person living there. In the fall of 2021, the City Council approved Development Code amendments for home occupations to allow up to three on-site clients at a time and one outside employee and hours of operation of 9:00 a.m. to 7:00 p.m. daily. The approved Code amendments also included operational standards for home occupations including signs, storage of materials and equipment, nuisances, vehicles, and a list of prohibited uses. The intent of the Code amendments was to avoid activities that would negatively affect the residential character of the neighborhoods (e.g., noise, dust and odor), while allowing some flexibility to meet the needs of individuals and families in today's rapidly changing work environment (e.g., work from home). Finally, the approved amendments also required annual renewal of the home occupation permit.

PROPOSED AMENDMENTS

Since the approval of the ordinance amendments in 2021, staff has updated the application form and reviewed the overall process for approving home occupation permits. Staff has determined that there is a significant number of business licenses for home occupations that do not have clients come to the home nor have outside employees. These types of home occupations typically involve office-type uses or work performed off-site and do not have a discernable impact in the neighborhoods. In addition, almost no complaints are received about such home occupation businesses. As such, staff is recommending that a home occupation permit is not necessary to regulate this type of home occupation, which would still be subject to operational standards stated in the ordinance to ensure there are no adverse impacts to the neighborhood. Should the home occupation expand or change, a permit would be required. Attachment 3 shows the proposed Development Code redline changes.

Other types of home occupations that have clients visit or have outside employees will still be required to obtain a home occupation permit to ensure they meet Development Code standards and do not adversely impact neighborhoods.

The Planning Commission held a public hearing on the proposed code amendment at its October 18, 2022, meeting. There was no public testimony. The Planning Commission supported the proposed amendments and voted (4-0) to recommend approval to the City Council. Additional details and analysis regarding the Code amendments are in the Planning Commission staff report and resolution (Attachments 1 and 5).

In summary, Planning Commission and staff recommend amendments to the Livermore Development Code Section 6.02.060.A, Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement to obtain a home occupation permit. Exempt home occupations are still subject to other neighborhood compatibility standards in the Development Code. Cottage food operations are regulated separately from other home occupations and are not exempt from obtaining a home occupation permit.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt under the California Environmental Quality Act (CEQA) Guidelines Section15301, Existing Facilities, and Guidelines Section 15061(b)(3), the common sense exemption, in

that CEQA applies only to projects which have the potential for causing a significant effect on the environment, Section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

FISCAL AND ADMINISTRATIVE IMPACTS

The proposed amendments would reduce the number of home occupations requiring permits to operate, thereby reducing the number of applications. However, since a significant number of such home occupations currently do not have home occupation permits, the potential reduction in revenue would be minimal considering the HOP fee is $99. The reduction in fees would be offset by the reduction in staff time to process the smaller number of applications.

ATTACHMENTS

1. Planning Commission Staff Report 10-18-22
2. Planning Commission 10-18-2022 - Draft Meeting Minutes
3. Proposed Amendments Redline Edits
4. Resolution
5. Exhibit A - Planning Commission Resolution 24-22
6. Ordinance
7. Exhibit A - Planning Commission Resolution 24-22
8. Exhibit B - Draft Development Code 6.02.060

Prepared by: Susan Frost
Special Projects Coordinator

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 5.2**

DATE: October 18, 2022

TO: Chairperson and Members of the Planning Commission

FROM: Steve Stewart, Planning Manager

SUBJECT: Hearing to consider amendments to Livermore Development Code Section 6.02.060.A Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit. Exempt home occupations are subject to other Home Occupation standards in the Development Code. Cottage food operations are not exempt from obtaining a home occupation permit.

RECOMMENDED ACTION

City of Livermore staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA), under Section 15301, minor alterations of existing facilities, and Section 15061(b)(3) the common sense exemption, and that the City Council approve Development Code Amendment (DCA) 22-001.

SUMMARY

In general, a home occupation is when a resident is employed and works from their home full time either for themselves or for a company. City of Livermore Staff (staff) is recommending a Development Code amendment to exempt home occupations from the required home occupation permit if they do not see clients at the home or have outside employees (other than the person living in the dwelling). It is common for persons that are independent consultants or provide services at their client's home or business to utilize their homes as offices for their businesses. No clients or employees go to the homes and there are no, or few deliveries associated with the business. As such, Staff is recommending that a home occupation permit is not necessary to regulate this type of home occupation. Other types of home occupations that have clients visit or have outside employees will still be required to obtain a home occupation permit to ensure they meet Development Code standards to not adversely impact neighborhoods.

DISCUSSION

In general, a home occupation is when a resident is employed and works from their home full time either for themselves or for a company. Per the Livermore Development Code, a home occupation should be conducted entirely within a dwelling by the person living there, clearly incidental to the use of the dwelling

as a home and not change the residential character of the property. Furthermore, there should not be any noise, light, smoke, odor, vibration, electrical interference, storage of material or equipment, abnormal human activity, or vehicular traffic or other exterior impacts to the neighborhood.

In fall of 2021, the Planning Commission considered, and City Council approved Development Code amendments related to home occupations. At that time, home occupations were not permitted to have clients at the home (except for limited tutoring) and were also not allowed to have an employee at the home other than the person living there.

After considering staff recommendations and Planning Commission recommendations, the City Council at its November 22, 2021, meeting approved the Development Code amendments to allow up to three on-site clients at a time, to allow one employee for the home occupation, and hours of operation of 9:00 a.m. to 7:00 p.m. daily. The approved Code amendments also included operational standards for home occupations including signs, storage of materials and equipment, nuisances, vehicles, and a list of prohibited uses. The intent of the Code amendments was to avoid activities that would negatively affect the residential character of the neighborhoods (e.g., noise, dust and odor), while allowing some flexibility to meet the needs of individuals and families in today's rapidly changing work environment (e.g., work from home). Finally, the approved amendments also required annual renewal of the home occupation permit.

PROPOSED AMENDMENTS

Since the approval of the ordinance amendments last year, staff has updated the application form and reviewed the overall process for approving home occupation permits. As a result, it has been determined that there is a significant number of business licenses for home occupations that do not have clients come to the home nor have employees or work off-site. These types of home occupations typically involve office-type uses or work performed off-site and do not have a discernable impact in the neighborhoods. In addition, almost no complaints are received about such home occupation businesses. As such, staff is recommending that a home occupation permit is not necessary to regulate this type of home occupation, which would still be subject to operational standards stated in the ordinance to ensure there are no adverse impacts to the neighborhood. Should the home occupation expand or change, a permit would be required.

Other types of home occupations that have clients visit or have outside employees will still be required to obtain a home occupation permit to ensure they meet Development Code standards and do not adversely impact neighborhoods.

In summary, staff recommends amendments to the Livermore Development Code Section 6.02.060.A, Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement to obtain a home occupation permit. Exempt home occupations are still subject to other neighborhood compatibility standards in the Development Code. Cottage food operations are regulated separately from other home occupations and are not exempt from obtaining a home occupation permit.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt under Section 15301 of the California Environmental Quality Act, Existing Facilities and exempt under the common sense exemption in that CEQA applies only to projects

which have the potential for causing a significant effect on the environment, Section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

RECOMMENDATION

Staff recommends the Planning Commission adopt the attached resolution recommending the City Council:

1. Find that the project is categorically exempt under the California Environmental Quality Act under Section 15301, Existing Facilities; and Section 15061(b)(3) (common sense exemption) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment.
2. Approve Development Code Amendment (DCA) 22-001 to amend Livermore Development Code Section 6.02.060 Home Occupations.

ATTACHMENTS

1. Resolution
2. Exhibit A - Proposed Home Occupation Ordinance Revisions

Prepared by: Susan Frost
Special Projects Coordinator

LIVERMORE
CALIFORNIA

PLANNING COMMISSION
REGULAR MEETING MINUTES

October 18, 2022

1. CALL TO ORDER – The meeting of the Planning Commission was called to order by Chairperson Steven Dunbar at 7:00 p.m., via Zoom teleconferencing.

2. ROLL CALL – Present were Chairperson Steven Dunbar, CM Jacob Anderson, CM Evan Branning, and CM John Stein. Absent was Vice Chairperson Daniel Leary.

Also present were: Planning Manager Steve Stewart, Senior Assistant City Attorney Kim Cilley, Special Projects Coordinator Susan Frost, Division Clerk Michele Donley

PLEDGE OF ALLEGIANCE – Led by Chairperson Dunbar.

2. CITIZENS FORUM – None.

3. CONSENT CALENDAR – None.

4. PROJECT REVIEW – None.

5. PUBLIC HEARINGS

5.1 Hearing to consider Development Code (Code) Amendment (DCA) 22-002 for amendments relating to warehousing and distribution facilities.

Recommendation:

Staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), in that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and that the City Council approve Development Code Amendment (DCA) 22-002.

Special Projects Coordinator Susan Frost gave the staff report and overview of the item.

Chairperson Dunbar opened the public hearing and comment period, and there were no speakers. He then closed the public hearing.

CM Anderson questioned vehicle miles and how the City is differentiating and taking VMT into account for this designation.

Ms. Frost said currently the City does not make a distinction in its traffic impact fees between warehouse facility types, and it is a new business model but transportation engineers and modelers are becoming more aware of this and taking it into account, but it is not always implemented. The CUP, however, will allow the City the opportunity to delve into that further with review of an application.

CM Anderson thinks this is important given this is coming to the City quickly and will see more of these facilities throughout the region.

CM Stein referred to an article in the paper regarding similar facilities in the Inland Empire. Livermore is in an area on the west side of the Altamonte so the City is in an ideal location for these uses. He supports the Development Code Amendment, thinks it is worth taking an extra look, and asked if staff if they know the number of parcels between 10 and 20 acres of either undeveloped or land that can be assembled there are in the City.

Planning Manager Steve Stewart said staff is looking at some of that in the General Plan Update analysis right now and an inventory of vacant land and will have that information when the analysis of the focused areas return to the Planning Commission and City Council.

CM Stein noted that 600,000 square feet is 13 acres under roof, and his question is what are the advantages and disadvantages of preserving these parcels in terms of City economics versus converting to residential, commercial, or subdividing parcels, so he believes the General Plan Committee should review. Otherwise, he can make the findings and believes this is a very useful thing to consider.

CM Branning asked and confirmed what the Commission is being asked to approve today would simply separate out e-commerce facilities from heavy industrial use warehouse. In the future, he also confirmed with Mr. Stewart that this would allow the City to add specific regulations to e-commerce sites if they saw a need to condition it to ensure land use compatibility and if it were the difference of making a finding or not.

CM Branning voiced his support of the request.

Chairperson Dunbar echoed Commissioner comments, said this makes a lot of sense, can make the findings, and said there are cost trade-offs for tax evaluation of the parcel, but obviously these facilities and warehousing have a large proportion of heavy duty trucks and possibly more for e-commerce versus a number one would see for another type of warehouse. Regardless, that comes with an asset management cost because the axle weight rating of a truck is proportional to the amount of damage it does to the street.

He knows Hayward has been going through a similar process and this is one to find in their Legi-Star. The point about vehicle miles was made, and he can also make all findings.

Mr. Stewart pointed out that staff received a letter from the Livermore Valley Chamber of Commerce late this evening expressing concern about adding another layer or entitlement requirement on business, in general, and creating potential barriers for a third party logistics e-commerce. Therefore, staff will be reaching out to the Chamber prior to the matter going to the Council to try and address concerns.

Regarding the VMT piece, this would be reviewed on a project-by-project and case-by-case basis at this point. In the General Plan Update, the City will be adding VMT policy as well.

Chairperson Dunbar said he thinks the goal is not to leave it as a CUP for an indefinite time period. The City simply wants to come to its own standards and thanked staff for reaching out to the Chamber.

MOTION BY ANDERSON, SECONDED BY STEIN, TO ADOPT A RESOLUTION RECOMMENDING THE CITY COUNCIL FIND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3), IN THAT CEQA APPLIES ONLY TO PROJECTS WHICH HAVE THE POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THAT THE CITY COUNCIL APPROVE DEVELOPMENT CODE AMENDMENT (DCA) 22-002.

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

5.2 Hearing to consider amendments to Livermore Development Code Section 6.02.060.A; Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit. Exempt home occupations are subject to other Home Occupation standards in the Development Code. Cottage food operations are not exempt from obtaining a home occupation permit.

Recommendation:

City of Livermore staff recommends the Planning Commission adopt a resolution recommending the City Council find the project is exempt from the California Environmental Quality Act (CEQA), under Section 15301, minor alterations of existing facilities, and Section 15061(b)(3) the common sense exemption, and that the City Council approve Development Code Amendment (DCA) 22-001.

Special Projects Coordinator Susan Frost gave the staff report and overview of the matter.

Chairperson Dunbar opened the public hearing and comment period, and there were no speakers. He then closed the public hearing for the item.

C Branning voiced support of cottage food operations and that the City is fixing an error in the code. One thing that might need to be monitored is a business that fits the exemption but has excessive deliveries, and this be something for the Commission to be able to monitor.

CM Stein said he can make the findings and said this reduces the impacts on a business. In addition to pickups, there are also deliveries. While the number of heavy trucks on a cottage food kitchen is no different than a warehouse, the number of small delivery vans might increase. He thinks nowadays there is a substantial change in the character of how business is done with app-based store deliveries, it remains to be seen if this has an impact on air quality or not as many vans are electric, but this will probably decrease the number of shopping trips.

CM Anderson echoed Commissioner's comments and voiced his support.

Chairperson Dunbar asked if staff has seen home occupations that required additional parking.

Mr. Stewart said there are rare cases where a home occupation requires an additional parking space or have any impacts that would affect the compatibility with the neighborhood or residential use. Staff would rely on information they include on their home occupation permit.

Chairperson Dunbar stated he can make all findings and voiced support.

MOTION BY BRANNING, SECONDED BY ANDERSON, TO ADOPT A RESOLUTION RECOMMENDING THE CITY COUNCIL FIND THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), UNDER SECTION 15301, MINOR ALTERATIONS OF EXISTING FACILITIES, AND SECTION 15061(B)(3) THE COMMON SENSE EXEMPTION, AND THAT THE CITY COUNCIL APPROVE DEVELOPMENT CODE AMENDMENT (DCA) 22-001.

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

5.3 **THE PREVIOUSLY NOTICED ITEM HAS BEEN CONTINUED TO THE NOVEMBER 1, 2022 PLANNING COMMISSION MEETING.**

Hearing to receive a tracking update on the Isabel Neighborhood Specific Plan progress and consider amendments to the Specific Plan including new and clarified policies, revised development and design standards, and text clarifications.

6. MATTERS FOR CONSIDERATION – None.

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

7.1 Planning Manager Steve Stewart said staff will be looking for comments from the Planning Commission on the Draft Climate Action Plan for the November 1st meeting. It should be on the City's website. He added that the National Planning Conference in 2023 is in April in Philadelphia this year.

7.2 CM Stein asked if the winter tree planting of Caribs at Carnegie Park on the east and west side will be replaced with another species, as well as at the City parking lot at 3rd Street and Livermore Avenue. Lastly, the bank adjacent to that is vacant and he wondered if the landscaping is being maintained.

8. ADJOURNMENT – 7:28 p.m. to the next Regular Planning Commission meeting on Tuesday, November 1, 2022 at 7:00 p.m., Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

Minutes prepared by:
Lisa Harper Consulting

6.02.060 Home Occupations

Home occupations which are clearly secondary to the principal use of a dwelling, conform to City ordinances, and do not adversely affect the public safety, health and general welfare of the neighborhood shall be permitted. In addition to special conditions that may be imposed to accomplish these objectives, home occupations shall conform to the following locational, developmental, and operational standards, as well as provisions of Chapter 9.05 LDC:

A. Permit Required. No person shall conduct a home occupation without first obtaining a Home Occupation Permit in compliance with Chapter 9.05 LDC. Uses exempt from the requirement of a Home Occupation Permit include:

1. ~~-~~a legal live/work facility;
2. ~~- and~~ a small family day care home for eight or fewer children operated in compliance with state law and LDC 6.02.020 (Child Day Care Facilities) ;
3. home occupations that do not see clients at the residence or have employees other than the household member occupying the residence~~.~~ Exempt home occupations are subject to locational, developmental, and operational standards outlined in sections B, C, and F through K below.

Cottage food operations are not exempt from obtaining a Home Occupation Permit and are subject to the requirements of section M below.

B. Location. The home occupation shall be located entirely within the primary residence, garage or an accessory structure that meets all current state and/or city code standards for accessory structures.

C. Appearance of the Residence. The home occupation shall not alter the external appearance of the residence.

D. Clients. On-site clients shall be permitted only for the following home occupations:

1. Instructional services by appointment, such as tutoring or musical instruction of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily.

2. Professional/office and personal services by appointment only, of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily. Professional/office services include such uses as accounting; design services including architecture, engineering, landscape architecture and urban planning; financial management, investment, and legal counseling; and counseling services. Personal services include such uses as state licensed barber, beauty, and nail salons; exercise and personal training; fortune telling and similar uses; tailors; bicycle repair; and home electronics and small appliance repair. Other uses determined to be substantially similar to the listed uses may be permitted by the Community Development Director.

3. Repair services (excluding vehicle and small engine repair as stated in subsection L of this section) consistent with the provisions of subsection J of this section, by appointment, of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily.

4. A Cottage Food Operation Home Occupation Permit ("CFO HOP") pursuant to subsection M of this section.

E. Employees. In no event shall more than one employee be working at any one time at a home occupation in addition to the household member occupying the premises. If the home occupation employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by this code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.

F. Fire Safety. The home occupation shall not reduce the fire safety classification of a residence or accessory structure. Storage of hazardous materials is limited as follows:

1. To one gallon or less total for all combustible liquids, corrosive liquids, Class 1 or 2 oxidizers, or Class 1 water reactives.

2. To 10 pounds total for all corrosive solids, health hazards, or Class 2 oxidizers, or 50 pounds for Class 1 oxidizers.

3. To four standard cubic feet of flammable gases, and 500 standard cubic feet of inert or oxidizer gases.

4. No quantities of other hazardous materials classes are permitted in conjunction with a home occupation.

G. Movement of Goods. Movement of products, materials, or equipment associated with the home occupation shall be limited to days and hours of operation indicated in subsection D of this section. No merchandise or goods shall be sold, leased, or rented from the premises if the sale, lease, or rental requires the customer to visit the premises for delivery except for CFO HOP consistent with subsection M of this section.

H. Signs. No signs are permitted in conjunction with the use except for a maximum of 10 square feet on one vehicle associated with the home occupation.

I. Storage. There shall be no on-site exterior storage of equipment, vehicles, materials or supplies connected with the home occupation except as permitted in subsection K of this section.

J. Nuisance. A home occupation shall not create dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy, where no home occupation exists. Noise generated by a home occupation shall not be audible at neighboring properties.

K. Vehicles. A home occupation shall have no more than one vehicle connected to the home occupation which shall not be a commercial grade vehicle. Examples of a commercial grade vehicle include but are not limited to a box truck, semi-trailer truck, bus, or a vehicle used for loading, transporting, or manipulating construction materials or debris.

L. Prohibited Uses. The following uses shall be considered prohibited:

1. Adult businesses;

2. Animal hospitals (and related services);

3. Dance/night clubs;

4. Firearms dealers and gunsmiths;

5. Food preparation for commercial purposes except a CFO HOP pursuant to subsection M of this section;

6. Small engine repairs;

7. Personal services such as swimming, massage (on-site), tattoo, body piercing and similar uses except as noted in subsection D of this section;

8. Medical/dental offices/clinics/laboratories;

9. Plant nursery;

10. Retail or wholesale sales of products stored at the residence, except for a CFO HOP and to allow mail order businesses where there is no stock-in-trade on the site;

11. Vehicle related services such as, but not limited to, repair, cleaning, tune-ups, couriers, or delivery or transport of goods or people;

12. Welding and machining;

13. Other uses determined by the Community Development Director not to be incidental to or compatible with residential activities.

M. Cottage Food Operation. A cottage food operation (CFO), as defined in Section 113758 of the Health and Safety Code as may be amended (for example, home-based preparation of nonperishable types of food for sale), may be permitted with a Home Occupation Permit (CFO HOP) subject to the following provisions:

1. A CFO shall be required to obtain and maintain a registration and/or operating permit from Alameda County Environmental Health and Safety and furnish a copy to the city of Livermore prior to issuance of a CFO HOP.

2. Customers may visit the premises only between 8:00 a.m. and 7:00 p.m. daily.

3. No more than three customers may be on the premises at any one time.

4. If direct sales are proposed at the site of the CFO, no third parties or customers shall be permitted to dine at the CFO.

5. CFOs are prohibited from conducting sales in garages, accessory structures, or outside of the dwelling.

6. Cooking appliances and equipment used for the CFO that produce grease laden vapors, such as deep fat fryers, shall be those designed and sold for residential use only. Oil capacity of deep fat fryers shall not exceed four quarts. Grease deposits within the kitchen shall be cleaned

promptly. Cooking exhaust ducts and filters shall be visually checked no less than every six months and buildup of grease shall be removed.

7. In no event shall more than one employee be working at any one time at a CFO in addition to the household member occupying the premises.

8. If the CFO employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by this code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.

9. A CFO HOP shall immediately cease to be valid upon the Alameda County registration and/or operating permit becoming invalid.

10. A CFO HOP shall not be transferable to another person or dwelling and a new HOP application with an Alameda County registration and/or operating permit specific to the new person or dwelling shall be required.

11. CFO usage shall be restricted to the registered or permitted area of the home provided for by Alameda County Environmental Health.

12. CFO sales shall comply with the gross annual sales limits in state law as set forth in Health and Safety Code Section 113758, as may be amended.

13. A Home Occupation Permit shall be obtained in compliance with Chapter 9.05 LDC (Home Occupation Permits). (Ord. 2131 § 3 (Exh. B), 2021; Ord. 2082 § 2(U), 2019; Ord. 1981 § 1 (Exh. A), 2013)

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION FINDING THAT THE AMENDMENTS TO DEVELOPMENT CODE SECTION 6.02.060 HOME OCCUPATIONS REGARDING EXEMPTIONS TO HOME OCCUPATION PERMITS IS EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

(Development Code Amendment 22-001)

The City of Livermore initiated an application for Development Code Amendment 22-001 to amend Development Code Section 6.02.060 Home Occupations regarding exemptions from home occupation permits ("Project").

On October 18, 2022, at a duly noticed public hearing, the Planning Commission considered the Project, made the necessary findings, and adopted Planning Commission Resolution No. 24-22 recommending the City Council find the Project is exempt from the provisions of the California Environmental Quality Act ("CEQA").

On February 27, 2023, the City Council held a duly noticed public hearing to consider the Project, Planning Commission and staff recommendations, and all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that prior to taking action on the Project, and at a properly noticed public hearing, the City Council reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The City Council's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore, has considered the findings made in Planning Commission Resolution No.24-22, attached hereto as Exhibit A, and the City Council hereby adopts the same findings by this reference and incorporates them as their own findings as part of this resolution. Based upon the City Council's own independent review of the Record Evidence and considerations, the City Council hereby finds that the Project is categorically exempt from CEQA in accordance with CEQA Guidelines Sections:

Section: 15301(b)(3), Existing Facilities. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

1. Findings. The proposed ordinance amendment would exempt home occupations that do not involve customers at the residence or employees, other than the resident. Home occupations, by definition, involves uses that are clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and is not evidenced

beyond the limits of the property by noise, light, smoke, odor, vibration, electrical interference, storage of material or equipment, abnormal activity, or vehicular traffic or other exterior factors. All home occupations are subject to regulations in the development code. Home occupations that do not see clients at the home or have employees do not have discernable impacts to the neighborhood.

Exceptions - Section 15300.2

None of the exceptions to the categorical exemption listed in CEQA Guidelines Section 15300.2 apply, as described below.

1. Location. The project site is not located within a sensitive area. Home occupations occur in existing dwelling units which are located outside of sensitive areas and would not require expansion of the structure.

2. Cumulative Impact. Home occupations are located in existing dwelling units and not require expansion or alteration of the structure. Therefore, the Project will not result in any cumulative impacts.

3. Significant Effects Resulting from Unusual Circumstances. There is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances. There is no evidence that any unusual circumstances exist. Home occupations are located in existing dwelling units, which are consistent with existing general plan land use designations and zoning.

4. Scenic Highways. Home occupations are located in existing dwelling units, which are consistent with existing general plan land use designations and zoning.

5. Hazardous Waste Sites. Home occupations are located in existing dwelling units, which are consistent with existing general plan land use designations and zoning. There are no known hazardous waste site located in residential neighborhoods.

6. Historical Resources. No substantial adverse change will occur to the significance of any historical resource. Home occupations are located in existing dwelling units and not require expansion of the structure.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore, has considered the findings made in Planning Commission Resolution No. 24-22, attached hereto as Exhibit A, and the City Council hereby adopts the same findings by this reference and incorporates them as their own findings as part of this resolution. Based upon the City Council's own independent review of the Record Evidence and considerations, the City Council hereby finds that the Project is exempt under CEQA Guidelines Section 15061(b)(3) (common sense exemption) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

1. Finding. Home occupations are located in existing dwelling units, which are consistent with existing general plan land use designations and zoning. Home occupations do not require expansion to existing structures. All home occupations are subject to regulations in the development code. Home occupations that do not see clients at the home or have employees do not have discernable impacts to the neighborhood.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore directs the Planning Manager to file a Notice of Exemption with the Alameda County Clerk, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the City Clerk's Office, 1052 S. Livermore Avenue, in Livermore, California. This resolution shall be effective upon adoption by the City Council.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 27, 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/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 24-22

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE STATE OF CALIFORNIA

A RESOLUTION RECOMMENDING APPROVAL

Development Code Amendment (DCA) 22-001

Amendments to Development Code Section 6.02.060 Home Occupations regarding exemptions to home occupation permits

The city staff initiated a Development Code Amendment (DCA) 22-001 for Amendment relating to home occupation permits. The proposed Development Code amendment to Section 6.02.060 Home Occupations would exempt home occupations that do not see clients at the home or have employees other than the household member from obtaining a home occupation permit.

The Planning Commission held a duly noticed public hearing on October 18, 2022, considered the staff recommendation for approval, and heard public testimony.

NOW, THEREFORE, BE IT RESOLVED with respect to the Development Code Amendments, that the Livermore Planning Commission finds based upon the information presented that:

1. The proposed amendment is consistent with the General Plan and any applicable Specific Plan.

   Response: General Plan policies support the health, safety, and welfare of residential neighborhoods. The Development Code currently includes regulations and operational criteria to ensure that home occupations will not be detrimental to neighborhoods, including hours of operation and limitations on on-site clients and employees. The proposed amendment would exempt home occupations that do not see clients on-site or have employees other than the resident from obtaining a home occupation permit. Such home occupations generally do not have a discernable impact in the neighborhoods. The home occupations would remain subject to existing operational standards (e.g., noise, dust, odor) in the ordinance to ensure neighborhood compatibility.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

   Response: The proposed amendments would exempt home occupations that do not see clients on-site nor have employees other than the resident from obtaining a home occupation permit. Such home occupations would still be subject to

existing operational standards in the ordinance (e.g., noise, dust, odor) to ensure that home occupations will not be detrimental to neighborhoods.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

   Response: The amendment includes changes to Section 6.02.060, Home Occupations. Other related sections of the Development Code have been reviewed and additional amendments are not needed to maintain internal consistency.

4. The project is exempt under CEQA Guidelines Section 15301 which exempts minor alterations of existing facilities. The proposed amendments involve minor, if any, conversion of existing space within residences in order to operate home occupations. The project is also exempt from the provisions of California Environmental Quality Act (CEQA) under Section 15061(b)(3), common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends that the City Council find that Development Code Amendment 22-001 is exempt from the California Environmental Quality Act under Section 15301 for existing facilities, and under Section 15061(b)(3), the common-sense exemption, because it does not have the potential for causing a significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore that, based on staff recommendations, public testimony, and the above findings, which are necessary to protect the public health, safety, and general welfare, the amendment to the Development Code Amendment 22-001, enclosed hereto as Exhibit A, is recommended to the City Council for approval.

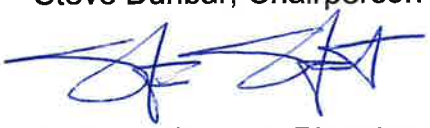
BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends that the City Council direct staff to file a Notice of Exemption, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Branning, seconded by Commissioner Anderson, the foregoing Resolution was adopted at the Planning Commission meeting of October 18, 2022, by the following vote:

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

Steve Dunbar, Chairperson



by Steve Stewart, Planning Manager
Secretary to the Planning Commission

Exhibit A: Proposed Home Occupation Ordinance Revisions

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE AMENDING THE LIVERMORE DEVELOPMENT CODE BY AMENDING SECTION 6.02.060 (HOME OCCUPATIONS)

City of Livermore initiated an application for Development Code Amendment 21-001 to consider amendments to Section 6.02.060 (Home Occupations).

At a public hearing on October 18, 2022, the Planning Commission of the City of Livermore considered the staff recommendation for approval and recommended that the City Council approve Development Code Amendment 22-001 in Planning Commission Resolution No. 24-22, attached hereto as Exhibit A.

On February 27, 2023, the City Council held a duly noticed public hearing to consider the project, Planning Commission and staff recommendations, and all public comments and testimony.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. The City Council has adopted Resolution No. _____ that finds that the Home Occupation Development Code amendments are exempt from review under the California Environmental Quality Act (CEQA).

Section 2. The ordinance is consistent with the Livermore General Plan, any applicable specific plan, and the Livermore Development Code.

Section 3. The City Council has considered the findings made in Planning Commission Resolution No. 24-22, attached hereto as Exhibit A, and hereby adopts the same findings by this reference and incorporates them as part of this resolution, and based upon the City Council's own independent review and considerations, the City Council hereby approves Development Code Amendment 22-001 for amendments to Section 6.02.060, Home Occupations, attached hereto as Exhibit B.

Section 4. This ordinance or a comprehensive summary thereof shall be published once in a newspaper of general circulation of the City of Livermore within 15 days after its adoption and shall take effect and be in force thirty days from and after its adoption.

Section 5. The Planning Manager is directed to file a Notice of Exemption with the Alameda County Clerk.

Section 6. The documents that constitute the record of proceedings upon which this decision is based on can be found in the City Clerk's Office, 1052 S. Livermore Avenue, Livermore, California.

Section 7. If any part of this ordinance is declared unconstitutional or invalid by a court, such unconstitutionality or invalidity shall not affect any remaining parts.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 27, 2023, by the following vote:

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

The ordinance was adopted at the regular meeting of the City Council held on _____, by the following vote:

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

_____
Mayor, City of Livermore

ATTEST:

_____
Marie Weber
City Clerk

APPROVED AS TO FORM:

/s/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 24-22
Exhibit B – Development Code Amended Sections 6.02.060

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE STATE OF CALIFORNIA

A RESOLUTION RECOMMENDING APPROVAL

Development Code Amendment (DCA) 22-001

Amendments to Development Code Section 6.02.060 Home Occupations regarding exemptions to home occupation permits

The city staff initiated a Development Code Amendment (DCA) 22-001 for Amendment relating to home occupation permits. The proposed Development Code amendment to Section 6.02.060 Home Occupations would exempt home occupations that do not see clients at the home or have employees other than the household member from obtaining a home occupation permit.

The Planning Commission held a duly noticed public hearing on October 18, 2022, considered the staff recommendation for approval, and heard public testimony.

NOW, THEREFORE, BE IT RESOLVED with respect to the Development Code Amendments, that the Livermore Planning Commission finds based upon the information presented that:

1. The proposed amendment is consistent with the General Plan and any applicable Specific Plan.

   Response: General Plan policies support the health, safety, and welfare of residential neighborhoods. The Development Code currently includes regulations and operational criteria to ensure that home occupations will not be detrimental to neighborhoods, including hours of operation and limitations on on-site clients and employees. The proposed amendment would exempt home occupations that do not see clients on-site or have employees other than the resident from obtaining a home occupation permit. Such home occupations generally do not have a discernable impact in the neighborhoods. The home occupations would remain subject to existing operational standards (e.g., noise, dust, odor) in the ordinance to ensure neighborhood compatibility.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

   Response: The proposed amendments would exempt home occupations that do not see clients on-site nor have employees other than the resident from obtaining a home occupation permit. Such home occupations would still be subject to

existing operational standards in the ordinance (e.g., noise, dust, odor) to ensure that home occupations will not be detrimental to neighborhoods.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

   Response: The amendment includes changes to Section 6.02.060, Home Occupations. Other related sections of the Development Code have been reviewed and additional amendments are not needed to maintain internal consistency.

4. The project is exempt under CEQA Guidelines Section 15301 which exempts minor alterations of existing facilities. The proposed amendments involve minor, if any, conversion of existing space within residences in order to operate home occupations. The project is also exempt from the provisions of California Environmental Quality Act (CEQA) under Section 15061(b)(3), common sense exemption, in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed amendments will not result in changes in land use that would significantly affect the environment.

BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends that the City Council find that Development Code Amendment 22-001 is exempt from the California Environmental Quality Act under Section 15301 for existing facilities, and under Section 15061(b)(3), the common-sense exemption, because it does not have the potential for causing a significant effect on the environment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore that, based on staff recommendations, public testimony, and the above findings, which are necessary to protect the public health, safety, and general welfare, the amendment to the Development Code Amendment 22-001, enclosed hereto as Exhibit A, is recommended to the City Council for approval.

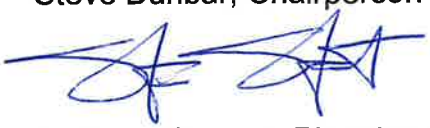
BE IT FURTHER RESOLVED that the Livermore Planning Commission recommends that the City Council direct staff to file a Notice of Exemption, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Branning, seconded by Commissioner Anderson, the foregoing Resolution was adopted at the Planning Commission meeting of October 18, 2022, by the following vote:

AYES: ANDERSON, BRANNING, DUNBAR, STEIN.
NOES: NONE.
ABSENT: LEARY.

Steve Dunbar, Chairperson



by Steve Stewart, Planning Manager
Secretary to the Planning Commission

Exhibit A: Proposed Home Occupation Ordinance Revisions

6.02.060 Home Occupations

Home occupations which are clearly secondary to the principal use of a dwelling, conform to City ordinances, and do not adversely affect the public safety, health and general welfare of the neighborhood shall be permitted. In addition to special conditions that may be imposed to accomplish these objectives, home occupations shall conform to the following locational, developmental, and operational standards, as well as provisions of Chapter 9.05 LDC:

A. Permit Required. No person shall conduct a home occupation without first obtaining a Home Occupation Permit in compliance with Chapter 9.05 LDC. Uses exempt from the requirement of a Home Occupation Permit include:

1. a legal live/work facility;
2. a small family day care home for eight or fewer children operated in compliance with state law and LDC 6.02.020 (Child Day Care Facilities);
3. home occupations that do not see clients at the residence or have employees other than the household member occupying the residence Exempt home occupations are subject to locational, developmental, and operational standards outlined in sections B, C, and F through K below.

Cottage food operations are not exempt from obtaining a Home Occupation Permit and are subject to the requirements of section M below.

B. Location. The home occupation shall be located entirely within the primary residence, garage or an accessory structure that meets all current state and/or city code standards for accessory structures.

C. Appearance of the Residence. The home occupation shall not alter the external appearance of the residence.

D. Clients. On-site clients shall be permitted only for the following home occupations:

1. Instructional services by appointment, such as tutoring or musical instruction of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily.

2. Professional/office and personal services by appointment only, of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily. Professional/office services include such uses as accounting; design services including architecture, engineering, landscape architecture and urban planning; financial management, investment, and legal counseling; and counseling services. Personal services include such uses as state licensed barber, beauty, and nail salons; exercise and personal training; fortune telling and similar uses; tailors; bicycle repair; and home electronics and small appliance repair. Other uses determined to be substantially similar to the listed uses may be permitted by the Community Development Director.

3. Repair services (excluding vehicle and small engine repair as stated in subsection L of this section) consistent with the provisions of subsection J of this section, by appointment, of no more than three clients at a time and limited to the hours of 9:00 a.m. to 7:00 p.m. daily.

4. A Cottage Food Operation Home Occupation Permit ("CFO HOP") pursuant to subsection M of this section.

E. Employees. In no event shall more than one employee be working at any one time at a home occupation in addition to the household member occupying the premises. If the home occupation employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by this code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.

F. Fire Safety. The home occupation shall not reduce the fire safety classification of a residence or accessory structure. Storage of hazardous materials is limited as follows:

1. To one gallon or less total for all combustible liquids, corrosive liquids, Class 1 or 2 oxidizers, or Class 1 water reactives.

2. To 10 pounds total for all corrosive solids, health hazards, or Class 2 oxidizers, or 50 pounds for Class 1 oxidizers.

3. To four standard cubic feet of flammable gases, and 500 standard cubic feet of inert or oxidizer gases.

4. No quantities of other hazardous materials classes are permitted in conjunction with a home occupation.

G. Movement of Goods. Movement of products, materials, or equipment associated with the home occupation shall be limited to days and hours of operation indicated in subsection D of this section. No merchandise or goods shall be sold, leased, or rented from the premises if the sale, lease, or rental requires the customer to visit the premises for delivery except for CFO HOP consistent with subsection M of this section.

H. Signs. No signs are permitted in conjunction with the use except for a maximum of 10 square feet on one vehicle associated with the home occupation.

I. Storage. There shall be no on-site exterior storage of equipment, vehicles, materials or supplies connected with the home occupation except as permitted in subsection K of this section.

J. Nuisance. A home occupation shall not create dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy, where no home occupation exists. Noise generated by a home occupation shall not be audible at neighboring properties.

K. Vehicles. A home occupation shall have no more than one vehicle connected to the home occupation which shall not be a commercial grade vehicle. Examples of a commercial grade vehicle include but are not limited to a box truck, semi-trailer truck, bus, or a vehicle used for loading, transporting, or manipulating construction materials or debris.

L. Prohibited Uses. The following uses shall be considered prohibited:

1. Adult businesses;

2. Animal hospitals (and related services);

3. Dance/night clubs;

4. Firearms dealers and gunsmiths;

5. Food preparation for commercial purposes except a CFO HOP pursuant to subsection M of this section;

6. Small engine repairs;

7. Personal services such as swimming, massage (on-site), tattoo, body piercing and similar uses except as noted in subsection D of this section;

8. Medical/dental offices/clinics/laboratories;

9. Plant nursery;

10. Retail or wholesale sales of products stored at the residence, except for a CFO HOP and to allow mail order businesses where there is no stock-in-trade on the site;

11. Vehicle related services such as, but not limited to, repair, cleaning, tune-ups, couriers, or delivery or transport of goods or people;

12. Welding and machining;

13. Other uses determined by the Community Development Director not to be incidental to or compatible with residential activities.

M. Cottage Food Operation. A cottage food operation (CFO), as defined in Section 113758 of the Health and Safety Code as may be amended (for example, home-based preparation of nonperishable types of food for sale), may be permitted with a Home Occupation Permit (CFO HOP) subject to the following provisions:

1. A CFO shall be required to obtain and maintain a registration and/or operating permit from Alameda County Environmental Health and Safety and furnish a copy to the city of Livermore prior to issuance of a CFO HOP.

2. Customers may visit the premises only between 8:00 a.m. and 7:00 p.m. daily.

3. No more than three customers may be on the premises at any one time.

4. If direct sales are proposed at the site of the CFO, no third parties or customers shall be permitted to dine at the CFO.

5. CFOs are prohibited from conducting sales in garages, accessory structures, or outside of the dwelling.

6. Cooking appliances and equipment used for the CFO that produce grease laden vapors, such as deep fat fryers, shall be those designed and sold for residential use only. Oil capacity of deep fat fryers shall not exceed four quarts. Grease deposits within the kitchen shall be cleaned

promptly. Cooking exhaust ducts and filters shall be visually checked no less than every six months and buildup of grease shall be removed.

7. In no event shall more than one employee be working at any one time at a CFO in addition to the household member occupying the premises.

8. If the CFO employs a person that is not a household member occupying the premises, then one off-street parking space, in addition to the minimum number of parking spaces required by this code for the dwelling, shall be designated on the site and its location identified in the application. Required parking may be in tandem to existing required parking on the premises.

9. A CFO HOP shall immediately cease to be valid upon the Alameda County registration and/or operating permit becoming invalid.

10. A CFO HOP shall not be transferable to another person or dwelling and a new HOP application with an Alameda County registration and/or operating permit specific to the new person or dwelling shall be required.

11. CFO usage shall be restricted to the registered or permitted area of the home provided for by Alameda County Environmental Health.

12. CFO sales shall comply with the gross annual sales limits in state law as set forth in Health and Safety Code Section 113758, as may be amended.

13. A Home Occupation Permit shall be obtained in compliance with Chapter 9.05 LDC (Home Occupation Permits). (Ord. 2131 § 3 (Exh. B), 2021; Ord. 2082 § 2(U), 2019; Ord. 1981 § 1 (Exh. A), 2013)

LIVERMORE
CALIFORNIA

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

DATE: February 27, 2023

TO: Honorable Mayor and City Council

FROM: Scott Lanphier, Public Works Director

SUBJECT: Discussion and direction regarding sending a one-year extension notification letter to Republic Services Vasco Road Landfill, negotiate with Republic Services for a long-term Disposal Agreement, and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste.

RECOMMENDED ACTION

Staff recommends the City Council direct staff to send a one-year extension notification letter to Republic Services Vasco Road Landfill, negotiate with Republic Services for a long-term Disposal Agreement, and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste.

SUMMARY

The Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC for Disposal of Solid Waste (Disposal Agreement) initial term ends on December 31, 2023. Per Section 2.04 of the Disposal Agreement, either party may request an extension of the Disposal Agreement with 180 days written notification prior to the end of the term. Both Republic Services and The City of Livermore must agree to the terms of the extension.

Currently, the Vasco Road Landfill accepts all of the City of Livermore's solid waste as described by the Disposal Agreement. Republic Services staff have indicated a willingness to revise the current Disposal Agreement with nearly all of the current terms, including the commitment that the City of Livermore will have the lowest per ton price for municipal solid waste among all of the jurisdictions served by the Vasco Road Landfill.

Alternatively, the City Council could direct staff to release a Request for Proposal (RFP) to solicit bids for disposal services. Two near-by landfills, Republic Services Vasco Road Landfill and Waste Management's Altamont Landfill, would likely be candidates to submit a proposal for disposal services. Other, out-of-county landfills could potentially accommodate the City's municipal solid waste stream but

would likely be comparatively more expensive due to the cost of transport, and result in increased emissions and other environmental impacts.

Staff recommends the City Council direct staff to prepare a one-year extension notification letter to include a negotiated Consumer Price Index rate increase, negotiate with Republic Services for a longer-term Disposal Agreement extension and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste.

DISCUSSION

At the May 13, 2002 City Council meeting, the City Council entered into an Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste for an initial term from January 1, 2004 to December 31, 2023.

On May 24, 2010, the City Council adopted a resolution approving the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC for Disposal of Solid Waste (Disposal Agreement).

Livermore Sanitation, Inc., now owned by Waste Connections, is the City's franchise hauler of solid waste, recyclable, and compostable materials. The Franchise Agreement with Livermore Sanitation has a term ending on June 30, 2030. Livermore Sanitation currently collects and transports solid waste to Republic Services Vasco Road Landfill.

Currently, Republic Services Vasco Road Landfill accepts all of the City of Livermore's solid waste as described by the Disposal Agreement and is the closest landfill to the City.

Since the term of the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC for Disposal of Solid Waste (Disposal Agreement) is expiring at the end of 2023, staff recommends that the City Council direct staff to notify Republic Services staff of the intent to extend the Disposal Agreement for a period of one year. Per Section 2.04 of the Disposal Agreement, either party may request an extension of the Disposal Agreement with 180 days written notification. Both Republic Services and the City of Livermore must agree to the terms of the extension, and Republic Services has requested that a 4.5% Consumer Price Index (CPI) for Urban Consumers - Water and Sewer and Trash Collection increase be applied to calendar year 2024 base rates since the current Disposal Agreement defines rates only until the end of 2023. A draft letter has been prepared and is attached to this report.

In addition, the City Council has two options, either direct staff to negotiate with Republic Services Vasco Road Landfill for a revised Disposal Agreement, or direct staff to release a Request for Proposals (RFP) for landfill disposal services.

Option 1 – Negotiate a Disposal Agreement with Republic Services Vasco Road Landfill

Republic Services staff have indicated a willingness to continue the Disposal Agreement with nearly all of the current terms, including the commitment that the City of Livermore will have the lowest per ton price for municipal solid waste among all of the jurisdictions served by the Republic Services Vasco Road Landfill as a "good neighbor" rate.

As part of a contract extension, Republic Services has committed to expand their Construction and Demolition (C&D) sorting operation to increase the recovery of C&D materials at the Vasco Road Landfill. Republic Services has also agreed to pursue Recycling Certification Institute (RCI) certification to qualify for the US Green Building Council's Leadership in Energy and Environmental Design (LEED) program. Among other requirements, LEED projects are required to meet minimum recycling rates of C&D materials. A growing number of organizations in Livermore and in neighboring communities are interested in LEED certification for their projects; an RCI-certified facility in the Tri-Valley area is a much needed asset to encourage diversion of waste and meet greenhouse gas reduction goals.

One modification proposed by Republic Services staff relates to the annual per-ton price adjustment. Republic Services staff have suggested that a Consumer Price Index (CPI) be used to adjust rates instead of defining the yearly rates for the entire term at the start of the contract, as was done previously. If the City Council directs staff to negotiate with Republic Services for a Disposal Agreement extension, this CPI adjustment would be negotiated and agreed upon before any agreement were to be finalized.

Option 2 - RFP for landfill disposal services

Alternatively, the City Council could direct staff to release a Request for Proposal (RFP) to solicit bids for disposal services. An RFP process would likely require the services of a consultant at an estimated cost of $75,000 or more. Two near-by landfills, Republic Services Vasco Road Landfill and Waste Management's Altamont Landfill, would likely be candidates to submit a proposal for disposal services. However, at this time, only Republic Services Vasco Road Landfill has indicated that they will continue the "good neighbor" low-rate guarantee.

Waste Management staff have expressed an interest in submitting a proposal to accept waste from the City of Livermore. At this time, it is unclear if Waste Management would offer terms similar to the current contract with the Vasco Road Landfill, or increase C&D diversion at the Altamont Landfill to pursue RCI Certification for LEED-qualifying projects. Since Waste Management's Altamont Landfill is slightly farther compared to the Republic Services Vasco Road Landfill, transportation costs may increase.

Other, out-of-county landfills such as Waste Connections' Potrero Hills Landfill could potentially accommodate the City's municipal solid waste stream. Waste Connections has indicated an interest in responding to a disposal RFP. Other landfills would likely be comparatively more expensive due to the cost of transferring the solid waste into larger trucks for transportation, as required by Objective 1.2 of the Alameda County Countywide Integrated Management Plan. Transferring waste farther would also be expected to increase emissions and other environmental impacts. The City of Livermore would be required to pay Alameda County fees in addition to other fees levied by the local authority if Livermore's solid waste is disposed outside of Alameda County.

Currently, only recyclable and organic materials are transferred from small trucks to larger trucks at the Livermore Sanitation facility on National Drive for processing at other destinations. If a distant landfill were chosen, Livermore's solid waste would need to be transferred at a local Livermore facility into larger trucks for long-distance transport. The Livermore Sanitation location would be the most likely candidate to conduct the transfer operation.

However, if waste is transferred from the Livermore Sanitation facility, rate-payer funded investments in infrastructure and equipment would be necessary, and current permits would need to be modified which could take years to finalize. In addition, impacts to the area around the facility, such as odors, litter, and additional truck traffic, would likely increase.

Staff recommends the City Council direct staff to prepare a one-year extension notification letter to include a negotiated CPI rate increase; see attached for a draft of this notification. Staff also recommends that the City Council direct staff to negotiate with Republic Services for a longer-term Disposal Agreement extension (20-30 years) and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste. If negotiations are deadlocked, staff will return to the City Council for consideration of an RFP for disposal services.

FISCAL AND ADMINISTRATIVE IMPACTS

Livermore Sanitation rates include a pass-through provision for disposal costs and any increase to costs will impact Livermore Sanitation rate adjustments. Depending on the option chosen, disposal costs may affect future Livermore Sanitation rate adjustments.

ATTACHMENTS

1. Request for Disposal Agreement Extension

Prepared by: Judy Erlandson
Acting Assistant Public Works Director

Approved by:

Marianna Marysheva
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

February 27, 2023

Republic Services, LLC
Josh Mills
General Manager
901 Bailey Road
Pittsburg, CA 94565

Re: Request for Disposal Agreement Extension

Dear Mr. Mills:

On May 24, 2010, the City Council adopted a resolution approving the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC for Disposal of Solid Waste (Disposal Agreement).

The Disposal Agreement term ends on December 31, 2023. Per Section 2.04 of the Disposal Agreement, either party may request and extension of the Disposal Agreement with 180 days written notification. Both Republic Services and The City of Livermore must agree to the terms of the extension, and the extension term is contingent upon the Vasco Road Landfill securing the necessary permits and capacity.

The City is exercising its option to request and extension of the term of the Disposal Agreement for a period of one year. In addition, the City proposes a base rate increase of 4.5%, or $21.15 per ton, exclusive of government fees as described by 5.04 and 5.05 of the Disposal Agreement. Further, the City requests Contractor sign the acknowledgement at the bottom of this notice to confirm these statements.

If you have any questions, or need further clarification, please contact Judy Erlandson at 925-960-8002.

Sincerely,

Marianna Marysheva
City Manager
City of Livermore

cc Scott Lanphier, Public Works Director
Jason Alcala, City Attorney
Kevin Divincenzo, Area Director of Operations, Republic Services

Contractor acknowledges and accepts this written notice of extension from City, and agrees that this written notice satisfies the requirements in section 2.04 of the existing Disposal Agreement to express the City's desire to extend the term of the Disposal Agreement.

_____ _____

Josh Mills, General Manager Date

DRAFT

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 10.1**

DATE: February 27, 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	Library Board of Trustees annual update presented by Chair Richard Hunt. Material: PowerPoint Presentation
6.1	Hearing to waive the first reading and Introduce an Ordinance considering amendments to Livermore Development Code Section 11.01.020 Definitions and Section 3.03.150 Heavy Industrial (I-3) Zoning District relating to warehousing and distribution facilities. Material: PowerPoint Presentation
6.2	Hearing to waive the first reading and Introduce an Ordinance considering amendments to Livermore Development Code Section 6.02.060. A Home Occupations, exempting home occupations that do not see clients at the home or have employees other than the household member from the requirement for a home occupation permit. Material: PowerPoint Presentation
7.1	Discussion and direction regarding sending a one-year extension notification letter to Republic Services Vasco Road Landfill, negotiate with Republic Services for a long-term Disposal Agreement, and prepare the First Amendment to the Amended and Restated Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste. Material: Public Comment Received and PowerPoint Presentation
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 Public Library Board of Trustees Annual Report

February 27, 2023

Presented by Richard Hunt, Board Chair

1

Current Board Members



Richard Hunt, Chair
Appointed: 5/24/2021
Term ends: 6/1/2024



Lainie Pascall, Vice Chair
Appointed: 6/1/2022
Term ends: 6/1/2025



Mini Chopra, Board Member
Appointed: 7/13/2020
Term ends: 6/1/2023



Mariana Guzzardo, Board Member
Appointed: 6/1/2022
Term ends: 6/1/2025



Art Pontau, Board Member
Appointed: 3/12/2012
Term ends: 6/1/2023

2

Introduction and Background

"The Library Board of Trustees is an advisory group which recommends policy to City Council. The Board helps set goals and objectives for Library services and programs."

- Monthly meetings are open to the public. Topics include: strategic planning/action plans, Library/patron policies, new programs and services, statistics, etc.
- The Library Board of Trustees often acts as a sounding board for staff ideas; they also provide suggestions and endorse ideas in support of the Library's strategic objectives

3

Strategic Objectives Progress & Updates

Promote literacy in all its forms to help people fulfill their life goals and be more active and engaged community members.







Summer Reading Program

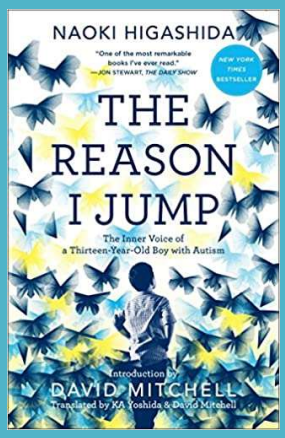
- The community collectively read more than 2.7 million minutes
- More than 220 programs took place
- 2022 saw 3,308 total participants – an increase of nearly 7% over 2021
- Granada was the high school with the most minutes read – over 57,000!
- Mendenhall was the middle school with the most minutes read – nearly 65,000!

4

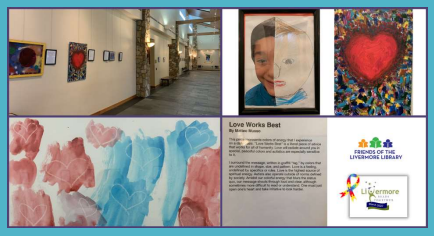
Strategic Objectives Progress & Updates

Promote literacy in all its forms to help people fulfill their life goals and be more active and engaged community members.

2022 Livermore Reads Together



DIVERSITY & INCLUSION





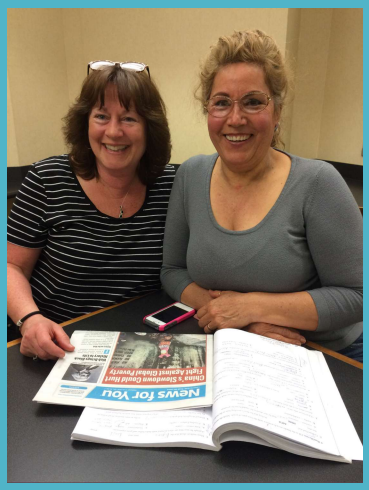
5

Strategic Objectives Progress & Updates

Promote literacy in all its forms to help people fulfill their life goals and be more active and engaged community members.

Adult Literacy





6

Strategic Objectives Progress & Updates

Affirm equality and inclusion by reflecting the diverse local community in staffing, materials, and services offered.

Variety of Programs



7

Strategic Objectives Progress & Updates

Affirm equality and inclusion by reflecting the diverse local community in staffing, materials, and services offered.

Collections



- **Expanded Non-English language materials**
- **The Library of Things provides access to non-traditional items such as tools, equipment, robots, games, memory kits, etc.**
- **LinkedIn Learning provides access to a vast number of training resources**

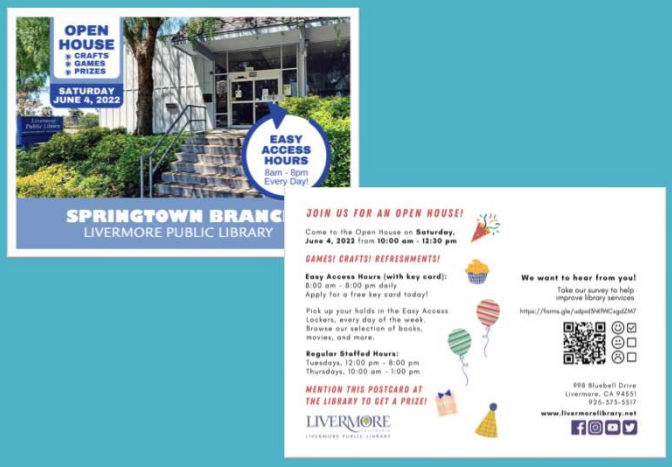


8

Strategic Objectives Progress & Updates

Enable all community members to participate in and benefit from library services by increasing their awareness and accessibility to these resources.

Springtown



Rincon



9

Strategic Objectives Progress & Updates

Enable all community members to participate in and benefit from library services by increasing their awareness and accessibility to these resources.

New Web Page, BiblioCore, and Smartphone App Page



Scan the QR code below to download the Library's app!

10

Strategic Objectives Progress & Updates

Enable all community members to participate in and benefit from library services by increasing their awareness and accessibility to these resources.

Outreach at Community Events





11

Strategic Objectives Progress & Updates

Enable all community members to participate in and benefit from library services by increasing their awareness and accessibility to these resources.

Student One Card Program

LIVERMORE SCHOOL DISTRICT
BUILDING A BRIGHT FUTURE

Student ID & Library Card in One!

LIVERMORE
CALIFORNIA
LIVERMORE PUBLIC LIBRARY



12

Strategic Objectives Progress & Updates

Enable all community members to participate in and benefit from library services by increasing their awareness and accessibility to these resources.

Transportation for Sycamore Grove Park field trip





13

The Livermore Public Library and Library Board of Trustees Extend a Special Thanks to the Friends of the Livermore Public Library for their Continued Support of Library Programs, Services, and Activities

FRIENDS OF THE LIVERMORE LIBRARY

DID YOU KNOW?

Since their inception in 1978, the Friends of the Livermore Public Library have provided more than $1 million in grants to the Livermore Public Library

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Growth and Recovery



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Growth and Recovery

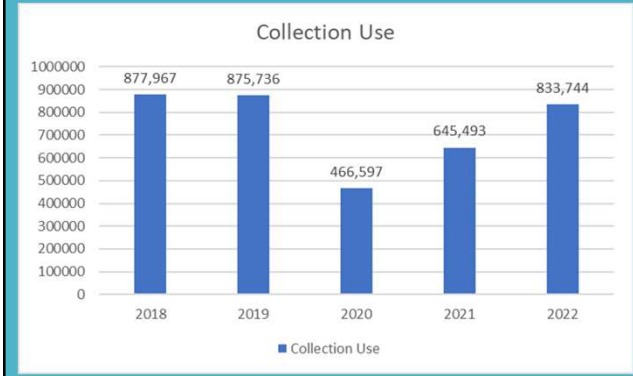
In 2022, the Library continued its efforts to move back to pre-pandemic conditions, while also being safe, and adjusting to the "New Normal" that COVID-19 created.

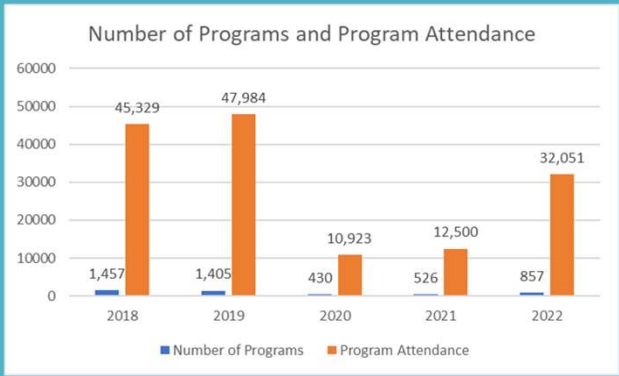
- Access to all computers at all locations was restored
- All locations returned to their normal hours
- Staff offered indoors, outdoors, and hybrid programming - based on demand, programs and activities will continue to be offered in multiple formats



16

Growth and Recovery





17

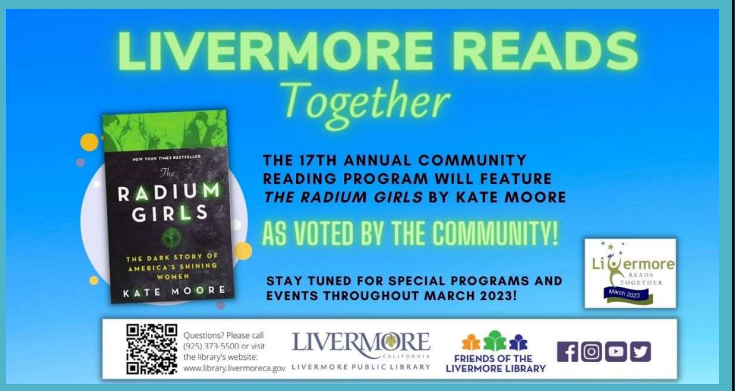
EVENTS

One More Black History Month Event!

February 28 at 7 p.m. – Black Women Who Create – with local author Tina Jones Williams – this event will be held via Zoom: https://us02web.zoom.us/j/87564722129

Recent Black History Month Events:

- February 1 to February 28 – Tiny Art Show displays at all Library locations. All featured art was created by Library users.
- February 1 to February 28 – The Civic Center Library hosted the Art of African Diaspora exhibit.
- February 16 – Poetry Reading and Panel Discussion - Bay Area poets Alie Jones, Tongo Eisen-Martin, Landon Smith, and Meilani Clay celebrated the exploration of liberation, through readings and a panel discussion.
- February 25 – Storytelling with Diane Ferlatte & Erik Pearson



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Looking Forward
Goals for 2023

- **Access – Support the Library's efforts to develop additional methods for providing equitable access to its resources, spaces, and information**
- **Engagement – Support the Library's efforts to develop more programming and services where residents naturally gather**
- **Learning and Literacy – Support the Library's efforts to bolster learning and literacy in all its forms, for all community members**
- **Annual Events – Provide the Library ideas to enhance and broaden the reach of annual events (Black History Month, Hispanic Heritage Month, Livermore Reads Together, Summer Reading Program, etc.)**
- **Policy Review – Provide the Library ideas to strengthen policies to ensure they are fair, diverse, equitable, and inclusive**

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THANK YOU!

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Development Code Amendment 22-002
Warehousing and Distribution Facilities

February 27, 2023

Presented by Susan Frost, Special Projects Coordinator

LIVERMORE CALIFORNIA

1

Development Code Amendment 22-002

- Within the last two years, a large warehouse was purchased by a large e-commerce business and converted into a delivery station.
- While a permitted use, it raises concerns regarding the expansion of these types of e-commerce warehouses.
- Traditional warehouse and distribution facilities are generally associated with specific manufacturing uses.
- By contrast, e-commerce facilities function much differently.

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2

Development Code Amendment 22-002

E-commerce warehouse and distribution businesses generally include three types of facilities:

- Distribution Center (or Fulfillment Center)
- Sortation Center
- Delivery Station

E-commerce facilities require large parcels of land and large facilities.

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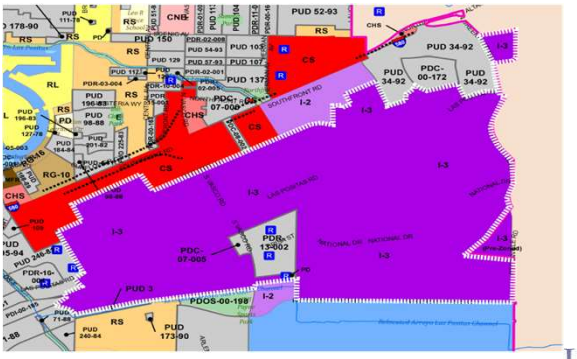
3

Development Code Amendment 22-002

Development Code Amendments are proposed:

•Amend the definition of warehouse and distribution facility to distinguish between traditional faculties and e-commerce facilities

• Allow for e-commerce facilities in the I-3 (Heavy Industrial) district through a conditional use permit



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Development Code Amendment 22-002

Planning Commission held a public hearing on the project at its October 18, 2022, meeting and recommends that the City Council:

- Adopt a resolution finding that the project is categorically exempt under CEQA Section 15061(b)(3), common sense exemption.
- Waive the reading of the title and introduce an ordinance approving Development Code Amendment 22-002 to amend Section 11.01.020, Definitions, and Section 3.03.150, Heavy Industrial (I-3) Zoning District.

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5

Development Code Amendment 22-001
Home Occupation Exemptions

February 27, 2023

Presented by Susan Frost, Special Projects Coordinator

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1

Development Code Amendment 22-001

- In Fall 2021, the Development Code was amended to allow up to three clients at a time and one employee for home occupations.
- A significant number of home occupations do not have clients or employees at the home and do not have a discernable presence in the neighborhood.
- Staff recommends that such home occupations be exempt from obtaining a home occupation permit.
- Exempt home occupations would still be subject to other compatibility standards in the Development Code.

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2

Development Code Amendment 22-001

The Planning Commission held a public hearing on the project at its October 18, 2022, meeting and recommends the City Council:

- Adopt a resolution finding that the project is categorically exempt under CEQA under Section 15301, Existing Facilities, and Section 15061(b)(3), common sense exemption.
- Waive the reading of the title and introduce an ordinance approving Development Code Amendment 22-001 to amend Section 6.02.060 Home Occupations.

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3

From:	Lynch, Eric
To:	Cityclerk - Livermore
Subject:	Comments encouraging Option 2 related to agenda item 7.1 Solid Waste Disposal
Date:	Saturday, February 25, 2023 11:06:18 AM
Attachments:	image001.png City of Livermore - Oppose 7_2 Solid Waste Disposal extension_WM_2.25.23.pdf

Some people who received this message don't often get email from elynch2@wm.com. Learn why this is important

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

February 24, 2023

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

Re: Public Comment Agenda Item 7.1 Solid Waste Disposal

Dear Livermore City Council:

My name is Eric Lynch. I am the Director of Sales for Waste Management in the Northern California/Nevada area. I submit this letter to encourage the City of Livermore ("City") to pursue Option 2 (RFP for landfill disposal services) set forth in the February 27, 2023 Staff Report regarding Agenda Item 7.1. For the reasons stated below, Waste Management opposes Option 1 of the Staff Report, which is to extend the current Republic Services disposal agreement for one year and conduct a sole source negotiation with Republic Services for a new 20-year disposal agreement.

Waste Management owns the Altamont Landfill, which located in Livermore and should be considered for disposal of City material. Environmentally focused, the site provides nearly half of the 2,000-acre site to a wildlife preserve. The remaining 1,000 acres support state-of-the-art disposal, recycling, composting and renewable energy facilities. We are a local company with national resources. We have been servicing the community for the last 26 years. We provide the best value and highest quality disposal services. We are the partner that can provide reliable service through our experienced operators with both primary and backup facilities.

Before entering into a long-term disposal agreement, whether it be with Republic, Waste Management, or any other company, the City should evaluate all options to determine what is best for the City. In its February 27 report, Staff states "it is unclear if Waste management would offer terms similar to the current contract with the Vasco Road Landfill, or increase C&D diversion." If the City were to proceed with a RFP, it would know exactly whether Waste Management and other companies can offer similar or better terms than Vasco Road Landfill. We feel it unwise for the City to proceed with a long-term contract without knowing what other contractors may offer. Also, it is highly likely that any RFP-related costs incurred by the City would be more than offset by lower pricing and favorable terms in a new disposal agreement resulting from a RFP process.

Waste Management therefore requests the City of Livermore to reject Option 1 in the Staff Report to extend the solid waste disposal agreement with Republic Services. We also request that the City initiate a RFP process to ensure it evaluates all available options and select the best opportunity for the City.

Sincerely,

Eric Lynch
Waste Management
Area Sales Director-Norcal/Nevada

Eric Lynch
Area Director of Sales
Northern California-Nevada
Elynch2@wm.com

C: (510) 295-5956
172 98th Ave
Oakland, CA 94603



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Altamont Landfill & Resource Recovery Facility
10840 Altamont Pass Road
Livermore, CA 94551

February 24, 2023

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

Re: Public Comment Agenda Item 7.1 Solid Waste Disposal

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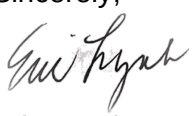
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Sincerely,



Eric Lynch
Waste Management
Area Sales Director-Norcal/Nevada



Disposal Contract Options

February 27, 2023

Presented by Judy Erlandson, Interim Assistant Public Works Director

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1

Disposal Contract History

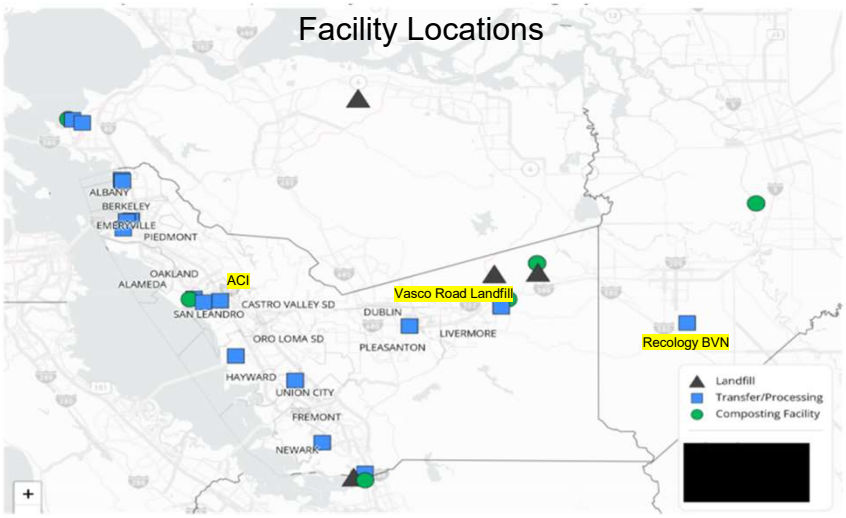
- The City of Livermore has utilized the Vasco Road Landfill for municipal solid waste services since the 1960s.
- On May 13, 2002, the City Council entered into an Agreement Between the City of Livermore and Republic Services Vasco Road, LLC, for Disposal of Solid Waste (Disposal Agreement).
- The Disposal Agreement term began January 1, 2004 and expires on December 31, 2023.
- Livermore Sanitation, Inc. currently collects and transports solid waste to Republic Services Vasco Road Landfill.

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Disposal Contract

Facility Locations



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Disposal Contract

One Year Extension

- The current Disposal Agreement term ends on December 31, 2023, staff recommends requesting a one-year extension to allow time for detailed negotiations.
- Per Section 2.04 of the Disposal Agreement, either party may request and extension of the Disposal Agreement with 180 days written notification.
- Both Republic Services and The City of Livermore must agree to the terms of the extension.
- Republic Services has requested that a CPI increase be applied to calendar year 2024 base rates.

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Disposal Contract Options

- The City Council has two options:
  - Direct staff to negotiate solely with Republic Services to amend the current Disposal Agreement, or
  - Direct staff to release a Request for Proposals (RFP) for landfill disposal services.

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Disposal Contract Options

Disposal Agreement Extension

- City of Livermore will have the lowest per ton price for municipal solid waste among all of the jurisdictions served by the Vasco Road Landfill. It is unlikely that this guarantee would be provided by another service provider.
- Republic Services has committed to expand their Construction and Demolition sorting operation to increase the recovery of materials.
- Possible Disaster Debris Staging location – new language would need to be added.

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Disposal Contract Options

Disposal Agreement Extension

- A Consumer Price Index (CPI) may be used to adjust rates instead of defining the yearly rates for the entire term at the start of the contract, as was done previously.
- Republic Services has requested consideration of a fuel surcharge over an agreed-upon baseline and the opportunity to request special compensation for unanticipated events.

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Disposal Contract Options

Request for Proposals

- Waste Management has indicated an interest in submitting a proposal to accept waste from the City of Livermore.
- Waste Connections' Potrero Hills Landfill could potentially accommodate the City's municipal solid waste stream and Waste Connections has indicated an interest in responding to a disposal RFP.
- Other, out-of-county landfills may also consider responding to an RFP.

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Disposal Contract Options

Request for Proposals – Other Landfills

- Transferring waste farther would increase emissions, traffic congestion, and other environmental impacts.
- Alameda County fees would be paid in addition to other fees levied by the local authority if Livermore's garbage is disposed outside of Alameda County.
- Transferring waste from the Livermore Sanitation facility on National Drive, would require new rate-payer funded investments and current permit modifications.

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Disposal Contract Options

Staff Recommendation

- Direct staff to prepare a one-year extension notification letter, and negotiate a one-year Disposal Agreement extension; and
- Direct staff to negotiate with Republic Services for a long-term (20+ years) Disposal Agreement and to prepare an amendment to the Disposal Agreement.

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Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Mayor Marchand	2/15/2023	Chamber of Commerce	Ribbon cutting for Ta'Con Todos	Presented a certificate of Welcome to the proprietors. Met Pancho Villa's grandson.
Mayor Marchand	2/15/2023	Chamber of Commerce	Mixer	Welcomed new businesses and networked with established ones.
Mayor Marchand	2/16/2023	TV 30	Informational	Filmed bi-weekly Mayor's Report
Mayor Marchand	2/16/2023	Livermore Valley Craft Beer Foundatic	Fundraiser	Provided support for the Alameda County Food Bank
Mayor Marchand	2/18/2023	Chamber of Commerce	Ribbon cutting	Presented a Certificate of Welcome to St. John's Soul Food in Springtown
Mayor Marchand	2/21/2023	City of Livermore Employee Service Av	Award recognition	Recognized excellence in Livermore employees.
Mayor Marchand	2/22/2023	Chamber of Commerce	Board meeting	Provided the Mayor's Report
Mayor Marchand	2/22/2023	Tri-Valley City Council Meeting	Meeting	Legislative updates and provided comments on the Mayor's Trip to Washington D.C.
Mayor Marchand	2/23/2023	Bay East Association of Realtors	Real Estate Summit	Received an update on current Real Estate Market conditions and trends.
Mayor Marchand	2/23/2023	City of Livermore	Memorial Service	Representing the City of Livermore, I attended the Celebration of Life for Dale Turner, Livermore's first directly elected mayor.
Mayor Marchand	2/24/2023	LAVTA	Meeting	Met with LAVTA Executive Director, Christy Wegener. Talked about City and transportation priorities.
Mayor Marchand	2/24/2023	LAFCO	Meeting	Ad Hoc Measure D Committee to provide recommendations for clarification of Measure D policies.
Mayor Marchand	2/24/2023	Open Heart Kitchen	Tour	Toured the new warehouse facility and received an update on the expansion of OHK mission.
Mayor Marchand	2/27/2023	City of Livermore Economic Developm	Business Spotlight	Tour of Monarch Tractor
Mayor Marchand	2/27/2023	Livermore Lab Foundation	Welcome comments	Welcome CSU Bakersfield President and the CA. Energy Research Center

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event	Link to Meeting Agenda
Council Member Barrientos	2/15/2023	EBCE	Board Meeting	Met in Oakland @6 adjourned at 9:30 Opened with roll call voted on consent items. Adjourned to a closed session for an hour. At 7 began with items on the agenda Gridscape Solutions installing mircro grids in Hayward and Fremont Information on grants by Transfomative Solutions Information on cluster meeting of cities in Tracy etc instead of driving to Oakland Planning to set up an Adhoc committee to review compensation of EBCE -CEO	See Adrian At EBCE

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event	Link to Meeting Agenda
Council Member Branning	2/21/2023	LDI	Board meeting	Reviewed the budget and set members for the standing committees	Call to Order Approval of November Minutes: Click for November Minutes & Click here for January Minutes. Liaison Reports - Introduce New City Liaison, Council member, Evan Branning Financials - 2023 Budget presented & accepted New LDI Vision & Mission accepted (See below) Executive Director Update Partners in Main Street/Membership Recruitment Update LDI Board Committees form: Welcome Committee New business & New resident welcome packets Sponsorship Committee Street Fest Sponsors, year-round events & ongoing. Budget Committee PIMS Committee
Council Member Branning	2/15/2023	Livermore Chamber of Commerce	Monthly mixer	Met with business and community leaders at Locanda	
Council Member Branning	2/15/2023	LAVWMA	Board meeting	I attended as a community member as I wasn't sworn in yet. Covered continuing Maitenance and improvements in waste water.	https://lavwma.com/event/february-15-2023-board-meeting/
Council Member Branning	2/22/2023	Ti-Valley Cities Council	Dinner/Board meeting	Report out from ITV and housing discussion.	
Council Member Branning	2/24/2023	Open Heart Kitchen	Open House	Open house for Open Heart Kitchen's new regional food distribution center.	
Council Member Branning	2/27/2023	LAVTA	Sub-Committee Meeting Projects and Services.	Shared Autonomous Vehicle program discussion and feedback	https://wheelsbus.com/meetings/projects-and-services-committee-meeting/

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)
Council Member Carling	2/15/2023	LAVWMA	board meeting
Council Member Carling	2/21/2023	City of Livermore	Employee Service Awards luncheon
Council Member Carling	2/22/2023	StopWaste	board meeting
Council Member Carling	2/22/2023	Trr-Valley Cities	Tri-Valley cities council meeting