



CITY COUNCIL

AGENDA

MONDAY, MARCH 27, 2023

REGULAR HYBRID MEETING – 7:00 PM

CLOSED SESSION - 6:15 PM

MEETING PARTICIPATION INFORMATION CAN BE FOUND AT THE END OF THE
AGENDA

IN PERSON INFORMATION:

CIVIC CENTER MEETING HALL
CITY COUNCIL CHAMBERS
1016 S. LIVERMORE AVENUE

TELECONFERENCE INFORMATION:

ZOOM WEBINAR:

<https://us02web.zoom.us/j/89978953077>

Zoom dial in phone number:

1 669 900 6833

Meeting ID: 899 7895 3077

CITY OF LIVERMORE YOUTUBE CHANNEL:

<https://www.youtube.com/c/CityofLivermoreCalifornia>

TV29:

Comcast TV Channel 29

tv29.org

John P Marchand, Mayor

Brittni Kiick, Vice Mayor

Ben Barrientos, Council Member

Evan Branning, Council Member

Robert W Carling, Council Member

1. **CLOSED SESSION - 6:15 PM**

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

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

- 1.1 Conference with 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, Human Resources Analyst II, Kaylin Larson, and Tim Davis, Attorney with Burke, Williams & Sorensen, 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.

2. **CALL TO ORDER**

ROLL CALL

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

PLEDGE OF ALLEGIANCE

REPORT OF ACTION TAKEN IN CLOSED SESSION

3. **PROCLAMATIONS AND PRESENTATIONS**

- 3.1 Proclamation declaring March 2023 as American Red Cross Month, presented to Disaster Action Committee Volunteer Jan Peterson and Alameda County Leadership Council Member Varsha Clare.

Recommendation:

Staff recommend the City Council declare March 2023 as American Red Cross Month.

Staff Report

Attachments:

- [1. Proclamation](#)

- 3.2 Proclamation declaring March 2023 as March for Meals Month, presented to Carrie Oldes, Meals on Wheels Program Manager.

Recommendation:

Staff recommends City Council declare March 2023 as March for Meals Month.

Staff Report

Attachments:

1. Proclamation

4. OPEN FORUM

- In conformance with the Brown Act, no City Council action can occur on items presented during Open Forum.
- To provide public comment in person, please submit a speaker card. When your name is called, walk to the lectern to address City Council.
- To provide public comment virtually, please log into Zoom and use the 'raise hand' feature.
- Comments are limited to a maximum of 3 minutes per person, per item. The Mayor may reduce the amount of time based on the number of persons wishing to speak.
- Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).
- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene before the meeting adjourns.

5. CONSENT CALENDAR

Consent Calendar items are considered routine and are acted upon by the City Council with a single action. Members of the audience wishing to provide public input must submit a speaker card if in person or use the 'raise hand' feature if participating using Zoom. Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

- 5.1 Approval of draft minutes - February 27, 2023 Regular Meeting and March 2, 2023 Special Meeting.

Recommendation:

Staff recommends the City Council approve the draft minutes.

Staff Report

Attachments:

- 1. 2023-02-27 Draft Minutes**
- 2. 2023-03-02 Draft Minutes**

- 5.2 Resolution authorizing an agreement with Oliveira Enterprises, Inc. for mulch procurement and application services in an amount not-to-exceed \$600,000 for three years to comply with the requirements of SB 1383.

Recommendation:

Staff recommends City Council adopt a resolution authorizing execution of an agreement with Oliveira Enterprises, Inc. to provide in an amount not-to-exceed \$600,000 over the three-year term.

Staff Report

Attachments:

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

- 5.3 Resolution approving extending the Alameda County Abandoned Vehicle Abatement Program until May 31, 2033.

Recommendation:

Staff recommends the City Council adopt a resolution to approve extending the Alameda County abandoned vehicle abatement program until May 31, 2033.

Staff Report**Attachments:**

1. [Resolution](#)

- 5.4 Resolution authorizing the approval of grant application and acceptance of \$60,000 grant funds through the California Energy Commission Grant for Automated Solar Permit Processing.

Recommendation:

Staff recommends the City Council adopt a resolution:

1. Authorizing the Chief Building Official or designee, to execute all documentation necessary to apply for the \$60,000 grant for the California Automated Permit Processing Program.
2. Authorizing the City Manager or designee, to execute any agreements and accept the \$60,000 grant funds awarded through the California Automated Permit Processing Program.

Staff Report**Attachments:**

1. [Solicitation Manual](#)
2. [Senate Bill 379](#)
3. [Resolution](#)
4. [Exhibit A - CalAPP Application](#)
5. [Exhibit B - Terms and Conditions](#)

- 5.5 Resolution to summarily vacate a portion of the existing storm drain easement in Veterans Way, recorded May 20, 1968, reel 2184, images 414-420, and authorize the City Manager to quitclaim the storm drain easement to unencumber the Blacksmith Square Expansion and the L Street Garage Project.

Recommendation:

Staff recommends the City Council adopt a resolution to summarily vacate a portion of existing storm drain easement in Veterans Way, recorded May 20, 1968, reel 2184, images 414-420, and authorize the City Manager to quitclaim the storm drain easement to City of Livermore, a municipal corporation, and Blacksmith Square LLC.

Staff Report

Attachments:

1. [Location Map](#)
2. [Resolution](#)
3. [Exhibit A - Storm Vacation legal description](#)
4. [Exhibit B - Quit Claim Deed - Blacksmith Square LLC](#)
5. [Exhibit C - Quit Claim Deed - City of Livermore](#)

- 5.6 Resolution approving the City of Livermore Salary Plan to reflect previous agreements, creation of new classifications, and retitled positions in accordance with California Code of Regulations, Title 2, Section 570.5.

Recommendation:

Staff recommends the City Council adopt a resolution approving modifications to the City of Livermore Salary Plan to reflect previous agreements, creation of new classifications, and retitled positions.

Staff Report**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Salary Plan Effective March 2023](#)

- 5.7 Resolution approving the City of Livermore Recruitment Incentive Policy effective April 1, 2023.

Recommendation:

Staff recommends the City Council adopt a resolution approving the City of Livermore Recruitment Incentive Policy effective April 1, 2023 and authorizes the City Manager to offer recruitment incentives consistent with the approved policy.

Staff Report**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Recruitment Incentive Policy](#)

6. PUBLIC HEARINGS

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

- 6.1 Hearing to consider the Housing Element Annual Progress Report, which tracks the City's progress towards implementing the Housing Element of the General Plan and meeting its Regional Housing Need Allocation (RHNA), pursuant to Government Code Section 65400.

Recommendation:

Staff recommends the City Council adopt a resolution accepting the 2022 Housing Element Annual Progress Report.

Staff Report

Attachments:

1. [2022 Affordable For-Sales Prices and Rental Rates](#)
2. [2022 Building Permit Activity Summary](#)
3. [2015-2022 RHNA Progress](#)
4. [Resolution - 2022 APR](#)
5. [Exhibit A - 2022 APR](#)

- 6.2 Hearing to consider adoption of a resolution establishing an annual fee for a home occupation permit renewal, which is required when a resident is employed and works from their home, in the amount of \$50.00, consistent with Livermore Development Code Section 9.05.100.

Recommendation:

Staff recommends the City Council adopt a resolution establishing an annual fee for home occupation permit renewal in the amount of \$50.

Staff Report**Attachments:**

1. [Resolution](#)

7. MATTERS FOR CONSIDERATION

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

- 7.1 Resolution approving the 2023 City of Livermore State and Federal Legislative Platform

Recommendation:

Staff recommends the City Council adopt a resolution approving the 2023 City of Livermore State and Federal Legislative Platform.

Staff Report**Attachments:**

1. [Draft 2023 Legislative Platform - Redlined](#)
2. [2023 Tri Valley Cities Legislative Framework](#)
3. [Resolution](#)
4. [Exhibit A - Draft 2023 Legislative Platform](#)

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, STAFF, AND COUNCIL MEMBERS**9. ADJOURNMENT**

To a Regular City Council meeting on Monday, April 10, 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/89978953077>

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: 899 7895 3077

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.



CITY COUNCIL STAFF REPORT

ITEM NO. 3.1

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Proclamation declaring March 2023 as American Red Cross Month, presented to Disaster Action Committee Volunteer Jan Peterson and Alameda County Leadership Council Member Varsha Clare.

RECOMMENDED ACTION

Staff recommend the City Council declare March 2023 as American Red Cross Month.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Proclamation

Prepared by: Stephanie Egidio
Assistant to the City Manager

Approved by:

A handwritten signature in cursive script, reading "Marianna Marysheva".

Marianna Marysheva
City Manager

Fiscal Review by:

A handwritten signature in cursive script, reading "Tina Olson".

Tina Olson
Administrative Services Director

Proclamation

of the City of Livermore

AMERICAN RED CROSS MONTH

March 2023

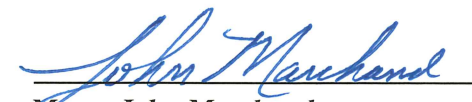
***WHEREAS**, in 1881, after observing the success of the International Red Cross in Europe, social reformer and nursing pioneer, Clara Barton, founded the American Red Cross to provide assistance for Americans suffering from disasters or serving on the battlefield; and*

***WHEREAS**, the American Red Cross is a volunteer agency chartered and authorized by Congress to act in times of need, provide compassionate assistance to the afflicted by personal, local or national disasters. For over 100 years, the American Red Cross has assisted communities through organizing blood drives, donation locations and other charitable causes. People have also counted upon the Red Cross for the information and skills they need to be safe at home, at work, at school, and at play, and*

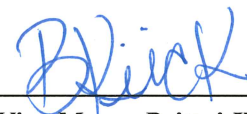
***WHEREAS**, in 2022, with over 1,500 volunteers in Alameda County, the American Red Cross assisted or responded to 239 disaster operations; received nearly 31,000 blood donations in 1,258 blood drives; installed 690 smoke alarms, trained 9,659 citizens in first aid, CPR and AED, responded to 583 members of the Armed Forces and trained 2,975 people in Aquatics and water safety. Through the Pillowcase Project and Home Fires Campaign, 1,391 local individuals and families received fire prevention training and supplies; and*

***WHEREAS**, the American Red Cross has been proactive within the City of Livermore orchestrating blood drives throughout the community, tapping into all available resources to promote and facilitate multiple drives a year. Aside from successful drives at Lawrence Livermore National Laboratory, both Livermore and Granada High Schools and the Livermore Area Recreation Department, the City of Livermore has risen to the occasion of supplying more donated pints than all City of San Francisco drives combined consecutively for multiples years;*

***NOW, THEREFORE**, the City Council of the City of Livermore proclaims March 2023 as American Red Cross Month and thanks the American Red Cross and its volunteers for their commitment to the Livermore community and encourages residents to support the humanitarian efforts of the American Red Cross.*

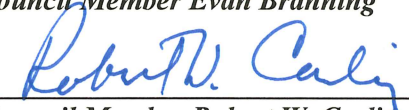

Mayor John Marchand




Vice Mayor Brittni Kiick


Council Member Ben Barrientos


Council Member Evan Branning


Council Member Robert W. Carling



CITY COUNCIL STAFF REPORT

ITEM NO. 3.2

DATE: March 27, 2023
TO: Honorable Mayor and City Council
FROM: Marianna Marysheva, City Manager
SUBJECT: Proclamation declaring March 2023 as March for Meals Month, presented to Carrie Oldes, Meals on Wheels Program Manager.

RECOMMENDED ACTION

Staff recommends City Council declare March 2023 as March for Meals Month.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Proclamation

Prepared by: Stephanie Egidio
Assistant to the City Manager

Approved by:

A handwritten signature in black ink, appearing to read "Marianna Marysheva".

Marianna Marysheva
City Manager

Fiscal Review by:

A handwritten signature in black ink, appearing to read "Tina Olson".

Tina Olson
Administrative Services Director

Proclamation

of the City of Livermore

MARCH FOR MEALS MONTH

March 2023

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, since 19797, Spectrum Community Services' Meals on Wheels Program has been in partnership with Stanford Health Care-ValleyCare to provide fresh, hot meals to seniors here in the Tri-Valley; and

WHEREAS, with diverse daily choices of regular and therapeutic meals that meet the specialized dietary requirements of older adults in Livermore, the Stanford Health Care-ValleyCare menu serves as a model for other Meals on Wheels Programs; and

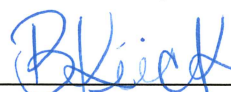
WHEREAS, the nutritious meals provided helps seniors maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Spectrum Community Services' Meals on Wheels Program also provides a powerful socialization opportunity for millions of seniors to help combat the negative health effects and economic consequences of loneliness and isolation; and

WHEREAS, each week, over 40 volunteers for Spectrum Community Services' Meals on Wheels Program deliver nutritious meals to Livermore seniors and individuals with disabilities who are at significant risk of hunger and isolation. Providing caring concern and attention to the seniors they serve, these volunteers are the backbone of the program;

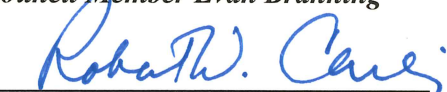
NOW, THEREFORE, the City Council of the City of Livermore proclaims March 2023 as March for Meals Month and thanks Spectrum Community Services and its volunteers for their commitment to the Livermore community and in their efforts to help combat senior isolation and hunger.


Mayor John Marchand


Vice Mayor Brittini Kiick


Council Member Ben Barrientos


Council Member Evan Branning


Council Member Robert W. Carling





CITY COUNCIL STAFF REPORT

ITEM NO. 5.1

DATE: March 27, 2023
TO: Honorable Mayor and City Council
FROM: Marianna Marysheva, City Manager
SUBJECT: Approval of draft minutes - February 27, 2023 Regular Meeting and March 2, 2023 Special Meeting.

RECOMMENDED ACTION

Staff recommends the City Council approve the draft minutes.

SUMMARY

DISCUSSION

ATTACHMENTS

1. [2023-02-27 Draft Minutes](#)
2. [2023-03-02 Draft Minutes](#)

Prepared by: Marie Weber
Deputy City Manager/City Clerk

Approved by:

A handwritten signature in cursive script, reading "Marianna Marysheva".

Marianna Marysheva
City Manager

Fiscal Review by:

A handwritten signature in cursive script, reading "Tina Olson".

Tina Olson
Administrative Services Director

MINUTES



CITY COUNCIL
FEBRUARY 27, 2023

REGULAR MEETING

1. CLOSED SESSION - NONE

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, Vice Mayor Brittini Kiick and Council Members Ben Barrientos, Evan Branning and Robert W. Carling.

PLEDGE OF ALLEGIANCE**3. PROCLAMATIONS AND PRESENTATIONS**

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

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

Chair Richard Hunt presented the update.

4. OPEN FORUM

Mayor Marchand opened the public comment period.

Mel Chiong provided a comment.

Abhilash Raman provided a comment.

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

5. CONSENT CALENDAR

Mayor Marchand opened the public comment period.

Trish Munro provided a comment related to the entire consent calendar.

Karl Wente provided a comment related to the entire consent calendar.

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

ON THE MOTION OF CM CARLING, SECONDED BY VM KIICK, AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL APPROVED THE CONSENT CALENDAR.

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

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

5.2 Resolution 2023-016 authorized 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 recommended 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.

5.3 Resolution 2023-017 authorized 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 recommended 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.

5.4 Resolution 2023-018 authorized 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 recommended 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.

5.5 Resolution 2023-019 authorized 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 recommended 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.

5.6 Resolution 2023-020 authorized 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 recommended 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.

5.7 Resolution 2023-021 authorized a Second Amendment to the agreement with Housing Consortium of Livermore City Council Agenda February 27, 2023 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 recommended 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.

5.8 Resolution 2023-022 authorized 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 recommended 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.

5.9 Resolution 2023-023 approved the Altamont Settlement Agreement Education Advisory Board's \$650,000 Expenditure Plan for FY 2023-24.

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

5.10 Resolution 2023-024 accepted the Annual Comprehensive Financial Report (ACFR) and Other Audit Reports for the Fiscal Year ended June 30, 2022.

Recommendation: Staff recommended 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.

5.11 Resolution 2023-025 reauthorized 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.

5.12 Ratification of Council Member appointments to intergovernmental agencies.

Recommendation: Staff recommended the Mayor and City Council Members ratify changes made to intergovernmental agency appointments.

5.13 Resolution 2023-026 of continued local emergency.

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

6. PUBLIC HEARINGS

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.

Special Projects Coordinator Susan Frost and Planning Manager Steve Stewart presented the staff report.

Mayor Marchand opened the public comment period.

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

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

Resolution 2023-027 finding that the project is categorically exempt under the California Environmental Quality Act Guidelines Section 15061(b)(3) (common sense exemption)

Ordinance Introduction 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.

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.

Special Projects Coordinator Susan Frost and Planning Manager Steve Stewart presented the staff report.

Mayor Marchand opened the public comment period.

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

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

Resolution 2023-028 finding that the project is categorically exempt under California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) and 15061(b)(3) (common sense exemption)

Ordinance Introduction approving Development Code Amendment (DCA) 22-001 to amend Livermore Development Code Section 6.02.060 Home Occupations.

7. MATTERS FOR CONSIDERATION

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.

Acting Assistant Public Works Director Judy Erlandson presented the staff report.

Mayor Marchand opened the public comment period.

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

ON THE MOTION OF CM CARLING, SECONDED BY VM KIICK AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL APPROVED STAFF'S RECOMMENDATION.

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

THE MAYOR AND CITY COUNCIL MEMBERS PROVIDED A SUMMARY OF RECENTLY ATTENDED EVENTS AND MEETINGS IN ADDITION TO THE INFORMATION PROVIDED IN THE SUPPLEMENTAL PACKET. COUNCIL MEMBERS WHO DID NOT PROVIDE A SUMMARY IN THE SUPPLEMENTAL PACKET ARE INCLUDED BELOW.

Open Heart Kitchen CM Branning and Mayor Marchand noted their attendance at the opening of the new food distribution hub.

Livermore Amador Valley Transit Authority CM Branning noted his attendance at the February 27, 2023 board meeting.

Livermore Downtown Inc. CM Branning noted that there are several events coming up that the public could attend.

Monarch Tractor CM Carling and Mayor Marchand noted their tour of Monarch Tractor (electric tractors) on February 27, 2023.

St. John's Soul Food CM Barrientos and Mayor Marchand noted their attendance at the ribbon cutting.

Livermore Employee Service Awards Mayor Marchand noted his attendance at the Employee Service Awards.

Ta'Con Todo Mayor Marchand and CM Barrientos noted their attendance at the ribbon cutting on February 15, 2023.

8. ADJOURNMENT – at 8:04 pm to 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, 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

MINUTES



**CITY COUNCIL
MARCH 2, 2023**

SPECIAL MEETING

1. CALL TO ORDER – The meeting of the City Council was called to order by Mayor John Marchand at 5:02 pm, held in person at 1016 S. Livermore Avenue and remotely using Zoom and YouTube.

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

3. SPECIAL MEETING ITEM

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

3.1 City Council interview and appointment of Planning Commission applicants to three vacancies with regular terms ending March 1, 2027.

Recommendation:

Staff recommends the City Council interview applicants and appoint three Planning Commissioners with regular terms ending March 1, 2027. Applicants were randomly selected to be interviewed in the following order:

Tracy Kronzak
Jacob Anderson
Erik Bjorklund
Asa Strout
Neal Pann
Yolanda Fintschenko
Carmelita (Mel) Chiong

Staff also recommends City Council direct the City Clerk to administer the Oath of Office to the newly appointed Planning Commissioners.

Mayor Marchand opened the public comment period.

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

The City Council interviewed each candidate.

ON THE MOTION CM CARLING, SECONDED BY CM BARRIENTOS, AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL APPOINTED TRACY KRONZAK, JACOB

ATTACHMENT 2

ANDERSON, AND YOLANDA FINTSCHENKO TO THE PLANNING COMMISSION AND DIRECTED THE CITY CLERK TO GIVE THE OATH OF OFFICE.

8. ADJOURNMENT – at 6:40 pm to 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.

APPROVED:

JOHN P. MARCHAND, MAYOR

ATTEST:

MARIE WEBER, CITY CLERK



CITY COUNCIL STAFF REPORT

ITEM NO. 5.2

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Scott Lanphier, Public Works Director

SUBJECT: Resolution authorizing an agreement with Oliveira Enterprises, Inc. for mulch procurement and application services in an amount not-to-exceed \$600,000 for three years to comply with the requirements of SB 1383.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution authorizing execution of an agreement with Oliveira Enterprises, Inc. to provide in an amount not-to-exceed \$600,000 over the three-year term.

SUMMARY

In September 2016, Governor Brown signed into law Senate Bill 1383, the Short-Lived Climate Pollutant Reduction Act of 2016, which established aggressive targets to achieve a reduction in the statewide disposal of organic waste beginning in 2022.

According to SB 1383, cities and counties are required to procure a minimum amount of products made from recycled organic waste each year, beginning on January 1, 2022.

On November 10, 2022, City staff issued a public Request for Proposals for services related to the purchase and application of SB1383-compliant mulch at the open space property near the Airport. Two service providers responded, but only one was deemed responsive because the other did not propose materials that were compliant with SB 1383.

Therefore, staff is recommending Oliveira Enterprises, Inc. for the three-year contract to purchase and apply mulch at the Airport property at a rate that ranges from \$20 per yard in the first year, to \$22.05 in the third year; the per-yard rate includes transportation and placement of mulch. Staff recommends City Council adopt a resolution authorizing execution of an agreement with Oliveira Enterprises, Inc. to provide mulch procurement and application services in an amount not-to-exceed \$600,000 over the three-year term.

DISCUSSION

Staff recommends City Council adopt a resolution authorizing execution of an agreement with Oliveira Enterprises, Inc. to provide in an amount not-to-exceed \$600,000 over the three-year term.

In September 2016, Governor Brown signed into law Senate Bill 1383, the Short-Lived Climate Pollutant Reduction Act of 2016, which established aggressive targets to achieve a reduction in the statewide disposal of organic waste beginning in 2022. SB 1383 directs Department of Resources Recycling and Recovery (CalRecycle) to divert 75% of organics from landfill by 2025.

According to SB 1383, cities and counties are required to procure a minimum amount of products made from recycled organic waste each year beginning on January 1, 2022. Eligible products are compost, mulch, electricity from biomass conversion, and Renewable Natural Gas (RNG) derived from landfill-diverted materials processed in California. The City is exploring different options to purchase a variety of recycled organic materials; in this case, mulch is the most appropriate material to apply at the Airport property.

Based on the formula from the SB 1383 regulations, Livermore was required to procure 7,236 tons, or 10,581 yards of recovered organic waste products in Calendar Year 2022. However, there are no penalties for not meeting this requirement, and this project did not begin in time to apply mulch in 2022.

In addition, the Governor signed AB 1985 to phase-in procurement requirements beginning in 2023. The required amounts are listed in Table 1, below.

Table 1

Year	Tons	Cubic Yards	AB 1985
2023	2,189	3,174	On or after January 1, 2023, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 30 percent of its recovered organic waste product procurement target.
2024	4,743	6,878	On or after January 1, 2024, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 65 percent of its recovered organic waste product procurement target.
2025	7,297	10,581	On or after January 1, 2025, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 100 percent of its recovered organic waste product procurement target.

On November 10, 2022, City staff issued a public Request for Proposals for services related to the purchase and application of SB1383-compliant mulch at the open space property near the Airport. Two service providers responded, but only one was deemed responsive because the other did not propose materials that were compliant with SB 1383.

Therefore, staff is recommending Oliveira Enterprises, Inc. for the three-year contract to purchase and apply mulch at the Airport property at a rate that ranges from \$20 per yard in the first year, to \$22.05 in the third year in the amounts indicated in Table 1. The per-yard rate includes transportation and placement of mulch.

FISCAL AND ADMINISTRATIVE IMPACTS

The Third Amended and Restated Agreement with Livermore Sanitation, Inc. for Solid Waste, Recyclable Materials, and Compostable Materials Services includes a SB 1383 fee that is collected through the rates to offset the City's cost to implement SB 1383 requirements including procuring mulch through the proposed contract.

COMMUNITY PILLAR

3: Environmental Stewardship

GOAL CATEGORY

3: Ensure the City complies with all applicable state and local regulations.

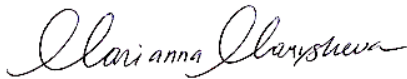
ATTACHMENTS

[1. Resolution](#)

[2. Exhibit A - Oliveira Enterprises](#)

Prepared by: Judy Erlandson
Acting Assistant Public Works Director

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
OLIVEIRA ENTERPRISES, INC. IN AN AMOUNT NOT-TO-EXCEED \$600,000
FOR MULCH APPLICATION SERVICES**

In September 2016, Governor Brown signed into law Senate Bill 1383, the Short-Lived Climate Pollutant Reduction Act of 2016, which established aggressive targets to achieve a reduction in the statewide disposal of organic waste beginning in 2022. SB 1383 directs Department of Resources Recycling and Recovery (CalRecycle) to divert 75% of organics from landfill by 2025.

According to SB 1383, cities and counties are required to procure a minimum amount of products made from recycled organic waste each year beginning on January 1, 2022.

Based on the formula from the SB 1383 regulations, Livermore is required to procure recovered organic waste products each year; the Governor signed AB 1985 to phase-in procurement requirements beginning in 2023.

On November 10, 2022, City of Livermore staff issued a public Request for Proposals for services related to the purchase and application of SB1383-compliant mulch at the open space property near the Airport. Two service providers responded, but only one was deemed responsive because the other did not propose materials that were compliant with SB 1383.

Staff is recommending Oliveira Enterprises, Inc. for the three-year contract to purchase and apply mulch at the Airport property at a rate that ranges from \$20 per yard in the first year, to \$22.05 in the third year. The per-yard rate includes transportation and placement of mulch.

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 sign, on behalf of the City of Livermore, an Agreement for Services with Oliveira Enterprises, Inc., a copy of which is attached as Exhibit A and incorporated by this reference, to purchase and apply mulch at the Airport property.
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.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Tara Mazzanti
Tara Mazzanti
Assistant City Attorney

Exhibit A – Agreement with Oliveira Enterprises, Inc.

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 Oliveira Enterprises, Inc. ("Contractor"), a California corporation.

RECITALS

City requires services to procure, transport, deliver, and apply SB 1383-compliant mulch on a portion of approximately 32 acres of City of Livermore property near the Livermore Airport.

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 procure, transport, deliver, and apply SB 1383-compliant mulch on a portion of approximately 32 acres of City of Livermore property near the Livermore Airport 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;

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

(f) Coordinate the Services with Judy Erlandson ("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.

Contractor will procure, transport, deliver, and apply SB 1383 Eligible Mulch on a portion of approximately 32 acres of City of Livermore property near the Livermore Airport in amounts consistent with the requirements of California Assembly Bill 1985, as listed in Table 1. The amount of mulch applied during the next three years as measured in cubic yards may change based on Project Manager direction or legislative modifications or amendments.

Year	Tons	Cubic Yards	AB 1985
2023	2,189	3,174	On or after January 1, 2023, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 30 percent of its recovered organic waste product procurement target.
2024	4,743	6,878	On or after January 1, 2024, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 65 percent of its recovered organic waste product procurement target.
2025	7,297	10,581	On or after January 1, 2025, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 100 percent of its recovered organic waste product procurement target.

Table 1

- Contractor will ensure that SB 1383 Eligible Mulch shall meet the following conditions for the duration of the applicable procurement compliance year, as specified by 14 CCR Section 18993.1(f)(4):

Eligible mulch will be produced at one of the following facilities:

- A compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10);
- A transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR Division 7; or,
- A solid waste landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2.
Contractor recognizes that SB 1383 Eligible Mulch excludes mulch from chipping and grinding operations.

- Meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Sections

17852(a)(24.5)(A)1 through 3, as enforced by City of Livermore Municipal Code Section 8.08 Article XII Reduction of Organic and Recyclable Materials Deposited in Landfills.

Within 3 business-days of the Project Manager's request, Contractor will provide necessary records that include:

- i. The facility from which the mulch was procured;
 - ii. The amount of mulch procured in both cubic yard and tons;
Confirmation that the mulch was procured from an allowed facility as specified by 14 CCR Section 18993.1(f)(4), as noted above; and
The mulch meets the land application specifications listed in specified in 14 CCR Sections 17852(a)(24.5)(A)1 through 3, and as noted above.
3. Contractor acknowledges that they are acting as a direct service provider on behalf of the City, as described by 14 CCR Section 18993.1 Recovered Organic Waste Product Procurement Target.

5. Compensation and Payment.

(a) The total compensation payable by City to Contractor for the Services **SHALL NOT EXCEED** the sum of \$ 600,000 ("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 1, 2023, and terminates upon the completion of the Services or December 31, 2025, whichever occurs first.

7. Termination by City. City may terminate any portion or all of the Services by giving 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.

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 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: Judy Erlandson
 City of Livermore
 3500 Robertson Park Road
 Livermore, California 94550

TO CONTRACTOR: Attention: Brian Oliveira
 Oliveira Enterprises, Inc.
 8005 Bruns Road
 Byron, CA 94514

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

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:

DocuSigned by:

45E46D37A0B4B4
By: Brian Oliveira
Title: Vice President

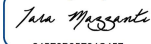
Dated:

3/20/2023 | 3:05 PM PDT

CITY OF LIVERMORE:

Marianna Marysheva
City Manager

Dated:**APPROVED AS TO FORM:**

DocuSigned by:

246F0B05F940457
Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:

49203B70C7541C1C
Risk Manager/Analyst

Attachments:

- Exhibit A – Scope of Work
- Exhibit B – Insurance Requirements

EXHIBIT A
EXHIBIT A



Brian Oliveira
Oliveira Enterprises, Inc.
8005 Bruns Road
Byron, CA 94514
1/23/2023

*Judy Erlandson
Public Works Manager
Environmental Services Division
City of Livermore*

Dear Judy,

Please see attached scope of work for the 32 acres near the Livermore Airport SB-1383 compliant mulch job for the City of Livermore. We crafted the scope of work and included details on SB-1383 compliant product and application methods.

If you have any questions, please let me know.

Thank you,

Brian Oliveira
Vice President
Oliveira Enterprises, Inc.
(209) 835-9382

EXHIBIT A
EXHIBIT A



Year	Tons	Cubic Yards	AB 1985
2023	2,189	3,174	On or after January 1, 2023, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 30 percent of its recovered organic waste product procurement target.
2024	4,743	6,878	On or after January 1, 2024, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 65 percent of its recovered organic waste product procurement target.
2025	7,297	10,581	On or after January 1, 2025, each jurisdiction shall procure a quantity of recovered organic waste products that meets or exceeds 100 percent of its recovered organic waste product procurement target.

Oliveira Enterprises, Inc. ("Oliveira") will procure, transport, deliver, and apply SB 1383 Eligible Mulch on a portion of approximately 32 acres of City of Livermore property near the Livermore Airport in the amounts listed above during the next three years.

Oliveira is a compostable material handling operation or facility as defined in 14 CCR Section 17852(a)(12), that is permitted or authorized under 14 CCR Division 7, other than a chipping and grinding operation or facility as defined in 14 CCR Section 17852(a)(10); Oliveira has the follow organic certifications: California Department of Food and Agriculture (CDFA), Organic Materials Review Institute (OMRI), and California Certified Organic Farmers (CCOF). Oliveira is compliant with all quarterly testing done to confirm product continues to meet the requirements to maintain organic certifications. This testing includes physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Sections 17852(a)(24.5)(A)1 through 3, as enforced by City of Livermore Municipal Code Section 8.08 Article XII Reduction of Organic and Recyclable Materials Deposited in Landfills.

EXHIBIT A
EXHIBIT A

Oliveira will use a raw material input of organic green materials, yard trimmings, brush, and leaves. The material is ground to 4" before undergoing an aerobic composting process. Aerobic Composting is the decomposition of organic matter using microorganisms that require oxygen. After the composting process, material is screened down to 3/8". The result is a dark brown to black woody soil appearance.

Oliveira will deliver all material to the Livermore Airport Job Site. The material will be delivered using 45' walking floor trailers with an average of 70 cubic yards per load.

Oliveira plans to apply material in the drier months of the calendar year to minimize any impacts to land surface.

The material will be applied across the 32-acre parcel by mechanical method. Oliveira will utilize mechanical wheel loaders to load vertical beater spreaders and applied evenly across a swath of approximately 30 feet per pass across the land. This will allow for even application across the 32-acre parcel.

EXHIBIT A
EXHIBIT A

Office Phone: 209-835-9382 POC: Brian Oliveira Email: Boliveira@OliveiraEnterprises.com

Itemized Rate Sheet			
	Year 1	Year 2	Year 3
Material	\$ 10.00	\$ 10.50	\$ 11.03
Delivery	\$ 5.00	\$ 5.25	\$ 5.51
Application	\$ 5.00	\$ 5.25	\$ 5.51
Total Cost per Yard:	\$ 20.00	\$ 21.00	\$ 22.05

Prices reflect a 5% inflation rate per year

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

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.



CITY COUNCIL STAFF REPORT

ITEM NO. 5.3

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Jeramy Young, Police Chief

SUBJECT: Resolution approving extending the Alameda County Abandoned Vehicle Abatement Program until May 31, 2033.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution to approve extending the Alameda County abandoned vehicle abatement program until May 31, 2033.

SUMMARY

In 1990, the California State Legislature enacted legislation allowing for the creation of county-based vehicle service authorities, pursuant to the provisions of Section 22710 VC. In 1993, the Alameda County Abandoned Vehicle Abatement Authority (Alco AVA) was formed and imposed a one-dollar annual vehicle registration fee on vehicles registered to an owner with an address in the County of Alameda. The majority of cities within Alameda County, including the City of Livermore, have been long-standing participants in the Alco AVA Program. The program must be renewed every ten years, and the current program is set to expire May 31, 2023.

DISCUSSION

Vehicle registration fees are collected by the Department of Motor Vehicles and allocated to the Alameda County Abandoned Vehicle Abatement (Alco AVA) Program by the State Controller's Office pursuant to Section 9250.7 VC. Fees are then allocated to the Alco AVA participating agencies based on an adopted formula involving their individual percentage of vehicles abated, population and land area in relation to the totals for these factors in the Alco AVA as a whole. The current participating agencies are the County of Alameda, and all the Alameda County cities except Albany and Emeryville. Since the inception of the program almost 20 years ago, the Alco AVA has received approximately \$34.8 million, which has allowed the participating agencies to abate approximately 465,000 abandoned vehicles.

In the past, the Alco AVA Program has assisted the Livermore Police Department in the abatement, removal, or the disposal as a public nuisance of abandoned, wrecked, dismantled, or inoperative vehicles or parts of the vehicle from private and public property. Continuing participation in this program

ensures that the City has the resources to abate vehicles that may otherwise constitute blight and safety hazards within the community.

The current program is set to expire at the end of May 2023. Legislation allows the local service authorities to extend the program every 10 years with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas. Adoption of the attached resolution is the first step towards the extension of this important program.

FISCAL AND ADMINISTRATIVE IMPACTS

The Alco AVA Program has provided an average revenue of \$60,500 per year over the last 5 years. This revenue supports, in part, the administration of the program, and may be used to offset other costs related to vehicle abatement such as dismantling or disposal services.

COMMUNITY PILLAR

1: A Safe Community that Thrives.

GOAL CATEGORY

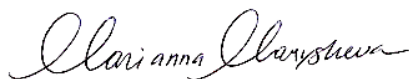
10: Work to maintain a safe and efficient transportation network and address safety concerns.

ATTACHMENTS

1. Resolution

Prepared by: Jason Bogerg
Police Captain

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 EXTENSION OF THE ABANDONED VEHICLE
ABATEMENT PROGRAM UNTIL MAY 31, 2033**

In 1990, California enacted legislation allowing for the creation of county-based vehicle service authorities, pursuant to the provisions in California Vehicle Code Section 22710. The Alameda County Abandoned Vehicle Abatement Authority was formed in 1993 and the City of Livermore is an active member.

Since 1993, the Alameda County Abandoned Vehicle Abatement Authority and Program has provided approximately \$34.8 million county-wide which has supported the participating agencies in the abatement of approximately 465,000 abandoned vehicles in Alameda County.

On November 4, 2002, the City Council adopted Resolution No. 2002-248 authorizing an extension of the Abandoned Vehicle Abatement Program until 2013. Subsequently, on November 26, 2012, the City Council adopted Resolution No. 2012-183 authorizing extension of the program until 2023.

The Alameda County Abandoned Vehicle Abatement Program is set to expire May 31, 2023.

Legislation allows for an extension of the Program with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas.

It is beneficial to the City of Livermore to have the program continue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby supports the extension of the Alameda County Abandoned Vehicle Abatement Program until May 31, 2033.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

Marie Weber
Deputy City Manager/City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou

Katherine Mirassou
Deputy City Attorney



CITY COUNCIL STAFF REPORT

ITEM NO. 5.4

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution authorizing the approval of grant application and acceptance of \$60,000 grant funds through the California Energy Commission Grant for Automated Solar Permit Processing.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution:

1. Authorizing the Chief Building Official or designee, to execute all documentation necessary to apply for the \$60,000 grant for the California Automated Permit Processing Program.
2. Authorizing the City Manager or designee, to execute any agreements and accept the \$60,000 grant funds awarded through the California Automated Permit Processing Program.

SUMMARY

The City of Livermore Community Development Department is seeking authorization from City Council to submit an application and accept grant funds for the California Automated Permit Processing Program that is released by the California Energy Commission. The California Automated Permit Processing Program can award the City up to \$60,000 for implementing an online automated solar permitting process that will help the state of California and the City of Livermore meet their clean energy goals. City staff recommends that City Council authorize the Chief Building Official to apply for this opportunity.

DISCUSSION

Senate Bill 379 mandates that all cities in California with a population larger than 50,000 implement an online, automated permitting platform that verifies code compliance and issues solar permits in real time by September 2023. In an effort to facilitate this transition, the California Energy Commission (CEC) is offering a Grant Funding Opportunity (GFO), GFO-21-402, to provide funding for cities, such as Livermore, that are working to implement an online automated solar permitting process. The California Automated Permit Processing Program (CalAPP) is currently administering \$20 million that was awarded to the CEC through Senate Bill 129 (Skinner, Budget Act of 2021). The City is eligible to receive up to

\$60,000 for this project through the CalAPP program.

The City is currently working on transitioning to paperless operations; staff in Community Development are working to automate and streamline critical services such as permit applications and electronic plans submittals. Implementing the automated solar permitting process will bring Livermore closer to meeting our energy goals, speed paperless operations, and lead to reduction of greenhouse gases in line with our Climate Action Plan. The grant funds obtained from this program will be used to cover the costs of this effort.

FISCAL AND ADMINISTRATIVE IMPACTS

The City is eligible to receive up to \$60,000 for this project through the CalAPP program. This will cover the cost of the program in its entirety and provide for maintenance of the program through 2027, after which it will require minimal staff time to maintain. The funds will also cover the cost for staff to produce a report through the reporting period, which ends in 2034. Implementing the program will have minimal financial impacts.

COMMUNITY PILLAR

3: Environmental Stewardship

GOAL CATEGORY

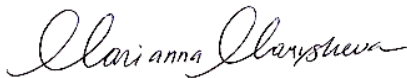
1: Climate Action implementation

ATTACHMENTS

1. [Solicitation Manual](#)
2. [Senate Bill 379](#)
3. [Resolution](#)
4. [Exhibit A - CalAPP Application](#)
5. [Exhibit B - Terms and Conditions](#)

Prepared by: Franc Moufarrej
Building Official

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

GRANT FUNDING OPPORTUNITY

California Automated Permit Processing Program



GFO-21-402

Addendum 01

<https://www.energy.ca.gov/funding-opportunities/solicitations>

State of California

California Energy Commission

June 2022

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ATTACHMENTS

Attachment Number	Title of Section
01	Application Form (<i>requires signature</i>)
02	Agreement Terms and Conditions

I. Introduction

NOTE: This solicitation is for the California Automated Permit Processing (CalAPP) Program and the solicitation documents are unique and different from other California Energy Commission solicitations. Please do not use attachments from other Energy Commission grant solicitations as this will result in disqualification (e.g., EPIC and FPIP programs).

A. PURPOSE OF SOLICITATION

The purpose of this solicitation is to provide funding for California cities, counties, or cities and counties, to establish online, automated solar permitting. Senate Bill 129 (Skinner, Budget Act of 2021) appropriates \$20 million in funding to the California Energy Commission (CEC) to support a funding program pursuant to this purpose.

Funding through CalAPP is available to all incorporated cities, counties, or cities and counties to implement an online, automated permitting platform that verifies code compliance and issues permits in real time for a solar energy system.

To meet its clean energy goals, California needs new renewable and storage resources, including rooftop solar and storage projects. Per the 2021 Senate Bill 100 Joint Agency Report, achieving 100% clean electricity in California requires an acceleration of the development of rooftop solar projects. CalAPP funding is intended to encourage cities and counties to further enhance permitting processes and accelerate processing and turnaround time, particularly regarding plan review. Overall, funding is intended to promote the development of residential solar and solar-plus-storage systems, greatly decreasing approval times, cutting permitting costs for local governments and homeowners, and helping California meet its greenhouse gas emission reduction goals through an easier installation process.

B. KEY WORDS/TERMS

Word/Term	Definition
Adoption	A term for when a new automated permitting platform is fully installed and operational for processing solar permits.
Applicant	The entity that submits an application to this solicitation.
Application	An applicant's written response to this solicitation.
Authorized Representative	<i>Authorized Representative</i> , the person signing the application form who has authority to enter into an agreement with the CEC.
CalAPP	California Automated Permit Processing Program
CAM	<i>Commission Agreement Manager</i> , the person designated by the CEC to oversee the performance of an agreement resulting from this solicitation and to serve as the main point of contact for the Recipient.
CAO	Commission Agreement Officer
CEC	State Energy Resources Conservation and Development Commission or, the California Energy Commission.
Days	<i>Days refers to calendar days.</i>
NOPA	<i>Notice of Proposed Award</i> , a public notice by the CEC that identifies award recipients.
Platform	Online, automated solar permitting platform
Project Manager	The person designated by the applicant to oversee the project and to serve as the main point of contact for the CEC.
Project Partner	An entity or individual that contributes financially or otherwise to the project (e.g., match funding, provision of a test, demonstration or deployment site), and does not receive CEC funds.
Recipient	An entity receiving an award under this solicitation.
Solicitation	This entire document, including all attachments, exhibits, any addendum and written notices, and questions and answers ("solicitation" may be used interchangeably with "Grant Funding Opportunity").
State	State of California

C. PROJECT SCOPE OF WORK

The applicant may apply for grant funding through CalAPP. Awarded applicants, in consultation with the local fire department, district, or authority, shall implement an online, automated solar permitting platform (platform), such as *SolarAPP+*. *SolarAPP+* is a web-based portal, developed by the National Renewable Energy Laboratory, that automates project plan review and produces code-compliant approvals to support building departments in quickly issuing permits for residential solar energy system installations. Attachment 1, the Grant Application Form, is the scope of work.

If choosing to adopt a tool other than *SolarAPP+*, the CEC will verify that it meets the following requirements:

1. The platform verifies code compliance and issues permits in real time to a licensed contractor for a solar energy system, or an energy storage system paired with a solar energy system, that is no larger than 38.4 kilowatts alternating current nameplate rating.
2. The platform is consistent with the system parameters and configurations of *SolarAPP+* as described in D.6, the Verification section of this solicitation manual.

D. FUNDING

1. Amount Available and Minimum/Maximum Funding Amounts

There is a **minimum of \$19,000,000** available for grants awarded under this solicitation. Funding levels vary based on population size of the applicant's jurisdiction, from a minimum of \$40,000 to a maximum of \$100,000 per awarded applicant. Funding amounts are the maximum that can be invoiced by the awardee to the CEC. The CEC will issue payment only for eligible costs supported by required documentation.

Applicant Population	Maximum Funding Award Amount
Less Than 50,000	\$40,000
50,000 to 99,999	\$60,000
100,000 to 200,000	\$80,000
Greater Than 200,000	\$100,000

2. Population Determination

The maximum funding award amount is determined by the latest population estimates as of January 1, 2021, or sooner and provisional population estimates as of January 1, 2022, provided by the State of California Department of Finance. Population estimates for each city and county can be accessed at <https://dof.ca.gov/forecasting/demographics/>.

County applicants shall NOT include the population of each city within that county for the purpose of identifying a corresponding award amount since each city can apply individually. A county's population for purposes of this GFO is considered the population outside of incorporated cities within the county's borders.

3. Statutory Funding Deadlines

Funding through CalAPP is available for encumbrance (funding reservation) until June 30, 2023, and available for liquidation until June 30, 2027. However, due to administrative deadlines, Recipients will have to complete activities, including final invoicing before the liquidation date. Deadlines to submit an application and complete funded activities are identified in Section E below.

4. Budget Costs

Allowable Costs only include reasonable amounts and rates for the following:

- Ongoing staff labor costs associated directly with the adoption, and maintenance of a qualifying online, automated permitting platform, including:
 - In-house staff time, including IT resources

- Third-party consultation services
- Ongoing, in-house staff time spent on staff training specific to the platform.
- Ongoing costs associated with training installers, developers, and other external parties in the use of the system, including but not limited to:
 - Facility rental
 - Training printouts and materials
- Essential hardware or equipment necessary to support the adoption of a qualifying platform, which could not otherwise be completed without such hardware or equipment.
- Following the adoption of an online, automated permitting platform, a maximum of three years of maintenance and subscription costs for permit tracking software in support of the adopted permitting platform.
 - Maintenance may include adding support for energy storage paired with solar energy system permitting to an existing platform such as SolarAPP+.
- Jurisdictions that have started the process of adopting an automated, online solar permitting platform may still apply for funds to go towards any of the ongoing allowable costs in this list in order to complete their full adoption.

Unallowable Costs include:

- Software not related to the adoption of a qualifying online, automated permitting platform.
- Any costs incurred or activities conducted prior to entering into a grant agreement with the Energy Commission or incurred after the grant agreement has ended.
- Typically excluded items such as food and beverages.
- Fines and penalties.
- Advertising costs.
- Permit processing fees charged by operator of an online platform to the user.
- All other costs not identified as allowable.
- Unreasonable amounts or rates.

5. Invoicing and Payment

- Payment is issued as reimbursement for eligible costs.
- CAM will provide template invoice spreadsheet to Recipient.
- If invoicing for in-house staff time, the template invoice spreadsheet must identify the employee's name, hours worked, and billing rate to be included as a reimbursable expense.
- The first invoice must follow the successful adoption of a qualifying solar permitting platform and will be verified by CEC staff prior to payment approval. Following the first invoice after successful adoption, recipients may invoice as frequently as once per month during the grant agreement for post-adoption activities allowed under

section I.D.4. To avoid processing and workload delays, CEC staff highly encourage a frequency of no more than quarterly.

- Reimbursement is for:
 - **Paid Costs.** Paid costs are expenses which the Recipient has already made payment.
 - For invoicing, Recipient must submit paid invoices/receipts, or other supporting documentation for line-item expenses over \$500.
 - For expenses under \$500, Recipients will have to retain documentation in case it is requested by CEC staff, such as part of an audit.

6. Verification

The recipient shall submit the first invoice to the CEC following successful adoption of a qualifying permitting platform. The applicant will indicate on the invoice form that the platform has been fully adopted. CEC staff will verify successful adoption of a platform prior to approving payment of an invoice. The applicant agrees to assist CEC staff with verification, which may include:

- Verifying adoption of *SolarAPP+* with the National Renewable Energy Laboratory (NREL) or other authorized collaborating partner.
- Declaration and attestation of completed grant requirements.
- Written report, including screenshots, if the platform is not *SolarAPP+*.
- An online virtual meeting that includes screen-sharing a live demonstration of the platform and answering CEC staff questions.
- In-person site visit to demonstrate an in-house platform to CEC staff.
- Pictures, system overviews, and other items requested by CEC staff.

Applicants choosing to adopt a permitting tool other than *SolarAPP+* will be required to attest to minimum capabilities supported by the tool. Applicants must adopt a qualifying tool that:

- Performs an automated plan review for residential solar energy systems that completes automatic code compliance checks based on user inputs (such as a contractor), thereby enabling or otherwise issuing permits instantly when the project is confirmed as code compliant, without the need for human review.
- Supports online, immediate fee payment once an application is complete, which may include auto-invoicing of permit fee costs.
- Supports immediate generation of a permit job card following payment confirmation.
- Blocks noncompliant applications from receiving a permit.
- Either:
 - Stand-alone permitting tool; or
 - Integrates with current software and inspection platform already in use

CEC staff will review these capabilities during the verification process prior to approving payment of invoices.

7. Reporting

Following adoption and verification of a qualifying platform, the Energy Commission may request, and the Recipient will provide if requested, annual data on the number of permits issued for solar energy systems and a solar energy system paired with an energy storage system including relevant characteristics of those systems, such as system capacity.

E. KEY ACTIVITIES SCHEDULE

Key activities, dates, and times for this solicitation and for agreements resulting from this solicitation are presented below. An addendum will be released if the dates change for activities that appear in **bold**.

ACTIVITY	DATE	TIME ¹
Solicitation Release	June 1, 2022	
Deadline to Submit Applications	May 1, 2023*	11:59 p.m.
Questions and Answers	Ongoing	
Anticipated Notice of Proposed Award Posting Date	Ongoing	
Anticipated Energy Commission Approval	Ongoing	
Anticipated Agreement Start Date	Ongoing	
Anticipated Agreement End Date	May 31, 2027	

* Because the encumbrance deadline for these funds is June 30, 2023, applicants filed late in the process up to the deadline might not receive funds if the CEC cannot process them in time (e.g., many applicants wait until the last minute and submit all at once). Accordingly, applicants are encouraged to apply as early in the application process as possible.

F. QUESTIONS

During the solicitation process, direct questions to the Commission Agreement Officer (CAO) listed below:

Kevyn Piper, Commission Agreement Officer
California Energy Commission
715 P Street
Sacramento, California, 95814
Telephone: (916) 827-9241
E-mail: Kevyn.Piper@energy.ca.gov

The CAO can answer administrative questions directly to applicants. But if questions of a technical nature arise, the CAO may answer by publicly posting questions and answers in order to provide all applicants the information at the same time. If an applicant discovers a conflict, discrepancy, omission, or other error in the solicitation at any time prior to 5:00 p.m. of the application deadline date, the applicant may notify the CEC in writing via electronic mail and

¹ Pacific Standard Time or Pacific Daylight Time, whichever is being observed.

request modification or clarification of the solicitation. The CEC, at its discretion will provide modifications or clarifications by either an addendum to the solicitation or by written notice to all entities that requested the solicitation.

Any verbal communication with a Commission employee or anyone else concerning this solicitation is not binding on the State and will in no way alter a specification, term, or condition of the solicitation. Therefore, all communication should be directed in writing via electronic mail to the assigned CAO.

G. APPLICANTS' ADMONISHMENT & RESPONSIBILITY

This solicitation manual contains application requirements and instructions. Applicants are responsible for **carefully reading** the solicitation, asking appropriate questions in a timely manner, ensuring that all solicitation requirements are met, submitting all required responses in a complete manner by the required date and time, and **carefully rereading** the solicitation before submitting an application. In particular, please carefully read the **Application and Evaluation Criteria and Grounds for Rejection** in Part IV of this Solicitation Manual and any other resource materials located at: <https://www.energy.ca.gov/programs-and-topics/programs/california-automated-permit-processing-program-calapp>.

Applicants are solely responsible for the cost of developing applications. This cost cannot be charged to the State of California. **Applicants should not submit any confidential information in their applications. Applications that include confidential information will be rejected.** All submitted documents will become public records upon its inclusion on the ongoing posting of the Notice of Proposed Awards.

In addition to any other right reserved to it under this solicitation or that it otherwise has, if the CEC determines, in its sole and absolute discretion, that if an agreement is not being successfully executed with an applicant in a timely manner, the CEC may cancel a proposed award and award funds to another applicant, if applicable.

H. BACKGROUND

CalAPP is authorized with the passage of Senate Bill 129 (Skinner, Budget Act of 2021). The program is receiving \$20 million from the General Fund (up to \$1 million available for administrative costs). The funds appropriated shall be used to support a grant program for cities, counties, or cities and counties to establish online solar permitting.

Existing law requires every city, county, or city and county to develop a streamlined permitting process for the installation of small residential rooftop solar energy systems, and to approve administratively applications to install such systems through the issuance of a building permit or similar nondiscretionary permit.

This solicitation addresses solar permitting processes for city and county building departments by providing grant funding to further improve plan review and approval turnaround time, particularly for small residential rooftop solar energy systems. Improving permitting processes to issue permits quickly is intended to promote the development of solar and storage projects and support California's clean energy goals.

The Energy Commission is aware of proposed legislation that may impact CalAPP. If signed into law, Senate Bill 379, introduced by Senator Wiener in 2021, in its amended version as of May 13, 2022, may require CalAPP awardees to comply with the following provision if this bill is signed into law with existing provisions intact:

- Within one year of implementing an online, automated solar permitting system, a city, county, or city and county shall report annually to the Energy Commission on the number of permits issued for solar energy systems and an energy storage system paired with a solar energy system and the relevant characteristics of those systems.

If this or any other law is enacted that impacts CalAPP, applicants agree to comply with the provisions applicable to them.

II. Applicant Eligibility Requirements

A. ELIGIBILITY

Strikethrough Disclaimer: Strikethrough language contained within brackets to be removed. This solicitation is open to all California cities, counties, or cities and counties (including any incorporated towns [~~and villages~~]) that will have costs associated with establishing online solar permitting. Applications from any other entities will not be accepted. Grant applications must be completed and signed by an authorized representative of the applicant's jurisdiction or will be rejected as indicated in Section IV.E.

B. FIRST-COME, FIRST-SERVED

Applications for grant funding will be processed on a first-come, first-served basis. Qualifying applications for funding are intended to be accessible to any California jurisdiction interested in adopting a qualifying online, automated permitting platform such as *SolarAPP+*. Eligible applicants may only receive one award under this solicitation. Multiple applications submitted by the same applicant will be rejected. Staff will continue receiving and processing applications until funding is exhausted or until the application deadline, whichever is first.

Prospective applicants are encouraged to submit a complete application as soon as possible to ensure that funding remains available. Applications will be reviewed on a pass/no pass basis using criteria defined in this solicitation manual.

C. TERMS AND CONDITIONS

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the recipient's rights and responsibilities. By signing the Application Form (Attachment 1), each applicant agrees to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions that correspond to its organization, without negotiation. Standard terms and conditions are included as Attachment 2. Failure to agree to the standard terms and conditions by taking actions such as failing to sign the Application Form or indicating that acceptance is based on modification of the terms will result in **rejection** of the application. Applicants **must read** the terms and conditions carefully. The CEC reserves the right to modify the terms and conditions prior to executing grant agreements.

III. Application Organization and Submission Instructions

A. APPLICATION CONTENT

Below is a description of application materials. Completeness in submitting all required information is critical for timely approval and successful implementation.

Application Form (Attachment 1)

This form requests basic information about the applicant and the project. The application includes an original form that includes all requested information. The application must be signed by an authorized representative of the applicant's organization or will be rejected as indicated in Section IV.E.

The application form collects information that will be used to develop and execute a grant agreement with the CEC. By signing this document, the applicant attests that all information provided is true and correct, and the applicant agrees to the terms of this solicitation.

B. METHOD FOR DELIVERY

The method of delivery for this solicitation is via email to the CalAPP program inbox, CalAPP@energy.ca.gov. This allows applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation. Electronic files must be in Microsoft Word XP (.doc format) or PDF formats unless originally provided in the solicitation in another format. Attachments requiring signatures may be electronically signed or scanned and submitted in PDF format with a wet signature. **Applications received after the application due date and time may not be processed. Please note the CEC is not responsible for delays in submitting applications. The due date and time are based on when the CEC receives the application. If an applicant sends its application before the due date and time but it for whatever reason is delayed and the CEC does not receive it until after the deadline, the application will be rejected. Please plan accordingly.**

Applicants will receive an automated acknowledgement e-mail after submitting their application via email to the CalAPP program inbox. You may contact the Commission Agreement Officer identified in the Questions section of the solicitation for more administrative assistance.

IV. Evaluation and Award Process

A. APPLICATION EVALUATION

Applications for grant funding will be evaluated and processed based on responses to the information requested in this solicitation on a first-come, first-served basis. Information collected in the application form (attachment 1) will be used to reach an award decision on a pass/no pass basis. A passing application for funding is intended to be accessible to any eligible jurisdiction interested in adopting a qualifying online, automated permitting platform. Submitted applications will be assigned to CEC staff and processed in the order they are received. Applications achieving a “no pass” mark will be reviewed by an Evaluation Committee for confirmation of that determination.

Staff will continue accepting and reviewing applications until funding is exhausted or until the application submittal deadline, whichever is first. Eligible applicants may only receive one award under this solicitation. Multiple applications submitted by the same applicant will be rejected.

Prospective applicants are encouraged to submit a complete application as soon as possible to ensure that funding remains available. Applications will be reviewed on a pass/no pass basis using criteria defined in this solicitation manual.

Applications will be evaluated in one stage:

Application Evaluation - Pass/No Pass

Applications will be submitted to the Evaluation Committee for review based on the Application and Evaluation Criteria in **Section E** of this Part.

- An application must achieve a “pass” in each section of the Application and Evaluation Criteria.
- Clarification Interviews: The Evaluation Committee may conduct optional telephone interviews with applicants during the evaluation process to clarify and/or verify information submitted in the application. However, these interviews may not be used to change or add to the content of the original application. Applicants will not be reimbursed for time spent answering clarifying questions.
- **All sections must receive a passing score for the application to be approved for an award.**

B. NOTICE OF PROPOSED AWARD AND AGREEMENT DEVELOPMENT

1. Notice of Proposed Award

Applications that achieve a “pass” in the evaluation criteria will proceed.

- CEC staff will post a **Notice of Proposed Award (NOPA)** on an ongoing basis at its discretion that includes: (1) the total funding amount; and (2) the amount of each award. The CEC will post the NOPA on its website, including an email to the program list serve. Proposed awards must be approved by the CEC.
- **Debriefings:** Unsuccessful applicants may request a debriefing after the release of the NOPA by contacting the Commission Agreement Officer listed in Part I via electronic mail. A request for debriefing must be received **no later than 30 calendar days** after the NOPA is released.

Applications that are rejected or achieve a “no pass” mark may submit a new application according to the requirements outlined in the solicitation.

2. Agreements

Applications recommended for funding will be developed into a proposed grant agreement to be considered for CEC approval. Recipients may begin the project only after full execution of the grant agreement (i.e., signature by the Recipient and the CEC).

- **Agreement Development:** The Contracts, Grants, and Loans Office will send the Recipient a grant agreement for approval and signature. The agreement will include the applicable terms and conditions and will incorporate this solicitation and the application by reference. The CEC reserves the right to modify the award documents (including the terms and conditions) prior to executing any agreement.
- **Failure to Execute an Agreement:** If the CEC is unable to successfully execute an agreement with an applicant in a timely manner, it reserves the right to cancel the pending award and use the funds elsewhere, such as to fund the next eligible application.

C. GROUNDS TO REJECT AN APPLICATION OR CANCEL AN AWARD

Applications that do not pass the screening stage will be rejected. In addition, the CEC reserves the right to reject an application and/or to cancel an award for any reason, including any of the following:

- The application contains false or intentionally misleading statements or references that do not support an attribute or condition contended by the applicant.
- The application is intended to erroneously and fallaciously mislead the State in any way.
- The application does not comply or contains caveats that conflict with the solicitation, and the variation or deviation is material.
- The applicant has included a statement or otherwise indicated that it will not accept the terms and conditions, or that acceptance is based on modifications to the terms and conditions.
- The application contains confidential information or identifies any portion of the application as confidential.

D. MISCELLANEOUS

1. Solicitation Cancellation and Amendment

It is the policy of the CEC not to solicit applications unless there is a bona fide intention to award an agreement. However, if it is in the State's best interest, the CEC reserves the right, in addition to any other rights it has, to do any of the following:

- Cancel this solicitation;
- Revise the amount of funds available under this solicitation, including maximum funding award amounts;
- Amend this solicitation as needed; and/or
- Reject any or all applications received in response to this solicitation.

If the solicitation is amended, the CEC will post it on the CEC's website at: <https://www.energy.ca.gov/funding-opportunities/solicitations>. The CEC will not reimburse applicants for application development expenses under any circumstances, including cancellation of the solicitation.

2. Modification or Withdrawal of Application

Applicants may withdraw or modify a submitted application before the deadline to submit applications by sending a letter to the Commission Agreement Officer listed in Part I. Applications cannot be changed after that date and time.

3. Confidentiality

Though the entire evaluation process from receipt of applications up to the posting of the NOPA is confidential, **all submitted documents will become publicly available records** after the CEC posts applicant's name on the ongoing NOPA or the solicitation is cancelled. **The CEC will not accept or retain applications that identify any portion as confidential.**

4. Solicitation Errors

If an applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation, the applicant should immediately notify the CEC of the error in writing and request modification or clarification of the solicitation. The CEC will provide modifications or clarifications by written notice to all entities that requested the solicitation. The CEC will not be responsible for failure to correct errors.

5. Immaterial Defect

The CEC may waive any immaterial defect or deviation contained in an application. The CEC's waiver will not modify the application or excuse the successful applicant from full compliance with solicitation requirements.

6. Disposition of Applicant's Documents

Upon the posting of applicant's name on the ongoing NOPA, its application and related materials submitted in response to this solicitation will become property of the State and publicly available records.

NOTE ABOUT SIGNATURES: The CEC may have waived the requirement for a signature on application materials for this solicitation. If a notice regarding CEC's waiver of the signature requirement appears here: <https://www.energy.ca.gov/funding-opportunities/solicitations>, the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

E. EVALUATION CRITERIA

Proposals will be evaluated based on the Evaluation Criteria below. **ALL items in the Evaluation Criteria must pass to be approved for a proposed award.**

APPLICATION AND EVALUATION CRITERIA

The Application Form (Attachment 1) must respond to each criterion below. The responses must directly relate to the solicitation requirements and focus as stated in the solicitation.

Evaluation Criteria	Pass/No Pass
1. Administrative Screening - The application is received by the CEC by the due date and time specified in the “Key Activities Schedule” in Part I of this solicitation and is received in the required manner (e.g., by e-mail). The application form is signed where indicated.	
2. Complete Application - All required sections of the application form are complete, and all information provided is true and correct to the best knowledge of the applicant. - The applicant selected the correct funding amount according to the corresponding population size.	
3. Intention to Adopt Qualifying Platform - The applicant successfully identifies a qualifying permitting platform to implement as required in Section I.C. - For platforms other than SolarAPP+, the applicant clearly describes its capabilities and how it meets solicitation requirements.	



Senate Bill No. 379

CHAPTER 356

An act to add Section 65850.52 to the Government Code, relating to land use.

[Approved by Governor September 16, 2022. Filed with
Secretary of State September 16, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 379, Wiener. Residential solar energy systems: permitting.

Existing law requires a city or county to approve administratively applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Existing law requires every city, county, or city and county to develop a streamlined permitting process for the installation of small residential rooftop solar energy systems, as that term is defined. Existing law prescribes and limits permit fees that a city or county may charge for a residential and commercial solar energy system. Existing law creates the State Energy Resources Conservation and Development Commission (Energy Commission) in the Natural Resources Agency and prescribes its duties, which include administering programs for the installation of solar energy systems.

This bill would require every city, county, or city and county to implement an online, automated permitting platform that verifies code compliance and issues permits in real time or allows the city, county, or city and county to issue permits in real time for a residential solar energy system, as defined, that is no larger than 38.4 kilowatts alternating current nameplate rating and a residential energy storage system, as defined, paired with a residential solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

This bill would prescribe a compliance schedule for satisfying these requirements, which would exempt a city with a population of fewer than 5,000 and a county with a population of fewer than 150,000, including each city within that county. The bill would require a city with a population of 50,000 or fewer that is not otherwise exempt to satisfy these requirements by September 30, 2024, while cities, counties, and cities and counties with populations greater than 50,000 that are not otherwise exempt would be required to satisfy the requirements by September 30, 2023. The bill would require a city, county, or city and county to report to the Energy Commission when it is in compliance with specified requirements, in addition to other information. The bill would require cities, counties, and cities and counties to self-certify their compliance with the bill's provisions when applying for specified funds from the Energy Commission, as specified.

This bill would require the Energy Commission to set guidelines, adopted through a specified public process, for cities, counties, and cities and counties to report to the commission on the number of permits issued for residential solar energy systems and residential energy storage systems paired with residential solar energy systems and the relevant characteristics of those systems. The bill would make related findings and declarations.

The Administrative Procedure Act generally governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law.

This bill would exempt the guidelines from the Administrative Procedures Act.

This bill would expressly apply to charter cities.

By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Permitting fees or soft costs to solar and storage projects can add substantial time and money to the adoption of additional solar and storage projects.

(b) To meet its clean energy goals, California may need up to six gigawatts of new renewable and storage resources annually, including additional rooftop solar and storage projects.

(c) Per the 2021 Senate Bill 100 Joint Agency Report, Achieving 100% Clean Electricity in California, development of rooftop solar must increase dramatically.

(d) Because the 2021 budget included a \$20 million appropriation to the Energy Commission for grants to all jurisdictions that adopt the SolarAPP+ or a similar program in order to expedite permitting, local permitting jurisdictions can and should be required to adopt SolarAPP+ or a similar program for automated permitting in order to promote the development of solar and storage to help meet the state's clean energy needs.

SEC. 2. Section 65850.52 is added to the Government Code, immediately following Section 65850.5, to read:

65850.52. (a) For purposes of this section, the following definitions apply:

(1) “Energy Commission” means the State Energy Resources Conservation and Development Commission.

(2) “Residential energy storage system” means commercially available technology, located behind a customer’s residential utility meter, that is capable of absorbing electricity generated from a colocated electricity generator or from the electrical grid, storing it for a period of time, and thereafter discharging it to meet the energy or power needs of the host customer or for export.

(3) “Residential solar energy system” means any configuration of solar energy devices that collects and distributes solar energy for the purpose of generating electricity and that has a single residential interconnection with the electric utility transmission or distribution network.

(4) “SolarAPP+” means the most recent version of a web-based portal, developed by the National Renewable Energy Laboratory, that automates plan review, produces code-compliant approvals, and issues permits for residential solar energy systems and residential energy storage systems paired with residential solar energy systems.

(b) (1) Pursuant to the compliance schedule in subdivision (c), a city, county, or city and county, in consultation with the local fire department, district, or authority, shall implement an online, automated permitting platform, such as SolarAPP+, that meets both of the following requirements:

(A) The platform verifies code compliance and issues permits in real time or allows the city, county, or city and county to issue permits in real time to a licensed contractor for a residential solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating and a residential energy storage system paired with a residential solar energy system that is no larger than 38.4 kilowatts alternating current nameplate rating.

(B) The platform issues permits or allows the city, county, or city and county to issue permits for residential solar energy systems and residential energy storage systems paired with residential solar energy systems that SolarAPP+ is capable of processing.

(2) A city, county, or city and county is not required to permit an application for a residential solar energy system or a residential energy storage system paired with a residential solar energy system through the online automated permitting platform pursuant to this section if the system configuration is not eligible for SolarAPP+ at the time the application is submitted to the jurisdiction.

(c) (1) A city with a population of fewer than 5,000 and a county with a population of fewer than 150,000, including each city within that county, is exempt from subdivision (b).

(2) A city with a population of 50,000 or fewer that is not exempt pursuant to paragraph (1) shall satisfy the requirements of subdivision (b) by September 30, 2024.

(3) A city, county, or city and county with a population of greater than 50,000 that is not exempt pursuant to paragraph (1) shall satisfy the requirements of subdivision (b) by September 30, 2023.

(d) A city, county, or city and county shall report to the Energy Commission when it is in compliance with subdivision (b).

(e) (1) The Energy Commission shall set guidelines for cities, counties, and cities and counties to report to the commission on the number of permits issued for residential solar energy systems and residential energy storage systems paired with residential solar energy systems and the relevant characteristics of those systems. A city, county, or city and county shall annually report to the Energy Commission pursuant to those guidelines within one year of implementing the online, automated solar permitting system pursuant to subdivision (b). This annual reporting requirement shall become inoperative on June 30, 2034.

(2) The Energy Commission shall adopt the guidelines required by this subdivision through a public process that shall include, but shall not be limited to, both of the following requirements:

(A) The Energy Commission shall make the proposed guidelines available for public comment for at least 30 days prior to adopting the guidelines.

(B) The Energy Commission shall respond in writing to a public comment received during the period required by paragraph (A).

(3) The Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2) shall not apply to the adoption of guidelines pursuant to this subdivision.

(f) A city, county, or city and county shall self-certify its compliance with this section when applying for funds from the Energy Commission after the applicable date in the compliance schedule in subdivision (c). This subdivision shall not apply to the twenty million dollars (\$20,000,000) in funds available, pursuant to Section 76 of Chapter 69 of the Statutes of 2021, from the Energy Commission for automated solar permitting.

(g) This section does not limit or otherwise affect the generator interconnection requirements and approval process for a local publicly owned electric utility, as defined in Section 224.3 of the Public Utilities Code, or an electrical corporation, as defined in Section 218 of the Public Utilities Code.

(h) All liabilities and immunities, including, but not limited to, the immunities provided in Sections 818.4, 818.6, and 821.2, applicable to cities, counties, and cities and counties shall apply to any permits issued through an online, automated permitting platform and any inspections conducted in connection with those permits.

(i) For the purposes of this section, a city shall include a charter city.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 4. The Legislature finds and declares that Section 2 of this act adding Section 65850.5 of the Government Code address a matter of statewide concern rather than a municipal affair as that term is used in

Section 5 of Article XI of the California Constitution. Therefore, Section 2 of this act applies to all cities, including charter cities.

O

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

**A RESOLUTION AUTHORIZING THE APPLICATION FOR AND THE
ACCEPTANCE OF \$60,000 IN GRANT FUNDS THROUGH THE
CALIFORNIA ENERGY COMMISSION GRANT FOR AUTOMATED
SOLAR PERMIT PROCESSING**

The California Energy Commission (CEC) is offering a Grant Funding Opportunity (GFO), GFO-21-402, to provide funding for Cities such as Livermore that are working to implement an online automated solar permitting process. The California Automated Permit Processing Program (CalAPP) is currently administering \$20 million that was awarded to the CEC through Senate Bill 129 (Skinner, Budget Act of 2021).

The City of Livermore (City) is eligible to receive up to \$60,000 for this project through CalAPP based on its population. Staff has identified a contractor to integrate SolarApp into the City's electronic permitting system.

SolarApp will streamline the Solar permitting process, shorten solar permit issuance lead times, and bring Livermore closer to meeting our energy objectives outlined in the City's Climate Action Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby authorizes the Chief Building Official or designee to execute all documentation necessary to apply for the California Automated Permit Processing Program, and authorizes the City Manager or designee, to execute any agreements and accept funds awarded through the California Automated Permit Processing Program.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Jason Alcala
Jason Alcala
City Attorney

Exhibit A – CalAPP Grant Application
Exhibit B – CalAPP Terms and Conditions

RESOLUTION NO. _____

ATTACHMENT 01
Grant Application Form – EXHIBIT A

California Automated Permit Processing (CalAPP) Program

1. APPLICANT INFORMATION (REQUIRED)

Jurisdiction Name (please use full legal name as it would appear on the executed grant):

Jurisdiction Type (select one):

☒ City

☐ County

☐ City and County

Current Estimated Population [State of California Department of Finance Demographics](https://dof.ca.gov/forecasting/Demographics/)
 (https://dof.ca.gov/forecasting/Demographics/):

☐ Less than 50,000

☐ From 100,000 to 200,000

☒ From 50,000 to 99,999

☐ Greater than 200,000

Project Manager (serves as point of contact for all communications)	Name	Franc Moufarrej
	Street Address	1052 S. Livermore Ave
	City and Zip Code	Livermore, 94550
	Phone Number	(925) 960-4412
	E-Mail Address	femoufarrej@livermoreca.gov

2. FUNDING (REQUIRED)

Assigned Maximum Grant Amount (select one)

☐ **Group 1 (\$40,000):** Population less than 50,000

☒ **Group 2 (\$60,000):** Population from 50,000 to 99,999

☐ **Group 3 (\$80,000):** Population from 100,000 to 200,000

☐ **Group 4 (\$100,000):** Population greater than 200,000

3. PROJECT INFORMATION (REQUIRED)**A. Online, automated solar permitting platform to be adopted:**☒ SolarAPP+☐ Other. If selected, complete Section 4 ("Additional Information")**B. Please select allowable budget item(s) anticipated to be used (Select at least one):**☒ Ongoing in-house staff labor costs associated directly with adoption and maintenance of the platform☒ Ongoing third-party or consultant time associated directly with adoption and maintenance of the platform☒ Ongoing staff training and education, specific to the platform☒ Ongoing training events for local installers, specific to the platform☒ Essential hardware or equipment necessary to support adoption of the platform☒ Maintenance, such as adding support for energy storage paired with solar energy system permitting, and subscription cost for permit tracking software in support of adopted permitting platform**C. Estimated Project Timeline***

*Enter actual dates if activities already began

Activity	Date (Month/Year)
Begin Development/Pilot	4/2023
Full Adoption	6/2023
Staff Training	6/2023
Training for Local Installers	6/2023

4. ADDITIONAL INFORMATION (if applicable)

NOTE: Only complete this section if you implement a platform other than SolarAPP+

Please identify whether the following features are supported by the implemented platform. All features are required for the platform to qualify for funding. CEC staff will verify prior to payment approval.

Performs an automated plan review for residential solar energy systems that completes automatic code compliance checks based on user inputs (such as a contractor), thereby enabling or otherwise issuing permits instantly when the project is confirmed as code compliant, without the need for human review	☐ Yes	☐ No
Supports online, immediate fee payment once an application is complete, which may include auto-invoicing of permit fee costs	☐ Yes	☐ No
Supports immediate generation of a permit job card following payment confirmation	☐ Yes	☐ No
Blocks noncompliant applications from receiving a permit	☐ Yes	☐ No
EITHER: 1) Stand-alone permitting tool; OR 2) Integrates with current software and inspection platform already in use	☐ Yes	☐ No

5. REPORTING (REQUIRED)

Following adoption and verification of a qualifying platform, the Energy Commission may request, and the Recipient will provide if requested, annual data on the number of permits issued for solar energy systems and a solar energy system paired with an energy storage system including relevant characteristics of those systems, such as system capacity. Please indicate your acceptance of these terms.	☒ Yes	☐ No
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6. CERTIFICATION (REQUIRED)

- I am authorized to complete and sign this form on behalf of the applicant.
- I authorize the California Energy Commission to make any inquiries necessary to verify the information presented in this application.
- I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the applicant, and the applicant is willing to enter into an agreement with the Energy Commission to conduct the proposed project according to the terms and conditions without negotiation.
- I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Authorized Representative:	Franc Moufarrej
Title:	Chief Building Official
Phone Number:	(925) 960-4412
E-mail Address:	femoufarrej@livermoreca.gov
Date:	
Signature of Authorized Representative:	

NOTE: Do not overlap signature with surrounding border lines.

California Automated Permit Processing (CalAPP) Program ATTACHMENT 2 – Terms and Conditions

1. Background and Authority for this Grant

California Senate Bill 129 (2021) included an appropriation to the California Energy Commission (CEC) to support a grant program for cities, counties, or cities and counties to establish online solar permitting.

2. Documents Incorporated by Reference and Priority

Incorporated by reference into this agreement are the following documents:

- A. Grant Funding Opportunity (GFO) 21-402.
- B. Recipient's application to CalAPP.

As between and the incorporated documents and the remainder of this Agreement, the rest of this Agreement takes priority in case of a conflict.

3. Budget, Invoices, and Payments

- a) The CEC is only obligated to reimburse the Recipient for paid costs that are (1) incurred during the Agreement Term; (2) invoiced within the required timeframes of this Agreement; (3) not more than this Agreement's budget; and (4) reasonable, actual, and allowable expenses under this Agreement.
- b) Recipient acknowledges that the funds under this Agreement have a liquidation date of June 30, 2027, a legal timeframe after which the CEC has no authority to pay the funds. In addition, it takes the CEC administrative time to review, approve, work with the Recipient to correct any errors in, and request the State Controller's Office to pay invoices. Accordingly, Recipient acknowledges that if it does not submit accurate invoices by March 30, 2027, for all amounts due under the Agreement, it risks not receiving payment, and relinquishes all rights to such payments should the CEC not pay it by the liquidation date. Recipient acknowledges that time is of the essence in invoicing by March 30, 2027, for all amounts due under this Agreement.

The Recipient may request payment from the Energy Commission at any time during the term of this Agreement after successful adoption of a qualifying solar permitting platform as verified by the CEC, but no more frequently than monthly. Recipient must use the CAM provided template invoice spreadsheet.

- c) If invoicing for in-house staff time, the template invoice spreadsheet must identify the employee's name, hours worked, and billing rate to be included as a reimbursable expense.
- d) Unallowable costs include:
 - Software not related to the adoption of a qualifying online, automated permitting platform.
 - Any costs incurred or activities conducted prior to entering into a grant agreement with the Energy Commission or incurred after the grant agreement has ended.
 - Typically excluded items such as food and beverages.

- Advertising costs.
- Fines and penalties.
- Permit processing fees charged by operator of an online platform.
- All other costs not identified as allowable.
- Unreasonable amounts or rates.

4. Certification

By signing this Agreement, Recipient hereby certifies that all funds received pursuant to this Agreement shall be spent exclusively for its CalAPP project in compliance with this Agreement. The Recipient further certifies that it shall comply with all applicable laws in performing this Agreement.

5. Nondiscrimination Statement of Compliance

During the performance of this Agreement, the Recipient and its subcontractors will not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, age, marital status, or denial of family care leave. The Recipient and its subcontractors will ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.

The Recipient and its subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Sections 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 11000 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4.1 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part of it as if set forth in full. The Recipient and its subcontractors will give written notice of their obligations under this section to labor organizations with which they have a collective bargaining or other Agreement.

The Recipient shall include the nondiscrimination and compliance provisions of this section in all subcontracts to perform work under this Agreement.

6. Drug-Free Workplace Certification

By signing this Agreement, the Recipient certifies under penalty of perjury under the laws of the State of California that it will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

- 1) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited, and specifying actions to be taken against employees for violations as required by Government Code Section 8355(a).
- 2) Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:

- The dangers of drug abuse in the workplace;
- The person's or organization's policy of maintaining a drug-free workplace;
- Any available counseling, rehabilitation, and employee assistance programs; and
- Penalties that may be imposed upon employees for drug abuse violations.

3) Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed project:

- Will receive a copy of the company's drug-free policy statement; and
- Will agree to abide by the terms of the company's statement as a condition of employment on the project.

In addition to any other rights and remedies available to the CEC, failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both, and the Recipient may be ineligible for any future state awards if the CEC determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

7. Americans With Disabilities Act

By signing this Agreement, the Recipient assures the CEC that it complies with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. Section 12101, et seq.), which prohibits discrimination on the basis of disability, as well as applicable regulations and guidelines issued pursuant to the ADA.

8. Accounting and Audit

The Recipient will keep separate, complete, and correct accounting of the costs involved in completing the Agreement. The Recipient agrees that the CEC, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Recipient agrees to maintain such records for possible audit for a minimum of three (3) years after the Agreement ends in any way. The Recipient agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Recipient agrees to include a similar right of the CEC, the Bureau of State Audits, or their designated representative, to audit records and interview staff in any subcontract related to performance of this Agreement. These rights and responsibilities are in addition to and not restrictive of those in Section 16. Access to Sites and Records.

9. Public Works

The Recipient is responsible for complying with all applicable laws, which can include public works requirements under the Labor Code. Recipient acknowledges acceptance of Agreement funds may trigger public works laws (Labor Code Section 1720 et seq.), a requirement of which is to pay prevailing wages, applying to its entire project. If the project is public works then it is subject to compliance monitoring and enforcement by the Department of Industrial Relations. By signing this Agreement, Recipient certifies that it shall comply with all applicable Public Works laws and requirements.

10. Intellectual Property

As between the Recipient and the CEC, the Recipient owns all intellectual property it or its subcontractors create under this Agreement. The CEC has a no-cost, non-exclusive, transferable, irrevocable, royalty-free, worldwide, perpetual license to use, publish, translate, modify, and reproduce all intellectual property, such as the products identified in Section 2. above, for governmental purposes the Recipient or its subcontractors create under this agreement. The Recipient shall include a provision securing these rights for the CEC in all of its subcontractor agreements related to performance of this Agreement.

11. Amendment

No amendment or variation of this Agreement shall be valid unless made in writing and signed by both the Recipient and CEC.

12. Governing Law

This Agreement is governed by the laws of the State of California as to interpretation and performance.

13. Independent Capacity

In the performance of this Agreement, Recipient and its agents, subcontractors, and employees will act in an independent capacity and not as officers, employees, or agents of the CEC or the State of California.

14. Severability

If any provision of this Agreement is unenforceable or held to be unenforceable, all other provisions of this Agreement will remain in full force and effect.

15. Waiver

No waiver of any breach of this Agreement constitutes waiver of any other breach. All remedies in this Agreement will be taken and construed as cumulative, meaning in addition to every other remedy provided in the Agreement or by law.

16. Access to Sites and Records

The Recipient shall provide during the Agreement and for at least 3 years after the Agreement ends in any way to the CEC or its representatives reasonable access to all project sites and to all records related to this Agreement. These rights and responsibilities are in addition to and not restrictive of those in Section 8. Accounting and Audit.

17. Termination Without Cause

The CEC may terminate this Agreement without cause upon giving written notice to the Recipient. In this event, the Recipient will use all reasonable efforts to mitigate its expenses and obligations.

18. Third-Party Beneficiary

The Recipient shall in every subcontract under this Agreement include a provision indicating the CEC is a third-party beneficiary to the agreement.

19. Survival of Terms

The following terms survive this Agreement no matter how the agreement ends, such as by its own terms or via termination:

- 8. Accounting and Audit
- 9. Public Works
- 10. Intellectual Property
- 12. Governing Law
- 14. Severability
- 15. Waiver
- 16. Access to Sites and Records
- 18. Third-Party Beneficiary



CITY COUNCIL STAFF REPORT

ITEM NO. 5.5

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Resolution to summarily vacate a portion of the existing storm drain easement in Veterans Way, recorded May 20, 1968, reel 2184, images 414-420, and authorize the City Manager to quitclaim the storm drain easement to unencumber the Blacksmith Square Expansion and the L Street Garage Project.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution to summarily vacate a portion of existing storm drain easement in Veterans Way, recorded May 20, 1968, reel 2184, images 414-420, and authorize the City Manager to quitclaim the storm drain easement to City of Livermore, a municipal corporation, and Blacksmith Square LLC.

SUMMARY

Staff proposes to vacate a storm drain easement (Easement), located on a portion of Parcel C, Parcel Map 11239, which was sold to Blacksmith Square LLC, December 22, 2022, and portions of City owned land consisting of Veterans Way (Public Right-of-Way), Parcel D of Parcel Map 11239, and Parcel 7 of Tract 8574 which are designated for the L Street Garage as depicted in Attachment 1 and described in Exhibit A to the resolution. The vacation of the Easement is necessary to implement development of the Blacksmith Square Expansion project as well as the City's L Street Garage Project. This Easement is no longer needed because the storm drain system was upgraded and relocated within Veterans Way as part of the Brighton residential development in 2016. Therefore, the City can summarily vacate the Storm Drain Easement and authorize execution of the quitclaim deeds releasing the Easement to the property owners, the City of Livermore and Blacksmith Square LLC, as depicted in the exhibits to the resolution.

DISCUSSION

On April 22, 1968, Southern Pacific Company granted the City of Livermore the Easement within the original Livermore Village Shopping Center which no longer exists. The Easement stretches in an east-west direction from South L Street to South Livermore Avenue along the present-day northern boundary of the city-owned L Street Garage property, within the Veterans Way roadway right of way, and along the southern boundary of the privately-owned Blacksmith Square property.

The storm drain system in this area was upgraded and relocated within Veterans Way as part of the Brighton residential development in 2016. Thus, the Easement is no longer necessary as there is no active storm drain infrastructure within the Easement. Streets and Highways Code Section 8333(a) allows the legislative body of a local agency to summarily vacate a public service (storm drain) easement that is not needed for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.

On November 9, 2020, the City Council adopted Ordinance No. 2106 approving a Development Agreement with Red Bear Property Management, Inc. for the Downtown Commercial Project. This agreement secured Red Bear's right to develop and use the property in accordance with the City's General Plan, Downtown Specific Plan, and Livermore Development Code for a term of 30 years. On October 24, 2022, the City Council adopted Resolution 2022-177 authorizing an amended and restated Disposition and Development Agreement (DDA) with Red Bear Property Management, Inc. for development of downtown commercial uses. Under the amended DDA, Red Bear Property Management, Inc. will develop approximately 12,835 square feet of new commercial retail space consistent with the City Council's approved Downtown Plan.

With the storm drain line now located within the public right-of-way of Veterans Way, the City no longer requires the Easement at this location. The release of the Easement will enable the Blacksmith Square Expansion project to develop consistent with the Downtown Concept Plan and construction of the L Street Garage by unencumbering the properties owned by Blacksmith Square LLC and the City.

Government Code Section 65402(a) requires that if a General Plan has been adopted, no real property or easements used for public purposes shall be acquired or disposed of until the location, purpose, and extent of such acquisition or disposition has been reported upon by the planning agency (e.g. Planning Commission) as to conformity with its adopted General Plan. This includes vacation of storm drain easements needed for public purposes in whole or in part. On January 17, 2023, the Planning Commission adopted a resolution approving Consistency Determination 22-004 (CD 22-004), finding the City's vacation of a portion of existing Easement recorded May 20, 1968, consistent with Livermore's 2003-2025 General Plan.

FISCAL AND ADMINISTRATIVE IMPACTS

There is a minimal cost to the City to vacate and quit claim the Easement. All costs related to the vacation are included in the Engineering Division Operating Budget.

COMMUNITY PILLAR

4: Inclusive and Inviting Spaces and Places

GOAL CATEGORY

3: Continue to implement the Downtown Core Plan

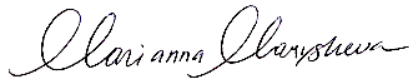
ATTACHMENTS

1. Location Map
2. Resolution

- 3. Exhibit A - Storm Vacation legal description
- 4. Exhibit B - Quit Claim Deed - Blacksmith Square LLC
- 5. Exhibit C - Quit Claim Deed - City of Livermore

Prepared by: Mike Pato
Management Analyst II

Approved by:

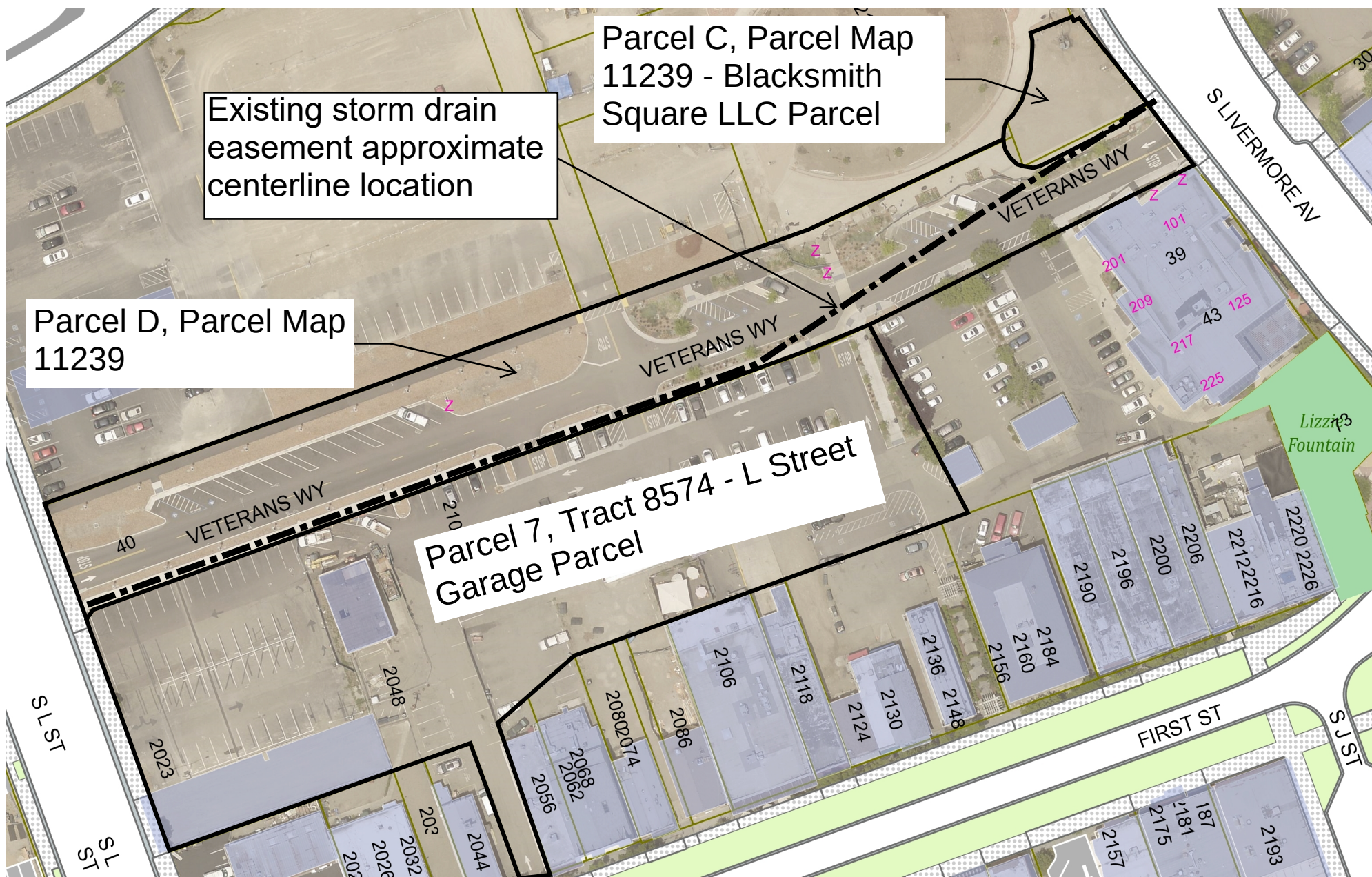


Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



166.7 0 83.33 166.7 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US
Livermore IT, GIS Services

1: 1,000

This map is based on City of Livermore GIS Information and reflects the most current information at the time of this printing. The map is intended for reference purposes only and the City and its staff is not responsible for errors or omissions.

Notes

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
TO:

CITY CLERK
CITY OF LIVERMORE
1052 S. LIVERMORE AVENUE
LIVERMORE, CA 94550

EXEMPT FROM FILING FEES
PURSUANT TO GOV.
CODE § 27383

Space Above This Line for Recorder's
Use Only

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

**A RESOLUTION SUMMARILY VACATING A PORTION OF STORM DRAIN EASEMENT
RECORDED MAY 20, 1968, REEL 2184 IMAGES 414-420 AND AUTHORIZING
EXECUTION OF QUIT CLAIM DEEDS**

The storm drain easement originally dedicated on April 22, 1968, by Southern Pacific Company, to the City of Livermore (City), granted the City the right to construct, reconstruct, maintain, and operate, a storm drain system through a portion of the Livermore Village shopping center which no longer exists and stretches in an east-west direction along present-day Veteran's Way, the northern boundary of City owned L Street Garage Property, and the southern boundary of the Blacksmith Square LLC Property, from South L Street to South Livermore Avenue. The storm drain system was upgraded and relocated within Veterans Way as part of the Brighton residential development in 2016.

With the storm drain line now located within the public right-of-way of Veterans Way, the City no longer requires the portions of the easement at this location. Vacating portions of the storm drain easement will enable the Blacksmith Square Expansion project to develop consistent with the Downtown Concept Plan and construction of the L Street Garage by unencumbering the properties owned by Blacksmith Square LLC and the City.

California Streets and Highways Code Section 8333(a) allows the legislative body of a local agency to summarily vacate a public service easement that has not been used for the purpose for which it was dedicated or acquired to for five consecutive years immediately preceding the proposed vacation.

Staff recommended and the Planning Commission made a General Plan consistency finding on January 17, 2023, affirming that vacation of portions of the easement would be consistent with the General Plan Circulation Element.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that to the extent the quitclaim of the easement to be vacated constitutes a project pursuant to the California Environmental Quality Act ("CEQA"), this action is

exempt from CEQA pursuant to 14 California Code of Regulations, section 15061 because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the area to be vacated is being substituted for in a manner that adequately maintains the function of the easement and consistency with City Standards.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore that:

1. The City Council vacates a portion of the Storm Drain Easement, as described in the legal description, attached hereto as Exhibit A, as set forth below:

County Recorder's #	Original Grantor	Description	Full or Partial Vacation	Exhibit Number
Storm Drain Easement recorded May 20, 1968, reel 2184 images 414-420	Southern Pacific Company, a corporation of the State of Delaware	Storm Drain Easement	Partial	1

A portion of the Storm Drain Easement is no longer needed at its current location because the City's storm drain system was upgraded and relocated within Veterans Way as part of the Brighton residential development in 2016 and the easement has not been used for the purpose for which it was acquired to be used for five consecutive years. (Streets and Highways Code section 8333(a)).

2. The City Clerk is directed to file a certified copy of this resolution of vacation with associated legal description with the Alameda County Recorder's Office.

3. From and after the date this resolution is recorded, the Storm Drain Easement is vacated and no longer constitutes a Storm Drain Easement.

4. The City Manager is authorized to sign, on behalf of the City of Livermore, the Quitclaim Deed, attached hereto as Exhibit B, to convey to Blacksmith Square LLC and the Quitclaim Deed, attached hereto as Exhibit C, to convey to City of Livermore, a municipal corporation, all remaining Storm Drain Easement rights reserved with the Storm Drain Easement.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Jason Alcala

Jason Alcala
City Attorney

Exhibit A – Storm Drain Easement Legal Description
Exhibit B – Quitclaim Deed, Blacksmith Square LLC
Exhibit C – Quitclaim Deed, City of Livermore

EXHIBIT A - LEGAL DESCRIPTION

VACATION OF A PORTION OF STORM DRAIN EASEMENT RECORDED MAY 20,
1968, REEL 2184 IMAGES 414-420

REAL PROPERTY SITUATED IN THE CITY OF LIVERMORE, COUNTY OF
ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PORTION OF STORM DRAIN EASEMENT RECORDED MAY
20, 1968, REEL 2184, IMAGES 414-420, OFFICIAL RECORDS THAT LIES OVER
AND ON A PORTION OF PARCELS C OF PARCEL MAP 11239 RECORDED MAY 24,
2022, IN BOOK 354 OF MAPS AT PAGES 95-97 UNDER RECORD SERIES
2022099411, PARCEL D OF PARCEL MAP 11239 RECORDED MAY 24, 2022, IN
BOOK 354 OF MAPS AT PAGES 95-97 UNDER RECORD SERIES 2022099411, AND
LOT 7 OF TRACT MAP 8574 RECORDED DECEMBER 23, 2020, IN BOOK 365 OF
MAPS AT PAGES 15-19 UNDER RECORD SERIES 2020361571.

AS FURTHER DEPICTED ON SHEET 6 OF EXHIBIT B ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF.

EXHIBIT B

1968 OR
2184 414

RAF - VI - 3/20/68 - 25130/314 RE: 2184 IM 414

BA54825

NO TAX
DUE

THIS INDENTURE, made this 22nd day of April, 1968, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein termed "Railroad", and CITY OF LIVERMORE, a municipal corporation of the State of California, herein termed "Grantee".

WITNESSETH:

1. Railroad hereby grants to Grantee subject to the reservations, covenants and conditions herein contained the right to construct, reconstruct, maintain and operate a drainage pipeline in part twenty-one (21) inches in diameter and in part twenty-four (24) inches in diameter hereinafter termed "structure" in, upon, along, across and beneath the property of Railroad at or near Livermore, in the County of Alameda, State of California, in the location indicated in red on the print of Railroad's Western Division Drawing L-12148, Sheet No. 1, dated February 5, 1968. Said structure shall be installed along Railroad's property between its Engineer Station 1775+95 and 1810+00 (MP 46.43 to MP 47.1).

This indenture terminates and supersedes that certain agreement dated September 19, 1955 between the parties hereto covering installation, maintenance and operation of a drainage ditch at Livermore, Alameda County, California (Railroad's Lease Audit No. 107702).

RECORDED at REQUEST OF
CITY OF LIVERMORE
At 55 Min. Past 2 PM

MAY 20 1968

CITY OF LIVERMORE

2250 - First St
Livermore, Calif

Recorded 5-16-68

OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
JACK G. BLUE
COUNTY RECORDER

-1-

EXHIBIT B

1968 OR
 [2184] [415]

11/28/67 - Form C

RE: 2184 IN 415

2. This grant is made subject and subordinate to the prior and continuing right and obligation of Railroad, its successors and assigns, to use all the property described herein in the performance of its duty as a common carrier and, for that purpose, there is reserved unto Railroad, its successors and assigns, the right (consistent with the rights herein granted) to construct, reconstruct, maintain and use existing and future railroad tracks, facilities and appurtenances and existing and future transportation, communication and pipeline facilities and appurtenances in, upon, over, under, across and along said property.

3. This grant is made subject to all licenses, leases, easements, restrictions, conditions, covenants, encumbrances, liens and claims of title which may affect said property, and the word "grant" as used herein shall not be construed as a covenant against the existence of any thereof.

4. The rights herein granted to Grantee shall lapse and become void if the construction of said structure upon said property is not commenced within one (1) year from the date first herein written.

5. Grantee shall bear the entire cost and expense of constructing, reconstructing and maintaining said structure upon said property. Grantee agrees that all work upon or in connection with said structure shall be done at such times and in such manner as not to interfere in any way whatsoever with the operations of Railroad. The plans for and the construction or reconstruction of said structure shall be subject to the approval of Railroad. Grantee agrees to give Railroad five (5) days' written notice prior to commencement of any work of construction or reconstruction.

Grantee agrees to reimburse Railroad for the cost and expense to Railroad of furnishing any materials or performing any labor in connection with the construction, reconstruction, maintenance and removal of said structure, including, but not limited to, the installation and removal of such falsework and other protection beneath or along Railroad's tracks, and the furnishing of such watchmen, flagmen and inspectors as Railroad deems necessary.

In the event Railroad shall at any time so require, Grantee, at Grantee's expense, shall reconstruct or alter said structure or make changes in the location thereof upon receipt of written notice from Railroad so to do.

6. As part consideration, Grantee agrees to pay Railroad an amount equal to any and all assessments which may be levied by order of any authorized, lawful body against the property of Railroad (and which may have been paid by Railroad) to defray any part of the cost or expense incurred in connection with the construction of said structure upon said property commenced within one (1) year from the date first herein written.

7. Grantee, its agents and employees, shall have the privilege of entry on said property for the purpose of constructing, reconstructing, maintaining and making necessary repairs to said structure. Grantee agrees to keep said property and said structure in good and safe condition, free from waste, so far as affected by Grantee's operations, to the satisfaction of Railroad. If Grantee fails to keep said property and said structure in a good and safe condition, free from waste, then Railroad may perform the necessary work at the

BA54825

-2-

EXHIBIT B

1968 OR
 2184 416

RE: 2184 IM 416

12/28/67 - Form C

expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

8. In the event any work upon or in connection with said structure or its appurtenances, to be done upon or adjacent to the tracks and property of Railroad, should be let to a contractor by Grantee, such work shall not be begun until such contractor shall have first entered into an agreement with the railroad company which operates on said property, satisfactory to said company and indemnifying Railroad from and against all claims, liability, cost and expense growing out of the performance of the work to be done by such contractor.

Such contractor shall furnish, at the option of and without expense to Railroad, a reliable surety bond, in an amount and in a form satisfactory to said company, guaranteeing the faithful performance of all the terms, covenants and conditions contained in said agreement, and a certified copy of a policy of Public Liability and Property Damage insurance, within limits specified by, and in a form satisfactory to, said company, covering the contractual liability assumed by contractor in said agreement to be entered into with said company by such contractor.

9. Grantee shall assume all risk of damage to said structure and appurtenances, and to any other property of Grantee, or any property under the control or custody of Grantee, while upon or near the property of Railroad, caused by or contributed to in any way by the construction, operation, maintenance or presence of Railroad's line of railroad at the above-mentioned location.

Insofar as it lawfully may, Grantee agrees to indemnify and save harmless Railroad, its officers, employees, agents, successors and assigns from all claims, liability, cost and expense, howsoever same may be caused, including reasonable attorney fees, for loss of or damage to property and for injuries to or deaths of persons arising out of the construction, reconstruction, maintenance, presence, use or removal of said structure, regardless of any negligence or alleged negligence on the part of Railroad employees.

The word "Railroad" as used in this Section 9 shall be construed to include, in addition to Railroad, the successors, assigns and affiliated companies of Railroad and any other railroad company that may be lawfully operating upon and over the tracks crossing said structure and the officers and employees thereof.

10. Should Grantee, its successors and assigns, at any time abandon the use of said property, or any part thereof, or fail at any time to use the same for the purpose contemplated herein for a continuous period of one (1) year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of said property, or the part thereof the use of which is so discontinued or abandoned.

Upon termination of the rights and privileges hereby granted, Grantee, at its own cost and expense, agrees to remove said structure from said property and restore said property as nearly as practicable to the same state and condition in which it existed prior to the construction of said structure. Should Grantee in such event fail, neglect or refuse to remove said structure and restore said property,

-3-

BA54825

1968 OR
 2184 417

11/28/67 - Form C

RE: 2184 IM: 417

such removal and restoration may be performed by Railroad, at the expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

11. This indenture shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY

By Wm. J. Gault
(Title) Vice PresidentAttest Arthur
Assistant Secretary

Value of interest
conveyed herein does
not exceed \$100

CITY OF LIVERMORE

By W. J. Gault
MayorMarthy J. Cook
Clerk

-4-

BA54825

EXHIBIT B

1968 OR
2184 418

RE: 2184 IN 418

STATE OF CALIFORNIA,
City and County of San Francisco) ss.On this 30th day of April
before me, John E. Jurgens, a Notary Public
(85 Market St.)

My Commission Expires June 14, 1969

In the year One Thousand Nine Hundred and Sixty-eight, in and for the City and County of San Francisco, State of California, personally appeared W. M. Jackie and A. E. Hill, known to me to be the Vice President and Assistant Secretary, respectively, of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed it on behalf of the corporation therein named and they acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Corporation

Notary Public in and for the City and County of San Francisco, State of California

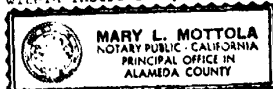
BA54825

My Commission Expires June 14, 1969.

STATE OF CALIFORNIA)
County of Alameda)

ss. BA54825

On this 8th day of April, 1968, before me, the undersigned Notary Public in and for the County of Alameda, State of California, personally appeared R. J. Peterson, known to me to be the Mayor of the municipal corporation described in and that executed the within instrument, and also known to me to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation, to wit: the CITY OF LIVERMORE, executed the within instrument pursuant to a resolution of its City Council.



My Commission Expires March 10, 1970

Mary L. Mottola
Notary Public in and for the County
of Alameda, State of California.

EXHIBIT B

1968 OR

2184 419

No	Description	Date	By
1	Rev. Regard Vent Req.	10-67	P.I.U.
2	Rearrangement of form	12-67	P.I.U.

RE: 2184 IM 419

Line 2

E.S. 175-25 - ROUNO
 MP 56.25-222
 TOWN LIVERMORE

Division: WESTERN
 Dep. No. 2-12148
 Sht. No. 1

Applicant: CITY OF LIVERMORE
 Address: 2800 KIRBY ST. LIVERMORE
 Location: LIVERMORE
 Facility: CROSS LT, 21" x 24" PIPE
 Purpose: DRAINAGE
 Materials and Installation as per CS

Is Pipe Under Pressure? NO
 Distance from Bottom of Tie to Top of Casing
 if Less Than 3' 0" Why?

Is Pipe Carries Flammable Substances and has casing Number and Location of vents

Materials: Carrier Pipe
 Casing

Diameter: Carrier Pipe
 Casing

Pipe Wall Thickness: Smooth Steel (in.)
 * (Of casing, if used - 2, corrugated metal otherwise carrier pipe)

Pipe Length: Casing

Is Pipe Reinforced Conc. A.S.T.M. Class
 Designation

Is Pipe is Cast Iron A.W.W.A. Class
 Furnish Sketch 2

Plan, Cross Section and Description of Track or Tracks Under Which Proposed Pipe is to be placed together with all necessary dimensions

PIPE CROSSING DATA SHEET

RECORDERS MEMO

LEGIBILITY FOR MICROFILMING AND COPYING
 U.S. GOVERNMENT PRINTING OFFICE: 1965 O - 340-000
 DOCUMENT WHEN RECEIVED

PORTION OF
EASEMENT TO BE
VACATED

EXHIBIT B

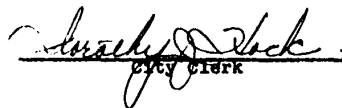
1968 OR
2184 420

RE: 2184 IM 420

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant dated April 22, 1968, from SOUTHERN PACIFIC COMPANY to the City of Livermore, a municipal corporation, is hereby accepted by the undersigned City Clerk on behalf of the City Council pursuant to authority conferred by Resolution No. 1-65 of the City Council adopted on January 4, 1965, and the grantee consents to recordation thereof by its duly authorized officer.

DATED: May 17, 1968


City Clerk

BA54825

RECORDING REQUESTED BY:
AND
WHEN RECORDED MAIL TO:

City Clerk
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

The Undersigned grantor(s) declare(s):
CITY TRANSFER TAX \$0.00
DOCUMENTARY TRANSFER TAX \$ Release of easement
SURVEY MONUMENT FEE \$0.00

SAME AS ABOVE

Computed on the consideration or value or property conveyed; OR computed on the consideration or value less liens or encumbrances remaining at time of sale.

APN's
098-0289-25 (portion)
098-0289-27

Exempt from filing fees per Government Code Section §§ 27383 & 6103

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF LIVERMORE, a Municipal Corporation, "Grantor,"

hereby remises, releases and quitclaims to Blacksmith Square LLC, a California Limited Liability Company, ("Grantee") all right, title, and interest in and to those certain portions of a non-exclusive storm drain easement located in the City of Livermore (City), County of Alameda, State of California on the real property held by Blacksmith Square LLC and more particularly identified in Exhibit A (Legal Description). The location of the Quitclaimed Easement and the configuration of the Servient Tenement are shown on Exhibit B. This Quitclaim Deed is executed, delivered and accepted for the purpose of terminating the Quitclaimed Easement.

By recording this Quitclaim Deed, Grantee agrees to release and indemnify the Grantor from any and all liability associated with or arising out of the past, current, or future use of the Quitclaimed Easement, except to the extent caused by the sole negligence or willful misconduct of the City, its agents, or its employees.

SEE EXHIBITS "A" and "B" ATTACHED HERETO AND MADE A PART HEREOF

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____) S.S.

On _____, 2023 before, (_____), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are described to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Signed this _____ day of _____, 2023

Signature: _____

Grantor Signature(s)

Print Name: _____

My Commission Number: _____

Marianna Marysheva, City Manager

My Commission Expires: _____

Principal County of Business: _____

Exhibit A – Legal Description

VACATION OF A PORTION OF STORM DRAIN EASEMENT RECORDED MAY 20,
1968, REEL 2184 IMAGES 414-420

REAL PROPERTY SITUATED IN THE CITY OF LIVERMORE, COUNTY OF
ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PORTION OF STORM DRAIN EASEMENT RECORDED MAY
20, 1968, REEL 2184, IMAGES 414-420, OFFICIAL RECORDS THAT LIES UPON,
UNDER AND OVER A PORTION OF PARCEL C OF PARCEL MAP 11239 FILED FOR
RECORD MAY 24, 2022, IN BOOK 354 OF MAPS AT PAGES 95-97 UNDER RECORD
SERIES 2022099411.

AS FURTHER DEPICTED ON SHEET 6 OF EXHIBIT B ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF.

EXHIBIT B

1968 OR
2184 414

RAF - VI - 3/20/68 - 25130/314 RE: 2184 IM 414

BA54825

NO TAX
DUE

THIS INDENTURE, made this 22nd day of April, 1968, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein termed "Railroad", and CITY OF LIVERMORE, a municipal corporation of the State of California, herein termed "Grantee".

WITNESSETH:

1. Railroad hereby grants to Grantee subject to the reservations, covenants and conditions herein contained the right to construct, reconstruct, maintain and operate a drainage pipeline in part twenty-one (21) inches in diameter and in part twenty-four (24) inches in diameter hereinafter termed "structure" in, upon, along, across and beneath the property of Railroad at or near Livermore, in the County of Alameda, State of California, in the location indicated in red on the print of Railroad's Western Division Drawing L-12148, Sheet No. 1, dated February 5, 1968. Said structure shall be installed along Railroad's property between its Engineer Station 1775+95 and 1810+00 (MP 46.43 to MP 47.1).

This indenture terminates and supersedes that certain agreement dated September 19, 1955 between the parties hereto covering installation, maintenance and operation of a drainage ditch at Livermore, Alameda County, California (Railroad's Lease Audit No. 107702).

RECORDED at REQUEST OF
CITY OF LIVERMORE
At 55 Min. Past 2 PM

MAY 20 1968

CITY OF LIVERMORE

2250 - First St
Livermore, Calif

Recorded 5-16-68

OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
JACK G. BLUE
COUNTY RECORDER

-1-

EXHIBIT B

1968 OR
[2184] [415]

11/28/67 - Form C

RE: 2184 IN 415

2. This grant is made subject and subordinate to the prior and continuing right and obligation of Railroad, its successors and assigns, to use all the property described herein in the performance of its duty as a common carrier and, for that purpose, there is reserved unto Railroad, its successors and assigns, the right (consistent with the rights herein granted) to construct, reconstruct, maintain and use existing and future railroad tracks, facilities and appurtenances and existing and future transportation, communication and pipeline facilities and appurtenances in, upon, over, under, across and along said property.

3. This grant is made subject to all licenses, leases, easements, restrictions, conditions, covenants, encumbrances, liens and claims of title which may affect said property, and the word "grant" as used herein shall not be construed as a covenant against the existence of any thereof.

4. The rights herein granted to Grantee shall lapse and become void if the construction of said structure upon said property is not commenced within one (1) year from the date first herein written.

5. Grantee shall bear the entire cost and expense of constructing, reconstructing and maintaining said structure upon said property. Grantee agrees that all work upon or in connection with said structure shall be done at such times and in such manner as not to interfere in any way whatsoever with the operations of Railroad. The plans for and the construction or reconstruction of said structure shall be subject to the approval of Railroad. Grantee agrees to give Railroad five (5) days' written notice prior to commencement of any work of construction or reconstruction.

Grantee agrees to reimburse Railroad for the cost and expense to Railroad of furnishing any materials or performing any labor in connection with the construction, reconstruction, maintenance and removal of said structure, including, but not limited to, the installation and removal of such falsework and other protection beneath or along Railroad's tracks, and the furnishing of such watchmen, flagmen and inspectors as Railroad deems necessary.

In the event Railroad shall at any time so require, Grantee, at Grantee's expense, shall reconstruct or alter said structure or make changes in the location thereof upon receipt of written notice from Railroad so to do.

6. As part consideration, Grantee agrees to pay Railroad an amount equal to any and all assessments which may be levied by order of any authorized, lawful body against the property of Railroad (and which may have been paid by Railroad) to defray any part of the cost or expense incurred in connection with the construction of said structure upon said property commenced within one (1) year from the date first herein written.

7. Grantee, its agents and employees, shall have the privilege of entry on said property for the purpose of constructing, reconstructing, maintaining and making necessary repairs to said structure. Grantee agrees to keep said property and said structure in good and safe condition, free from waste, so far as affected by Grantee's operations, to the satisfaction of Railroad. If Grantee fails to keep said property and said structure in a good and safe condition, free from waste, then Railroad may perform the necessary work at the

BA54825

-2-

EXHIBIT B

1968 OR
 2184 416

RE: 2184 IM 416

12/28/67 - Form C

expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

8. In the event any work upon or in connection with said structure or its appurtenances, to be done upon or adjacent to the tracks and property of Railroad, should be let to a contractor by Grantee, such work shall not be begun until such contractor shall have first entered into an agreement with the railroad company which operates on said property, satisfactory to said company and indemnifying Railroad from and against all claims, liability, cost and expense growing out of the performance of the work to be done by such contractor.

Such contractor shall furnish, at the option of and without expense to Railroad, a reliable surety bond, in an amount and in a form satisfactory to said company, guaranteeing the faithful performance of all the terms, covenants and conditions contained in said agreement, and a certified copy of a policy of Public Liability and Property Damage insurance, within limits specified by, and in a form satisfactory to, said company, covering the contractual liability assumed by contractor in said agreement to be entered into with said company by such contractor.

9. Grantee shall assume all risk of damage to said structure and appurtenances, and to any other property of Grantee, or any property under the control or custody of Grantee, while upon or near the property of Railroad, caused by or contributed to in any way by the construction, operation, maintenance or presence of Railroad's line of railroad at the above-mentioned location.

Insofar as it lawfully may, Grantee agrees to indemnify and save harmless Railroad, its officers, employees, agents, successors and assigns from all claims, liability, cost and expense, howsoever same may be caused, including reasonable attorney fees, for loss of or damage to property and for injuries to or deaths of persons arising out of the construction, reconstruction, maintenance, presence, use or removal of said structure, regardless of any negligence or alleged negligence on the part of Railroad employees.

The word "Railroad" as used in this Section 9 shall be construed to include, in addition to Railroad, the successors, assigns and affiliated companies of Railroad and any other railroad company that may be lawfully operating upon and over the tracks crossing said structure and the officers and employees thereof.

10. Should Grantee, its successors and assigns, at any time abandon the use of said property, or any part thereof, or fail at any time to use the same for the purpose contemplated herein for a continuous period of one (1) year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of said property, or the part thereof the use of which is so discontinued or abandoned.

Upon termination of the rights and privileges hereby granted, Grantee, at its own cost and expense, agrees to remove said structure from said property and restore said property as nearly as practicable to the same state and condition in which it existed prior to the construction of said structure. Should Grantee in such event fail, neglect or refuse to remove said structure and restore said property,

-3-

BA54825

EXHIBIT B

1968 OR
 2184 417

11/28/67 - Form C

RE: 2184 IM: 417

such removal and restoration may be performed by Railroad, at the expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

11. This indenture shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY

By Wm. J. Gault
(Title) Vice PresidentAttest Arthur
Assistant Secretary

Value of interest
conveyed herein does
not exceed \$100

CITY OF LIVERMORE

By W. J. Gault
MayorMarthy J. Cook
Clerk

-4-

BA54825

EXHIBIT B

1968 OR
2184 418

RE: 2184 IN 418

STATE OF CALIFORNIA,
City and County of San Francisco) ss.On this 30th day of April
before me, John E. Jurgens, a Notary Public
(85 Market St.)

My Commission Expires June 14, 1969

In the year One Thousand Nine Hundred and Sixty-eight, in and for the City and County of San Francisco, State of California, personally appeared W. M. Jackie and A. E. Hill, known to me to be the Vice President and Assistant Secretary, respectively, of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed it on behalf of the corporation therein named and they acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Corporation

Notary Public in and for the City and County of San Francisco, State of California

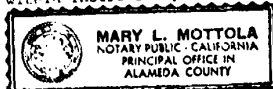
BA54825

My Commission Expires June 14, 1969.

STATE OF CALIFORNIA)
County of Alameda)

ss. BA54825

On this 8th day of April, 1968, before me, the undersigned Notary Public in and for the County of Alameda, State of California, personally appeared R. J. Peterson, known to me to be the Mayor of the municipal corporation described in and that executed the within instrument, and also known to me to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation, to wit: the CITY OF LIVERMORE, executed the within instrument pursuant to a resolution of its City Council.



My Commission Expires March 10, 1970

Mary L. Mottola
Notary Public in and for the County
of Alameda, State of California.

EXHIBIT B

1968 OR

2184 419

No	Description	Date	By
1	Rev. Regard Vent Req.	10-67	P.I.U.
2	Rearrangement of form	12-67	P.I.U.

RE: 2184 IM 419

Line 2

E.S. 175425 - ROUNO
 MP 56.43-222
 TANK LIVERMORE

Division: WESTERN
 Dep. No. 2-12148
 Sht. No. 1

Applicant: CITY OF LIVERMORE
 Address: 2800 KIRBY ST. LIVERMORE
 Location: LIVERMORE
 Facility: 2405 LT, 21 1/2" DIA PIPE
 Purpose: DRAINAGE
 Materials and Installation as per CS

Is Pipe Under Pressure? NO
 Distance from Bottom of Tie to Top of Casing: —
 If Less Than 3' 0" Why? —
 If Pipe Carries Flammable Substances and has casing Number and Location of vents: —

Materials: Carrier Pipe
 Diameter: Carrier Pipe
 Casing: —

Pipe Wall Thickness: Smooth Steel (In.)
 * (Of casing, if used - 2, corrugated metal otherwise carrier pipe)
 Pipe Length: Casing

If Pipe is Reinforced Conc. A.S.T.M. Class
 Designation: —

If Pipe is Cast Iron A.W.W.A. Class
 Furnish Sketch: 2

Plan, Cross Section and Description of Track or Tracks Under Which Proposed Pipe is to be placed together with all necessary dimensions

PORTION OF EASEMENT TO BE VACATED

PIPE CROSSING DATA SHEET

RECORDERS MEMO

LEGEND
 50 PK. CO. 744
 FIELD: FRANK BARNETT
 LVS. 12.5.1965

C.E. 35569
 Sheet 1 of 1
 1717122

SCALE: 1" = 400'

LEGEND
 50 PK. CO. 744
 FIELD: FRANK BARNETT
 LVS. 12.5.1965

C.E. 35569
 Sheet 1 of 1
 1717122

BA54825

EXHIBIT B

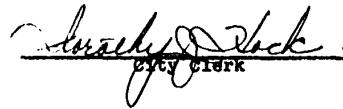
1968 OR
2184 420

RE: 2184 IM 420

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant dated April 22, 1968, from SOUTHERN PACIFIC COMPANY to the City of Livermore, a municipal corporation, is hereby accepted by the undersigned City Clerk on behalf of the City Council pursuant to authority conferred by Resolution No. 1-65 of the City Council adopted on January 4, 1965, and the grantee consents to recordation thereof by its duly authorized officer.

DATED: May 17, 1968


City Clerk

BA54825

RECORDING REQUESTED BY:
AND
WHEN RECORDED MAIL TO:

City Clerk
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

The Undersigned grantor(s) declare(s):
CITY TRANSFER TAX \$0.00
DOCUMENTARY TRANSFER TAX \$ Release of easement
SURVEY MONUMENT FEE \$0.00

SAME AS ABOVE

Computed on the consideration or value or property conveyed; OR computed on the consideration or value less liens or encumbrances remaining at time of sale.

APN's
098-0289-28

Exempt from filing fees per Government Code Section §§ 27383 & 6103

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CITY OF LIVERMORE, a Municipal Corporation, "Grantor,"

hereby remises, releases and quitclaims to City of Livermore, ("Grantee") all right, title, and interest in and to those certain portions of a non-exclusive storm drain easement located in the City of Livermore (City), County of Alameda, State of California on the real property held by City of Livermore and more particularly identified in Exhibit A (Legal Description). The location of the Quitclaimed Easement and the configuration of the Servient Tenement are shown on Exhibit B. This Quitclaim Deed is executed, delivered and accepted for the purpose of terminating the Quitclaimed Easement.

By recording this Quitclaim Deed, Grantee agrees to release and indemnify the Grantor from any and all liability associated with or arising out of the past, current, or future use of the Quitclaimed Easement, except to the extent caused by the sole negligence or willful misconduct of the City, its agents, or its employees.

SEE EXHIBITS "A" and "B" ATTACHED HERETO AND MADE A PART HEREOF

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____) S.S.

On _____, 2023 before, (_____), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are described to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Signed this _____ day of _____, 2023

Signature: _____

Grantor Signature(s)

Print Name: _____

My Commission Number: _____

Marianna Marysheva, City Manager

My Commission Expires: _____

Principal County of Business: _____

Exhibit A – Legal Description

VACATION OF A PORTION OF STORM DRAIN EASEMENT RECORDED MAY 20,
1968, REEL 2184 IMAGES 414-420

REAL PROPERTY SITUATED IN THE CITY OF LIVERMORE, COUNTY OF
ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PORTION OF STORM DRAIN EASEMENT RECORDED MAY
20, 1968, REEL 2184, IMAGES 414-420, OFFICIAL RECORDS THAT LIES UPON,
UNDER AND OVER A PORTION OF PARCEL D OF PARCEL MAP 11239 FILED FOR
RECORD MAY 24, 2022, IN BOOK 354 OF MAPS AT PAGES 95-97 UNDER RECORD
SERIES 2022099411, AND PARCEL 7 OF TRACT MAP 8574 FILED FOR RECORD
DECEMBER 23, 2020, IN BOOK 365 OF MAPS AT PAGES 15-19 UNDER RECORD
SERIES 2020361571.

AS FURTHER DEPICTED ON SHEET 6 OF EXHIBIT B ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF.

EXHIBIT B

1968 OR
 2184 414

RAF - VI - 3/20/68 - 25130/314 RE: 2184 IM: 414

BA54825

NO TAX
 DUE

THIS INDENTURE, made this 22nd day of April, 1968, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein termed "Railroad", and CITY OF LIVERMORE, a municipal corporation of the State of California, herein termed "Grantee".

WITNESSETH:

1. Railroad hereby grants to Grantee subject to the reservations, covenants and conditions herein contained the right to construct, reconstruct, maintain and operate a drainage pipeline in part twenty-one (21) inches in diameter and in part twenty-four (24) inches in diameter hereinafter termed "structure" in, upon, along, across and beneath the property of Railroad at or near Livermore, in the County of Alameda, State of California, in the location indicated in red on the print of Railroad's Western Division Drawing L-12148, Sheet No. 1, dated February 5, 1968. Said structure shall be installed along Railroad's property between its Engineer Station 1775+95 and 1810+00 (MP 46.43 to MP 47.1).

This indenture terminates and supersedes that certain agreement dated September 19, 1955 between the parties hereto covering installation, maintenance and operation of a drainage ditch at Livermore, Alameda County, California (Railroad's Lease Audit No. 107702).

RECORDED at REQUEST OF
 CITY OF LIVERMORE
 At 55 Min. Past 2 PM

MAY 20 1968

CITY OF LIVERMORE

2250 - First St
 Livermore, Calif

Recorded 5-16-68

OFFICIAL RECORDS OF
 ALAMEDA COUNTY, CALIFORNIA
 JACK G. BLUE
 COUNTY RECORDER

-1-

EXHIBIT B

1968 OR
 [2184] [415]

11/28/67 - Form C

RE: 2184 IN 415

2. This grant is made subject and subordinate to the prior and continuing right and obligation of Railroad, its successors and assigns, to use all the property described herein in the performance of its duty as a common carrier and, for that purpose, there is reserved unto Railroad, its successors and assigns, the right (consistent with the rights herein granted) to construct, reconstruct, maintain and use existing and future railroad tracks, facilities and appurtenances and existing and future transportation, communication and pipeline facilities and appurtenances in, upon, over, under, across and along said property.

3. This grant is made subject to all licenses, leases, easements, restrictions, conditions, covenants, encumbrances, liens and claims of title which may affect said property, and the word "grant" as used herein shall not be construed as a covenant against the existence of any thereof.

4. The rights herein granted to Grantee shall lapse and become void if the construction of said structure upon said property is not commenced within one (1) year from the date first herein written.

5. Grantee shall bear the entire cost and expense of constructing, reconstructing and maintaining said structure upon said property. Grantee agrees that all work upon or in connection with said structure shall be done at such times and in such manner as not to interfere in any way whatsoever with the operations of Railroad. The plans for and the construction or reconstruction of said structure shall be subject to the approval of Railroad. Grantee agrees to give Railroad five (5) days' written notice prior to commencement of any work of construction or reconstruction.

Grantee agrees to reimburse Railroad for the cost and expense to Railroad of furnishing any materials or performing any labor in connection with the construction, reconstruction, maintenance and removal of said structure, including, but not limited to, the installation and removal of such falsework and other protection beneath or along Railroad's tracks, and the furnishing of such watchmen, flagmen and inspectors as Railroad deems necessary.

In the event Railroad shall at any time so require, Grantee, at Grantee's expense, shall reconstruct or alter said structure or make changes in the location thereof upon receipt of written notice from Railroad so to do.

6. As part consideration, Grantee agrees to pay Railroad an amount equal to any and all assessments which may be levied by order of any authorized, lawful body against the property of Railroad (and which may have been paid by Railroad) to defray any part of the cost or expense incurred in connection with the construction of said structure upon said property commenced within one (1) year from the date first herein written.

7. Grantee, its agents and employees, shall have the privilege of entry on said property for the purpose of constructing, reconstructing, maintaining and making necessary repairs to said structure. Grantee agrees to keep said property and said structure in good and safe condition, free from waste, so far as affected by Grantee's operations, to the satisfaction of Railroad. If Grantee fails to keep said property and said structure in a good and safe condition, free from waste, then Railroad may perform the necessary work at the

BA54825

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EXHIBIT B

1968 OR
 2184 416

RE: 2184 IM 416

12/28/67 - Form C

expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

8. In the event any work upon or in connection with said structure or its appurtenances, to be done upon or adjacent to the tracks and property of Railroad, should be let to a contractor by Grantee, such work shall not be begun until such contractor shall have first entered into an agreement with the railroad company which operates on said property, satisfactory to said company and indemnifying Railroad from and against all claims, liability, cost and expense growing out of the performance of the work to be done by such contractor.

Such contractor shall furnish, at the option of and without expense to Railroad, a reliable surety bond, in an amount and in a form satisfactory to said company, guaranteeing the faithful performance of all the terms, covenants and conditions contained in said agreement, and a certified copy of a policy of Public Liability and Property Damage insurance, within limits specified by, and in a form satisfactory to, said company, covering the contractual liability assumed by contractor in said agreement to be entered into with said company by such contractor.

9. Grantee shall assume all risk of damage to said structure and appurtenances, and to any other property of Grantee, or any property under the control or custody of Grantee, while upon or near the property of Railroad, caused by or contributed to in any way by the construction, operation, maintenance or presence of Railroad's line of railroad at the above-mentioned location.

Insofar as it lawfully may, Grantee agrees to indemnify and save harmless Railroad, its officers, employees, agents, successors and assigns from all claims, liability, cost and expense, howsoever same may be caused, including reasonable attorney fees, for loss of or damage to property and for injuries to or deaths of persons arising out of the construction, reconstruction, maintenance, presence, use or removal of said structure, regardless of any negligence or alleged negligence on the part of Railroad employees.

The word "Railroad" as used in this Section 9 shall be construed to include, in addition to Railroad, the successors, assigns and affiliated companies of Railroad and any other railroad company that may be lawfully operating upon and over the tracks crossing said structure and the officers and employees thereof.

10. Should Grantee, its successors and assigns, at any time abandon the use of said property, or any part thereof, or fail at any time to use the same for the purpose contemplated herein for a continuous period of one (1) year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of said property, or the part thereof the use of which is so discontinued or abandoned.

Upon termination of the rights and privileges hereby granted, Grantee, at its own cost and expense, agrees to remove said structure from said property and restore said property as nearly as practicable to the same state and condition in which it existed prior to the construction of said structure. Should Grantee in such event fail, neglect or refuse to remove said structure and restore said property,

-3-

BA54825

EXHIBIT B

1968 OR
 2184 417

11/28/67 - Form C

RE: 2184 IM: 417

such removal and restoration may be performed by Railroad, at the expense of Grantee, which expense Grantee agrees to pay to Railroad upon demand.

11. This indenture shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY

By Wm. J. Gault
(Title) Vice PresidentAttest Arthur
Assistant Secretary

Value of interest
conveyed herein does
not exceed \$100

CITY OF LIVERMORE

By W. J. Gault
MayorMarthy J. Cook
Clerk

-4-

BA54825

EXHIBIT B

1968 OR
2184 418

RE: 2184 IN 418

STATE OF CALIFORNIA,
City and County of San Francisco) ss.On this 30th day of April,
before me, John E. Jurgens, a Notary Public
(85 Market St.)

My Commission Expires June 14, 1969

In the year One Thousand Nine Hundred and Sixty-eight, in and for the City and County of San Francisco, State of California, personally appeared W. M. Jackie and A. E. Hill, known to me to be the Vice President and Assistant Secretary, respectively, of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed it on behalf of the corporation therein named and they acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Corporation

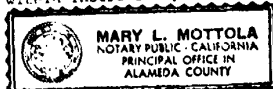
Notary Public in and for the City and County of San Francisco, State of California

BA54825

My Commission Expires June 14, 1969.

STATE OF CALIFORNIA)
) ss. BA54825
County of Alameda)

On this 8th day of April, 1968, before me, the undersigned Notary Public in and for the County of Alameda, State of California, personally appeared R. J. Peterson, known to me to be the Mayor of the municipal corporation described in and that executed the within instrument, and also known to me to be the person who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation, to wit: the CITY OF LIVERMORE, executed the within instrument pursuant to a resolution of its City Council.



My Commission Expires March 10, 1970

Mary L. Mottola
Notary Public in and for the County
of Alameda, State of California.

1968 OR
2184 419

No	Description	Date	By
1	Rev. Regard Vant Req.	10-67	P. I.U.
2	Rearrangement of form	12-67	P. I.U.

REF: 2184 IM: 419

LINE 2D

DIVISION - WESTERN

E.S. 175-25 - ARROW

MP 56.25 - 221

STAMP LIVERMORE

Dep. No. 2-12148

Sgt. No. 1

ADDICANT CITY OF LIVERMORE

Address 2550 FIRST ST. LIVERMORE

Location LIVERMORE

Facility 2405 L.F. 21' 70" 21" PIPE

Purpose DRAINAGE

Materials and Installation as per CS

is Pipe Under Pressure? NO

Distance From Bottom Of Tie To Top Of Casing -

At Least Than 30' Only

is Pipe Carries Flammable Substances and has casing

and Location of vents

Materials	Carrier Pipe	Casing	Gage
Diameter	Carrier Pipe	Casing	
Weight			

11 Pipe is Reinforced Conc. A.S.T.M. Class

12 Pipe is Cast Iron A.M.A. Class

13 Pipe is Cast Iron A.M.A. Class

14 Pipe is Cast Iron A.M.A. Class

15 Pipe is Cast Iron A.M.A. Class

16 Pipe is Cast Iron A.M.A. Class

17 Pipe is Cast Iron A.M.A. Class

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**PORTION OF
EASEMENT TO BE
VACATED**

EXHIBIT B

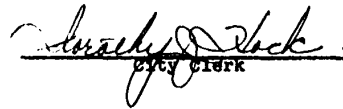
1968 OR
2184 420

RE: 2184 IM 420

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed or grant dated April 22, 1968, from SOUTHERN PACIFIC COMPANY to the City of Livermore, a municipal corporation, is hereby accepted by the undersigned City Clerk on behalf of the City Council pursuant to authority conferred by Resolution No. 1-65 of the City Council adopted on January 4, 1965, and the grantee consents to recordation thereof by its duly authorized officer.

DATED: May 17, 1968


City Clerk

BA54825



CITY COUNCIL STAFF REPORT

ITEM NO. 5.6

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Tina Olson, Administrative Services Director

SUBJECT: Resolution approving the City of Livermore Salary Plan to reflect previous agreements, creation of new classifications, and retitled positions in accordance with California Code of Regulations, Title 2, Section 570.5.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution approving modifications to the City of Livermore Salary Plan to reflect previous agreements, creation of new classifications, and retitled positions.

SUMMARY

Staff recommends the following changes to the Salary Plan:

1. Incorporate a 3.5% wage related adjustment associated with the approved Livermore Police Officers Association (LPOA) Memorandum of Understanding (MOU) effective May 8, 2023;
2. Establish a new classification, Deputy City Manager/City Clerk (Class Code 117) and assign it to the Executive Management Salary Schedule with the following monthly salary range: \$13,684.77 - \$17,105.96;
3. Establish a new classification, Crisis Intervention Specialist (Class Code 954), and assign it to the Association of Livermore Employees Salary Schedule with the following monthly steps: \$7,892.43 - \$8,287.05 - \$8,701.40 - \$9,136.47 - \$9,593.29
4. Retitle the following classifications in the Association of Livermore Employees bargaining unit:
 - Senior Clerk (Class Code 214) retitled to Administrative Clerk II
 - Typist Clerk (Class Code 211) retitled to Administrative Clerk I

DISCUSSION

With continuing changes throughout the organization, Staff has been working with various departments to update classifications. As such, Staff is recommending the following changes to the Salary Plan:

1. On April 26, 2021, the City Council adopted a successor MOU with the LPOA. The MOU provides for a base salary increase of 3.5% effective May 8, 2023.

2. Transitioning the City Clerk's team into the City Manager's Office has allowed for improved and better coordinated activities related to City Council and constituent support, including more focused legislative analysis and advocacy, and enhanced community engagement. As a result, the duties of the City Clerk have been greatly expanded. To accommodate this change staff recommends creating a new classification of Deputy City Manager/City Clerk assigned to the Executive Management Salary Schedule with a monthly salary range of \$13,684.77 - \$17,105.96.

3. The Police Department received approval in the FY 2022/23 budget to add a new classification. The intent of the new classification is to work with the Livermore Police Department to provide emergency crisis assessment and intervention services in the field. The City worked with the Department and the Association of Livermore Employees (ALE) bargaining group to create the classification and establish a salary range. We are recommending the new classification be established as Crisis Intervention Specialist (Class Code 954) with monthly salary steps of \$7,892.43 - \$8,287.05 - \$8,701.40 - \$9,136.47 - \$9,593.29.

4. The ALE bargaining group requested the City review the titles for the classifications of Senior Clerk and Typist Clerk. After a review of the City's comparator agencies and much discussion with ALE, staff has agreed to retitle the Senior Clerk and Typist Clerk to Administrative Clerk II & Administrative Clerk I. In addition, these classifications will be added to the Flexible Staffing policy.

FISCAL AND ADMINISTRATIVE IMPACTS

The fiscal impact of the wage increase for the LPOA and the creation of the new classifications was included in the 2021-23 Financial Plan approved by the City Council.

COMMUNITY PILLAR

5: A City that Works

GOAL CATEGORY

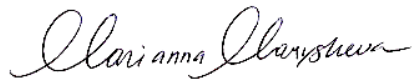
8: Attract, develop, engage, and retain a diverse and highly skilled workforce across the organization

ATTACHMENTS

- 1. Resolution
- 2. Exhibit A - Salary Plan Effective March 2023

Prepared by: Kaylin Larson
HR Analyst II

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 APPROVING THE CITY OF LIVERMORE SALARY PLAN
TO REFLECT PREVIOUS AGREEMENTS, CREATION OF NEW
CLASSIFICATIONS, AND RETITLED POSITIONS, DATED MARCH 2023,
IN ACCORDANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE
2, SECTION 570.5**

The proposed City of Livermore Salary Plan, attached hereto as Exhibit A, is intended to make the following amendments:

- Incorporate a 3.5% wage related adjustment associated with the approved Livermore Police Officers Association Memorandum of Understanding effective May 8, 2023;
- Establish a new classification, Deputy City Manager/City Clerk (Class Code 117), and assign it to the Executive Management Salary Schedule with the following monthly salary range: \$13,684.77 - \$17,105.96;
- Establish a new classification, Crisis Intervention Specialist (Class Code 954), and assign it to the Association of Livermore Employees Salary Schedule with the following monthly steps: \$7,892.43 - \$8,287.05 - \$8,701.40 - \$9,136.47 - \$9,593.29;
- Retitle the following classifications in the Association of Livermore Employees bargaining unit:
 - o Senior Clerk (Class Code 214) retitled to Administrative Clerk II
 - o Typist Clerk (Class Code 211) retitled to Administrative Clerk I

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the amended Salary Plan, attached hereto as Exhibit A is hereby approved and effective March 2023, in accordance with California Code of Regulations, Title 2, Section 570.5.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Jason Alcala

Jason Alcala
City Attorney

Exhibit A – Salary Plan dated March 2023



Salary Plan

March 2023

**CITY OF LIVERMORE
ASSOCIATION OF LIVERMORE EMPLOYEES
EFFECTIVE 10/10/2022**

CLASS			SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RA ¹				
CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
221	01	ACCOUNT CLERK	64,431.69	67,587.79	70,891.90	74,361.23	78,004.03
	Sch=M22		5,369.31	5,632.32	5,907.66	6,196.77	6,500.34
			1,239.07	1,299.77	1,363.31	1,430.02	1,500.08
			30.97677	32.49413	34.08264	35.75059	37.50194
225	02	ACCOUNT CLERK, JUNIOR	58,340.20	61,181.95	64,165.78	67,298.80	70,588.46
	Sch=M22		4,861.68	5,098.50	5,347.15	5,608.23	5,882.37
			1,121.93	1,176.58	1,233.96	1,294.21	1,357.47
			28.04817	29.41440	30.84893	32.35519	33.93676
222	03	ACCOUNT CLERK, SENIOR	70,146.83	73,578.90	77,182.57	80,966.43	84,939.48
	Sch=M22		5,845.57	6,131.58	6,431.88	6,747.20	7,078.29
			1,348.98	1,414.98	1,484.28	1,557.05	1,633.45
			33.72444	35.37447	37.10700	38.92617	40.83629
223	05	ACCOUNTANT, JUNIOR	83,917.12	88,075.24	92,441.28	97,025.61	101,839.17
	Sch=M22		6,993.09	7,339.60	7,703.44	8,085.47	8,486.60
			1,613.79	1,693.75	1,777.72	1,865.88	1,958.45
			40.34477	42.34387	44.44292	46.64693	48.96114
224	04	ACCOUNTING TECHNICIAN	74,530.90	78,182.19	82,016.02	86,041.55	90,268.37
	Sch=M22		6,210.91	6,515.18	6,834.67	7,170.13	7,522.36
			1,433.29	1,503.50	1,577.23	1,654.65	1,735.93
			35.83216	37.58759	39.43078	41.36613	43.39825
213	14	ADMINISTRATIVE ASSISTANT	78,111.89	81,942.22	85,964.06	90,187.00	94,621.08
	Sch=M22		6,509.32	6,828.52	7,163.67	7,515.58	7,885.09
			1,502.15	1,575.81	1,653.16	1,734.37	1,819.64
			37.55379	39.39530	41.32888	43.35913	45.49090
211	50	ADMINISTRATIVE CLERK I**	58,340.24	61,181.99	64,165.82	67,298.84	70,588.51
	Sch=M22		4,861.69	5,098.50	5,347.15	5,608.24	5,882.38
			1,121.93	1,176.58	1,233.96	1,294.21	1,357.47
			28.04819	29.41442	30.84895	32.35521	33.93678
214	49	ADMINISTRATIVE CLERK II**	62,583.31	65,637.20	68,843.79	72,210.72	75,745.98
	Sch=M22		5,215.28	5,469.77	5,736.98	6,017.56	6,312.17
			1,203.53	1,262.25	1,323.92	1,388.67	1,456.65
			30.08813	31.55635	33.09798	34.71669	36.41634
206	06	ADMINISTRATIVE TECHNICIAN	78,111.89	81,942.22	85,964.06	90,187.00	94,621.08
	Sch=M22		6,509.32	6,828.52	7,163.67	7,515.58	7,885.09
			1,502.15	1,575.81	1,653.16	1,734.37	1,819.64
			37.55379	39.39530	41.32888	43.35913	45.49090
471	01	AIRPORT SERVICE ATTENDANT	68,255.30	71,592.81	75,097.18	78,776.77	82,640.34
	Sch=PS1		5,687.94	5,966.07	6,258.10	6,564.73	6,886.70
			1,312.60	1,376.78	1,444.18	1,514.94	1,589.24
			32.81505	34.41962	36.10441	37.87345	39.73093
473	02	AIRPORT SERVICE ATTENDANT SENIOR	73,266.77	76,854.85	80,622.32	84,578.18	88,731.82
	Sch=PS1		6,105.56	6,404.57	6,718.53	7,048.18	7,394.32
			1,408.98	1,477.98	1,550.43	1,626.50	1,706.38
			35.22441	36.94945	38.76073	40.66259	42.65953

**CITY OF LIVERMORE
ASSOCIATION OF LIVERMORE EMPLOYEES
EFFECTIVE 10/10/2022**

CLASS			SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RATE				
CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
290	07	ANIMAL CONTROL	77,492.10	81,291.44	85,280.74	89,469.50	93,867.70
	Sch=M22	OFFICER	6,457.68	6,774.29	7,106.73	7,455.79	7,822.31
			1,490.23	1,563.30	1,640.01	1,720.57	1,805.15
			37.25582	39.08242	41.00036	43.01418	45.12870
465	66	ASSET MANAGEMENT	104,624.76	109,780.74	115,194.51	120,878.97	126,847.64
	Sch=M22	SPECIALIST	8,718.73	9,148.40	9,599.54	10,073.25	10,570.64
			2,012.01	2,111.17	2,215.28	2,324.60	2,439.38
			50.30037	52.77920	55.38198	58.11489	60.98444
281	08	BUILDING INSPECTOR I	91,922.97	96,443.85	101,190.77	106,175.04	111,408.53
	Sch=M22		7,660.25	8,036.99	8,432.56	8,847.92	9,284.04
			1,767.75	1,854.69	1,945.98	2,041.83	2,142.47
			44.19374	46.36724	48.64941	51.04569	53.56179
282	09	BUILDING INSPECTOR II	98,829.37	103,695.57	108,805.08	114,170.07	119,803.30
	Sch=M22		8,235.78	8,641.30	9,067.09	9,514.17	9,983.61
			1,900.56	1,994.15	2,092.41	2,195.58	2,303.91
			47.51412	49.85364	52.31013	54.88946	57.59774
277	56	BUILDING INSPECTOR III	101,742.42	106,754.27	112,016.71	117,542.27	123,344.12
	Sch=M22		8,478.54	8,896.19	9,334.73	9,795.19	10,278.68
			1,956.59	2,052.97	2,154.17	2,260.43	2,372.00
			48.91463	51.32417	53.85419	56.51071	59.30006
288	10	BUILDING INSPECTOR, SENIOR	106,754.27	112,016.71	117,542.27	123,344.12	129,436.06
	Sch=M22		8,896.19	9,334.73	9,795.19	10,278.68	10,786.34
			2,052.97	2,154.17	2,260.43	2,372.00	2,489.16
			51.32417	53.85419	56.51071	59.30006	62.22888
249	11	CIVIL ENGINEER, ASSISTANT	109,758.92	115,171.60	120,854.90	126,822.38	133,088.24
	Sch=M22		9,146.58	9,597.63	10,071.24	10,568.53	11,090.69
			2,110.75	2,214.84	2,324.13	2,438.89	2,559.39
			52.76871	55.37096	58.10332	60.97230	63.98473
254	12	CIVIL ENGINEER, ASSOCIATE	118,917.90	124,788.54	130,952.70	137,425.07	144,221.06
	Sch=M22		9,909.83	10,399.05	10,912.73	11,452.09	12,018.42
			2,286.88	2,399.78	2,518.32	2,642.79	2,773.48
			57.17207	59.99449	62.95803	66.06975	69.33705
247	13	CIVIL ENGINEER, JUNIOR	96,460.59	101,208.34	106,193.49	111,427.90	116,924.03
	Sch=M22		8,038.38	8,434.03	8,849.46	9,285.66	9,743.67
			1,855.01	1,946.31	2,042.18	2,142.84	2,248.54
			46.37528	48.65786	51.05456	53.57111	56.21348
292	17	COMMUNITY SERVICE SPECIALIST	68,338.90	71,680.57	75,189.35	78,873.54	82,741.96
	Sch=M22		5,694.91	5,973.38	6,265.78	6,572.80	6,895.16
			1,314.21	1,378.47	1,445.95	1,516.80	1,591.19
			32.85524	34.46181	36.14873	37.91997	39.77979
294	19	CRIME & INTELLIGENCE ANALYST	89,140.17	93,521.91	98,122.73	102,953.61	108,026.02
	Sch=M22		7,428.35	7,793.49	8,176.89	8,579.47	9,002.17
			1,714.23	1,798.50	1,886.98	1,979.88	2,077.42
			42.85585	44.96246	47.17439	49.49693	51.93559

**CITY OF LIVERMORE
ASSOCIATION OF LIVERMORE EMPLOYEES
EFFECTIVE 10/10/2022**

CLASS			SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RA1				
CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
296	62	CRIME PREVENTION	73,797.05	77,411.64	81,206.95	85,192.03	89,376.36
	Sch=M22	SPECIALIST	6,149.75	6,450.97	6,767.25	7,099.34	7,448.03
			1,419.17	1,488.69	1,561.67	1,638.31	1,718.78
			35.47935	37.21713	39.04180	40.95771	42.96940
954	27	CRISIS INTERVENTION	94,709.11	99,444.56	104,416.79	109,637.63	115,119.51
	Sch=M22	SPECIALIST*	7,892.43	8,287.05	8,701.40	9,136.47	9,593.29
			1,821.33	1,912.40	2,008.02	2,108.42	2,213.84
			45.53322	47.80989	50.20038	52.71040	55.34592
208	21	DIVISION CLERK	65,983.39	69,207.30	72,592.40	76,146.74	79,878.83
	Sch=M22		5,498.62	5,767.28	6,049.37	6,345.56	6,656.57
			1,268.91	1,330.91	1,396.01	1,464.36	1,536.13
			31.72278	33.27274	34.90019	36.60901	38.40328
234	64	ECONOMIC DEVELOPMENT	85,772.49	89,985.85	94,409.89	99,055.11	103,932.59
	Sch=M22	SPECIALIST	7,147.71	7,498.82	7,867.49	8,254.59	8,661.05
			1,649.47	1,730.50	1,815.57	1,904.91	1,998.70
			41.23677	43.26243	45.38937	47.62265	49.96759
467	38	ELECTRICIAN	92,057.69	96,622.84	101,416.26	106,449.34	111,734.08
	Sch=PS1		7,671.47	8,051.90	8,451.36	8,870.78	9,311.17
			1,770.34	1,858.13	1,950.31	2,047.10	2,148.73
			44.25850	46.45329	48.75782	51.17757	53.71831
255	23	ENGINEER, ASSISTANT	104,624.75	109,780.73	115,194.50	120,878.96	126,847.63
	Sch=M22		8,718.73	9,148.39	9,599.54	10,073.25	10,570.64
			2,012.01	2,111.17	2,215.28	2,324.60	2,439.38
			50.30036	52.77920	55.38197	58.11488	60.98444
256	24	ENGINEER, JUNIOR	91,938.91	96,460.60	101,208.35	106,193.50	111,427.91
	Sch=M22		7,661.58	8,038.38	8,434.03	8,849.46	9,285.66
			1,768.06	1,855.01	1,946.31	2,042.18	2,142.84
			44.20140	46.37529	48.65786	51.05457	53.57111
273	63	ENGINEERING SPECIALIST	104,624.75	109,780.73	115,194.50	120,878.96	126,847.63
	Sch=M22		8,718.73	9,148.39	9,599.54	10,073.25	10,570.64
			2,012.01	2,111.17	2,215.28	2,324.60	2,439.38
			50.30036	52.77920	55.38197	58.11488	60.98444
284	25	ENGINEERING	89,921.74	94,342.55	98,984.41	103,858.37	108,976.02
	Sch=M22	TECHNICIAN, ASSIST	7,493.48	7,861.88	8,248.70	8,654.86	9,081.34
			1,729.26	1,814.28	1,903.55	1,997.28	2,095.69
			43.23161	45.35700	47.58866	49.93191	52.39232
275	26	ENGINEERING	96,460.59	101,208.34	106,193.49	111,427.90	116,924.03
	Sch=M22	TECHNICIAN, ASSOC	8,038.38	8,434.03	8,849.46	9,285.66	9,743.67
			1,855.01	1,946.31	2,042.18	2,142.84	2,248.54
			46.37528	48.65786	51.05456	53.57111	56.21348
279	28	ENGINEERING	100,226.56	105,162.62	110,345.48	115,787.49	121,501.60
	Sch=M22	TECHNICIAN, SENIOR	8,352.21	8,763.55	9,195.46	9,648.96	10,125.13
			1,927.43	2,022.36	2,122.03	2,226.68	2,336.57
			48.18585	50.55895	53.05071	55.66706	58.41423

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CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
410	40	FACILITIES MAINTENANCE	58,019.99	60,845.72	63,812.74	66,928.11	70,199.25
	Sch=PS1	TRAINEE	4,835.00	5,070.48	5,317.73	5,577.34	5,849.94
			1,115.77	1,170.11	1,227.17	1,287.08	1,349.99
			27.89423	29.25275	30.67920	32.17698	33.74964
411	41	FACILITIES MAINTENANCE	65,027.09	68,203.17	71,538.05	75,039.69	78,716.41
	Sch=PS1	WORKER I	5,418.92	5,683.60	5,961.50	6,253.31	6,559.70
			1,250.52	1,311.60	1,375.73	1,443.07	1,513.78
			31.26302	32.78999	34.39329	36.07677	37.84443
412	42	FACILITIES MAINTENANCE	69,767.56	73,180.67	76,764.44	80,527.40	84,478.50
	Sch=PS1	WORKER II	5,813.96	6,098.39	6,397.04	6,710.62	7,039.88
			1,341.68	1,407.32	1,476.24	1,548.60	1,624.59
			33.54210	35.18301	36.90598	38.71510	40.61466
413	43	FACILITIES MAINTENANCE	73,266.77	76,854.85	80,622.32	84,578.18	88,731.82
	Sch=PS1	WORKER, SENIOR	6,105.56	6,404.57	6,718.53	7,048.18	7,394.32
			1,408.98	1,477.98	1,550.43	1,626.50	1,706.38
			35.22441	36.94945	38.76073	40.66259	42.65953
414	20	FACILITIES MAINTENANCE	82,509.20	86,559.39	90,812.09	95,277.43	99,966.04
	Sch=PS1	WORKER, SUPERVISING	6,875.77	7,213.28	7,567.67	7,939.79	8,330.50
			1,586.72	1,664.60	1,746.39	1,832.26	1,922.42
			39.66788	41.61509	43.65966	45.80646	48.06060
950	18	FAMILY THERAPIST	90,466.04	94,914.08	99,584.52	104,488.47	109,637.63
	Sch=M22		7,538.84	7,909.51	8,298.71	8,707.37	9,136.47
			1,739.73	1,825.27	1,915.09	2,009.39	2,108.42
			43.49329	45.63177	47.87717	50.23484	52.71040
444	51	FLEET SERVICES WORKER	58,020.03	60,845.77	63,812.79	66,928.16	70,199.30
	Sch=PS1		4,835.00	5,070.48	5,317.73	5,577.35	5,849.94
			1,115.77	1,170.11	1,227.17	1,287.08	1,349.99
			27.89425	29.25277	30.67923	32.17700	33.74966
274	59	GIS SPECIALIST	104,624.75	109,780.71	115,194.49	120,878.95	126,847.62
	Sch=M22		8,718.73	9,148.39	9,599.54	10,073.25	10,570.64
			2,012.01	2,111.17	2,215.28	2,324.60	2,439.38
			50.30036	52.77919	55.38197	58.11488	60.98443
420	11	GROUNDSKEEPER	58,019.99	60,845.72	63,812.73	66,928.10	70,199.24
	Sch=PS1	TRAINEE	4,835.00	5,070.48	5,317.73	5,577.34	5,849.94
			1,115.77	1,170.11	1,227.17	1,287.08	1,349.99
			27.89423	29.25275	30.67920	32.17697	33.74963
421	12	GROUNDSKEEPER I	65,027.09	68,203.17	71,538.05	75,039.69	78,716.41
	Sch=PS1		5,418.92	5,683.60	5,961.50	6,253.31	6,559.70
			1,250.52	1,311.60	1,375.73	1,443.07	1,513.78
			31.26302	32.78999	34.39329	36.07677	37.84443
422	13	GROUNDSKEEPER II	69,767.56	73,180.68	76,764.44	80,527.40	84,478.50
	Sch=PS1		5,813.96	6,098.39	6,397.04	6,710.62	7,039.88
			1,341.68	1,407.32	1,476.24	1,548.60	1,624.59
			33.54210	35.18302	36.90598	38.71510	40.61466

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CODE	RANGE		STEP A	STEP B	STEP C	STEP D	STEP E
423	14	GROUNDSKEEPER III	73,266.77	76,854.85	80,622.32	84,578.18	88,731.82
	Sch=PS1		6,105.56	6,404.57	6,718.53	7,048.18	7,394.32
			1,408.98	1,477.98	1,550.43	1,626.50	1,706.38
			35.22441	36.94945	38.76073	40.66259	42.65953
424	04	GROUNDSKEEPER, SUPERVISING	82,509.20	86,559.39	90,812.09	95,277.43	99,966.04
	Sch=PS1		6,875.77	7,213.28	7,567.67	7,939.79	8,330.50
			1,586.72	1,664.60	1,746.39	1,832.26	1,922.42
			39.66788	41.61509	43.65966	45.80646	48.06060
228	16	INFORMATION TECHNOLOGY TECHNICIAN	77,929.16	81,787.89	85,839.56	90,093.81	94,560.77
	Sch=M22		6,494.10	6,815.66	7,153.30	7,507.82	7,880.06
			1,498.64	1,572.84	1,650.76	1,732.57	1,818.48
			37.46594	39.32110	41.26902	43.31433	45.46191
271	57	INFORMATION TECHNOLOGY TECHNICIAN, SENIOR	85,583.00	89,824.42	94,277.91	98,954.08	103,864.05
	Sch=M22		7,131.92	7,485.37	7,856.49	8,246.17	8,655.34
			1,645.83	1,727.39	1,813.04	1,902.96	1,997.39
			41.14567	43.18482	45.32592	47.57408	49.93464
426	52	LANDSCAPE MAINTENANCE SPECIALIST	78,376.20	82,219.74	86,255.45	90,492.96	94,942.33
	Sch=PS1		6,531.35	6,851.65	7,187.95	7,541.08	7,911.86
			1,507.23	1,581.15	1,658.76	1,740.25	1,825.81
			37.68087	39.52872	41.46897	43.50623	45.64535
263	29	LIBRARIAN I	70,548.38	74,000.54	77,625.29	81,431.29	85,427.58
	Sch=M22		5,879.03	6,166.71	6,468.77	6,785.94	7,118.97
			1,356.70	1,423.09	1,492.79	1,565.99	1,642.84
			33.91749	35.57718	37.31985	39.14966	41.07095
260	30	LIBRARIAN II	78,264.55	82,102.51	86,132.36	90,363.71	94,806.62
	Sch=M22		6,522.05	6,841.88	7,177.70	7,530.31	7,900.55
			1,505.09	1,578.89	1,656.39	1,737.76	1,823.20
			37.62719	39.47236	41.40979	43.44409	45.58011
242	32	LIBRARY ASSISTANT	66,391.61	69,635.92	73,042.45	76,619.31	80,375.01
	Sch=M22		5,532.63	5,802.99	6,086.87	6,384.94	6,697.92
			1,276.76	1,339.15	1,404.66	1,473.45	1,545.67
			31.91904	33.47881	35.11656	36.83621	38.64183
243	33	LIBRARY ASSISTANT, SUPERVISING	74,530.90	78,182.19	82,016.02	86,041.55	90,268.37
	Sch=M22		6,210.91	6,515.18	6,834.67	7,170.13	7,522.36
			1,433.29	1,503.50	1,577.23	1,654.65	1,735.93
			35.83216	37.58759	39.43078	41.36613	43.39825
241	34	LIBRARY CLERK	58,340.24	61,181.99	64,165.82	67,298.84	70,588.51
	Sch=M22		4,861.69	5,098.50	5,347.15	5,608.24	5,882.38
			1,121.93	1,176.58	1,233.96	1,294.21	1,357.47
			28.04819	29.41442	30.84895	32.35521	33.93678
400	16	MAINTENANCE TRAINEE	58,019.99	60,845.72	63,812.73	66,928.10	70,199.24
	Sch=PS1		4,835.00	5,070.48	5,317.73	5,577.34	5,849.94
			1,115.77	1,170.11	1,227.17	1,287.08	1,349.99
			27.89423	29.25275	30.67920	32.17697	33.74963

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CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
401	17	MAINTENANCE	65,027.09	68,203.17	71,538.05	75,039.69	78,716.41
	Sch=PS1	WORKER I	5,418.92	5,683.60	5,961.50	6,253.31	6,559.70
			1,250.52	1,311.60	1,375.73	1,443.07	1,513.78
			31.26302	32.78999	34.39329	36.07677	37.84443
402	18	MAINTENANCE	69,767.56	73,180.67	76,764.44	80,527.40	84,478.50
	Sch=PS1	WORKER II	5,813.96	6,098.39	6,397.04	6,710.62	7,039.88
			1,341.68	1,407.32	1,476.24	1,548.60	1,624.59
			33.54210	35.18301	36.90598	38.71510	40.61466
403	19	MAINTENANCE	73,266.77	76,854.85	80,622.32	84,578.18	88,731.82
	Sch=PS1	WORKER III	6,105.56	6,404.57	6,718.53	7,048.18	7,394.32
			1,408.98	1,477.98	1,550.43	1,626.50	1,706.38
			35.22441	36.94945	38.76073	40.66259	42.65953
442	22	MECHANIC	80,877.34	84,845.94	89,012.96	93,388.34	97,982.50
	Sch=PS1		6,739.78	7,070.50	7,417.75	7,782.36	8,165.21
			1,555.33	1,631.65	1,711.79	1,795.93	1,884.28
			38.88334	40.79132	42.79469	44.89824	47.10697
440	23	MECHANIC SENIOR	87,869.09	92,187.28	96,721.37	101,482.18	106,481.02
	Sch=PS1		7,322.42	7,682.27	8,060.11	8,456.85	8,873.42
			1,689.79	1,772.83	1,860.03	1,951.58	2,047.71
			42.24475	44.32081	46.50066	48.78951	51.19280
251	15	NEIGHBORHOOD	96,460.59	101,208.34	106,193.49	111,427.90	116,924.03
	Sch=M22	PRESERVATION OFFICER	8,038.38	8,434.03	8,849.46	9,285.66	9,743.67
			1,855.01	1,946.31	2,042.18	2,142.84	2,248.54
			46.37528	48.65786	51.05456	53.57111	56.21348
407	03	PARTS AND INVENTORY	68,080.60	71,409.36	74,904.56	78,574.52	82,427.98
	Sch=PS1	CONTROL WORKER	5,673.38	5,950.78	6,242.05	6,547.88	6,869.00
			1,309.24	1,373.26	1,440.47	1,511.05	1,585.15
			32.73106	34.33142	36.01181	37.77621	39.62884
287	37	PERMIT TECHNICIAN	69,342.84	72,734.71	76,296.19	80,035.73	83,962.25
	Sch=M22		5,778.57	6,061.23	6,358.02	6,669.64	6,996.85
			1,333.52	1,398.74	1,467.23	1,539.15	1,614.66
			33.33790	34.96861	36.68086	38.47872	40.36647
291	60	PERMIT TECHNICIAN II	74,091.44	77,720.74	81,531.52	85,532.82	89,734.19
	Sch=M22		6,174.29	6,476.73	6,794.29	7,127.74	7,477.85
			1,424.84	1,494.63	1,567.91	1,644.86	1,725.66
			35.62088	37.36574	39.19785	41.12155	43.14144
252	38	PLAN CHECK ENGINEER	118,817.52	124,683.13	130,842.01	137,308.86	144,099.04
	Sch=M22		9,901.46	10,390.26	10,903.50	11,442.41	12,008.25
			2,284.95	2,397.75	2,516.19	2,640.56	2,771.14
			57.12381	59.94381	62.90481	66.01388	69.27838
258	41	PLANNER, ASSISTANT	96,166.84	100,899.92	105,869.65	111,087.87	116,566.99
	Sch=M22		8,013.90	8,408.33	8,822.47	9,257.32	9,713.92
			1,849.36	1,940.38	2,035.95	2,136.31	2,241.67
			46.23406	48.50958	50.89887	53.40763	56.04182

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CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
257	42	PLANNER, ASSOCIATE	111,087.87	116,566.99	122,320.07	128,360.81	134,703.58
	Sch=M22		9,257.32	9,713.92	10,193.34	10,696.73	11,225.30
			2,136.31	2,241.67	2,352.31	2,468.48	2,590.45
			53.40763	56.04182	58.80773	61.71193	64.76134
261	22	PLANNER, SENIOR	116,567.01	122,320.09	128,360.83	134,703.60	141,363.51
	Sch=M22		9,713.92	10,193.34	10,696.74	11,225.30	11,780.29
			2,241.67	2,352.31	2,468.48	2,590.45	2,718.53
			56.04183	58.80774	61.71194	64.76135	67.96323
231	43	POLICE CLERK	64,187.93	67,322.05	70,612.90	74,068.28	77,696.42
	Sch=M22		5,348.99	5,610.17	5,884.41	6,172.36	6,474.70
			1,234.38	1,294.65	1,357.94	1,424.39	1,494.16
			30.85958	32.36637	33.94851	35.60975	37.35405
229	20	POLICE CLERK, SENIOR	67,322.13	70,612.97	74,068.35	77,696.49	81,506.06
	Sch=M22		5,610.18	5,884.41	6,172.36	6,474.71	6,792.17
			1,294.66	1,357.94	1,424.39	1,494.16	1,567.42
			32.36641	33.94854	35.60978	37.35408	39.18561
230	52	POLICE CLERK, SUPERVISING	79,619.04	83,524.73	87,625.70	91,931.73	96,453.04
	Sch=M22		6,634.92	6,960.39	7,302.14	7,660.98	8,037.75
			1,531.14	1,606.24	1,685.11	1,767.92	1,854.87
			38.27838	40.15612	42.12774	44.19795	46.37165
237	55	POLICE IDENTIFICATION TECHNICIAN	81,135.81	85,117.33	89,297.93	93,687.56	98,296.68
	Sch=M22		6,761.32	7,093.11	7,441.49	7,807.30	8,191.39
			1,560.30	1,636.87	1,717.27	1,801.68	1,890.32
			39.00760	40.92179	42.93170	45.04210	47.25802
215	36	PROPERTY AND EVIDENCE SPECIALIST	68,338.90	71,680.57	75,189.35	78,873.54	82,741.96
	Sch=M22		5,694.91	5,973.38	6,265.78	6,572.80	6,895.16
			1,314.21	1,378.47	1,445.95	1,516.80	1,591.19
			32.85524	34.46181	36.14873	37.91997	39.77979
236	54	PROPERTY AND EVIDENCE SPECIALIST, SUPERVISING	77,343.90	81,135.83	85,117.35	89,297.95	93,687.58
	Sch=M22		6,445.33	6,761.32	7,093.11	7,441.50	7,807.30
			1,487.38	1,560.30	1,636.87	1,717.27	1,801.68
			37.18457	39.00761	40.92180	42.93171	45.04211
235	44	PUBLIC SAFETY DISPATCHER	79,619.04	83,524.73	87,625.70	91,931.73	96,453.04
	Sch=M22		6,634.92	6,960.39	7,302.14	7,660.98	8,037.75
			1,531.14	1,606.24	1,685.11	1,767.92	1,854.87
			38.27838	40.15612	42.12774	44.19795	46.37165
245	31	PUBLIC SAFETY DISPATCHER, SENIOR	83,524.69	87,625.66	91,931.68	96,453.00	101,200.39
	Sch=M22		6,960.39	7,302.14	7,660.97	8,037.75	8,433.37
			1,606.24	1,685.11	1,767.92	1,854.87	1,946.16
			40.15610	42.12772	44.19792	46.37163	48.65403
238	45	PUBLIC SAFETY DISPATCHER, SUPERVISING	91,983.74	96,507.67	101,257.78	106,245.40	111,482.40
	Sch=M22		7,665.31	8,042.31	8,438.15	8,853.78	9,290.20
			1,768.92	1,855.92	1,947.27	2,043.18	2,143.89
			44.22295	46.39792	48.68163	51.07952	53.59731

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220	46	PURCHASING SPECIALIST	75,373.88	79,067.31	82,945.40	87,017.41	91,293.02
	Sch=M22		6,281.16	6,588.94	6,912.12	7,251.45	7,607.75
			1,449.50	1,520.53	1,595.10	1,673.41	1,755.64
			36.23744	38.01313	39.87760	41.83529	43.89088
233	65	RECYCLING SPECIALIST	85,772.48	89,985.83	94,409.87	99,055.09	103,932.57
	Sch=M22		7,147.71	7,498.82	7,867.49	8,254.59	8,661.05
			1,649.47	1,730.50	1,815.57	1,904.91	1,998.70
			41.23677	43.26242	45.38936	47.62264	49.96758
405	39	TRAFFIC SIGNAL	70,584.08	74,038.02	77,664.65	81,472.62	85,470.99
	Sch=PS1	TECHNICIAN TRAINEE	5,882.01	6,169.84	6,472.05	6,789.39	7,122.58
			1,357.39	1,423.81	1,493.55	1,566.78	1,643.67
			33.93465	35.59520	37.33877	39.16953	41.09182
406	24	TRAFFIC SIGNAL	75,419.60	79,115.31	82,995.82	87,070.34	91,348.60
	Sch=PS1	TECHNICIAN	6,284.97	6,592.94	6,916.32	7,255.86	7,612.38
			1,450.38	1,521.45	1,596.07	1,674.43	1,756.70
			36.25942	38.03621	39.90184	41.86074	43.91760
408	53	TRAFFIC SIGNAL	82,509.20	86,559.39	90,812.09	95,277.43	99,966.04
	Sch=PS1	TECHNICIAN, SENIOR	6,875.77	7,213.28	7,567.67	7,939.79	8,330.50
			1,586.72	1,664.60	1,746.39	1,832.26	1,922.42
			39.66788	41.61509	43.65966	45.80646	48.06060
248	53	TRANSPORTATION	118,917.90	124,788.54	130,952.70	137,425.07	144,221.06
	Sch=M22	ENGINEER, ASSOCIATE	9,909.83	10,399.05	10,912.73	11,452.09	12,018.42
			2,286.88	2,399.78	2,518.32	2,642.79	2,773.48
			57.17207	59.99449	62.95803	66.06975	69.33705
396	44	WASTEWATER COLLECTIONS	58,019.99	60,845.72	63,812.73	66,928.10	70,199.24
	Sch=PS1	SYSTEMS TRAINEE	4,835.00	5,070.48	5,317.73	5,577.34	5,849.94
			1,115.77	1,170.11	1,227.17	1,287.08	1,349.99
			27.89423	29.25275	30.67920	32.17697	33.74963
397	45	WASTEWATER COLLECTIONS	67,138.85	70,458.06	73,943.24	77,602.67	81,445.07
	Sch=PS1	SYSTEMS WORKER I	5,594.90	5,871.51	6,161.94	6,466.89	6,787.09
			1,291.13	1,354.96	1,421.99	1,492.36	1,566.25
			32.27829	33.87407	35.54963	37.30898	39.15628
398	46	WASTEWATER COLLECTIONS	73,767.25	77,417.88	81,251.05	85,275.87	89,501.94
	Sch=PS1	SYSTEMS WORKER II	6,147.27	6,451.49	6,770.92	7,106.32	7,458.50
			1,418.60	1,488.81	1,562.52	1,639.92	1,721.19
			35.46502	37.22013	39.06300	40.99801	43.02978
399	47	WASTEWATER COLLECTIONS	81,095.37	85,112.41	89,330.30	93,759.09	98,409.31
	Sch=PS1	SYSTEMS WORKER III	6,757.95	7,092.70	7,444.19	7,813.26	8,200.78
			1,559.53	1,636.78	1,717.89	1,803.06	1,892.49
			38.98816	40.91943	42.94726	45.07649	47.31217
445	15	WATER DISTRIBUTION	61,975.99	64,999.53	68,174.24	71,507.69	75,007.81
	Sch=PS1	OPERATOR TRAINEE	5,164.67	5,416.63	5,681.19	5,958.97	6,250.65
			1,191.85	1,249.99	1,311.04	1,375.15	1,442.46
			29.79615	31.24977	32.77608	34.37870	36.06145

**CITY OF LIVERMORE
ASSOCIATION OF LIVERMORE EMPLOYEES
EFFECTIVE 10/10/2022**

CLASS			SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RA1				
CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
446	32	WATER DISTRIBUTION	69,474.38	72,872.82	76,441.19	80,187.99	84,122.12
	Sch=PS1	OPERATOR I	5,789.53	6,072.74	6,370.10	6,682.33	7,010.18
			1,336.05	1,401.40	1,470.02	1,542.08	1,617.73
			33.40114	35.03501	36.75057	38.55192	40.44333
447	33	WATER DISTRIBUTION	79,669.72	83,577.94	87,681.57	91,990.38	96,514.62
	Sch=PS1	OPERATOR II	6,639.14	6,964.83	7,306.80	7,665.87	8,042.89
			1,532.11	1,607.27	1,686.18	1,769.05	1,856.05
			38.30275	40.18170	42.15460	44.22614	46.40126
448	34	WATER DISTRIBUTION	85,922.85	90,143.72	94,575.65	99,229.17	104,115.35
	Sch=PS1	OPERATOR III	7,160.24	7,511.98	7,881.30	8,269.10	8,676.28
			1,652.36	1,733.53	1,818.76	1,908.25	2,002.22
			41.30906	43.33833	45.46906	47.70633	50.05546
470	05	WATER DISTRIBUTION	90,143.74	94,575.67	99,229.19	104,115.37	109,245.88
	Sch=PS1	SENIOR OPERATOR	7,511.98	7,881.31	8,269.10	8,676.28	9,103.82
			1,733.53	1,818.76	1,908.25	2,002.22	2,100.88
			43.33834	45.46907	47.70634	50.05547	52.52206
469	06	WATER DISTRIBUTION	99,007.59	103,882.71	109,001.57	114,376.38	120,019.94
	Sch=PS1	SUPERVISING OPERATOR	8,250.63	8,656.89	9,083.46	9,531.37	10,001.66
			1,903.99	1,997.74	2,096.18	2,199.55	2,308.08
			47.59980	49.94361	52.40460	54.98864	57.70189
456	37	WATER RESOURCES	92,975.04	97,586.06	102,427.64	107,511.29	112,849.13
	Sch=PS1	COORDINATOR	7,747.92	8,132.17	8,535.64	8,959.27	9,404.09
			1,787.98	1,876.66	1,969.76	2,067.52	2,170.18
			44.69954	46.91638	49.24406	51.68812	54.25439
454		WATER RESOURCES	96,622.84	101,416.26	106,449.34	111,734.08	117,283.06
	Sch=PS1	COORDINATOR - ELECTRICAL & INSTRUMENTATION	8,051.90	8,451.36	8,870.78	9,311.17	9,773.59
			1,858.13	1,950.31	2,047.10	2,148.73	2,255.44
			46.45329	48.75782	51.17757	53.71831	56.38609
463	25	WR INSTRUMENT	87,830.69	92,184.50	96,756.00	101,556.07	106,596.14
	Sch=PS1	CONTROL TECHNICIAN	7,319.22	7,682.04	8,063.00	8,463.01	8,883.01
			1,689.05	1,772.78	1,860.69	1,953.00	2,049.93
			42.22629	44.31947	46.51731	48.82503	51.24814
462	26	WR LABORATORY	83,894.09	88,051.07	92,415.90	96,998.96	101,811.18
	Sch=PS1	TECHNICIAN	6,991.17	7,337.59	7,701.33	8,083.25	8,484.27
			1,613.35	1,693.29	1,777.23	1,865.36	1,957.91
			40.33370	42.33225	44.43072	46.63412	48.94768
458	27	WR MECHANIC I	78,352.15	82,269.76	86,383.25	90,702.41	95,237.53
	Sch=PS1		6,529.35	6,855.81	7,198.60	7,558.53	7,936.46
			1,506.77	1,582.11	1,661.22	1,744.28	1,831.49
			37.66930	39.55277	41.53041	43.60693	45.78727
459	28	WR MECHANIC II	88,466.37	92,889.69	97,534.18	102,410.89	107,531.43
	Sch=PS1		7,372.20	7,740.81	8,127.85	8,534.24	8,960.95
			1,701.28	1,786.34	1,875.66	1,969.44	2,067.91
			42.53191	44.65851	46.89143	49.23600	51.69780

**CITY OF LIVERMORE
ASSOCIATION OF LIVERMORE EMPLOYEES
EFFECTIVE 10/10/2022**

CLASS		SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RA1					
CODE	RANGE	CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
451	29	WR OPERATOR - GRADE I	79,139.17	83,020.85	87,096.63	91,376.19	95,869.72
		Sch=PS1	6,594.93	6,918.40	7,258.05	7,614.68	7,989.14
			1,521.91	1,596.55	1,674.94	1,757.23	1,843.65
			38.04768	39.91387	41.87338	43.93086	46.09121
453	48	WR OPERATOR - GRADE II	83,010.44	87,085.69	91,364.71	95,857.67	100,575.29
		Sch=PS1	6,917.54	7,257.14	7,613.73	7,988.14	8,381.27
			1,596.35	1,674.72	1,757.01	1,843.42	1,934.14
			39.90887	41.86812	43.92534	46.08542	48.35350
452	30	WR OPERATOR - GRADE III	89,644.93	94,051.91	98,679.24	103,537.93	108,639.55
		Sch=PS1	7,470.41	7,837.66	8,223.27	8,628.16	9,053.30
			1,723.94	1,808.69	1,897.68	1,991.11	2,089.22
			43.09852	45.21726	47.44194	49.77785	52.23055
455	31	WR OPERATOR - TRAINEE	66,769.31	70,032.51	73,458.87	77,056.55	80,834.11
		Sch=PS1	5,564.11	5,836.04	6,121.57	6,421.38	6,736.18
			1,284.03	1,346.78	1,412.67	1,481.86	1,554.50
			32.10063	33.66948	35.31676	37.04642	38.86255
457	49	WR SENIOR OPERATOR	94,065.51	98,693.53	103,552.93	108,655.31	114,012.81
		Sch=PS1	7,838.79	8,224.46	8,629.41	9,054.61	9,501.07
			1,808.95	1,897.95	1,991.40	2,089.53	2,192.55
			45.22380	47.44881	49.78506	52.23813	54.81385
461	35	WR SOURCE CONTROL INSPECTOR	88,182.89	92,554.31	97,144.29	101,963.78	107,024.24
		Sch=PS1	7,348.57	7,712.86	8,095.36	8,496.98	8,918.69
			1,695.82	1,779.89	1,868.16	1,960.84	2,058.16
			42.39562	44.49726	46.70399	49.02105	51.45396
460	36	WR SOURCE CONTROL TECHNICIAN	82,983.27	87,057.17	91,334.76	95,826.22	100,542.26
		Sch=PS1	6,915.27	7,254.76	7,611.23	7,985.52	8,378.52
			1,595.83	1,674.18	1,756.44	1,842.81	1,933.51
			39.89580	41.85441	43.91094	46.07030	48.33763
464	50	WR SUPERVISING OPERATOR	103,314.73	108,405.19	113,750.18	119,362.42	125,255.27
		Sch=PS1	8,609.56	9,033.77	9,479.18	9,946.87	10,437.94
			1,986.82	2,084.72	2,187.50	2,295.43	2,408.76
			49.67054	52.11788	54.68759	57.38578	60.21888
952	51	YOUTH SERVICES CASE COORDINATOR	82,573.15	86,626.54	90,882.61	95,351.47	100,043.79
		Sch=M22	6,881.10	7,218.88	7,573.55	7,945.96	8,336.98
			1,587.95	1,665.90	1,747.74	1,833.68	1,923.92
			39.69863	41.64738	43.69356	45.84205	48.09798

*New Classification added 03/27/2023

**Retitled Classification 03/27/2023

**CITY OF LIVERMORE
POLICE OFFICER'S ASSOCIATION
EFFECTIVE 05/08/2023**

Schedule = P14

CLASS CODE RANGE	CLASSIFICATION	SALARY RANGE @ ANNUAL, MONTHLY, WEEKLY, HRLY RATES				
		STEP A	STEP B	STEP C	STEP D	STEP E
604 01	POLICE OFFICER	105,639.90	110,921.89	116,467.98	122,291.38	128,405.95
		8,803.33	9,243.49	9,705.67	10,190.95	10,700.50
		2031.54	2133.11	2239.77	2351.76	2469.35
		50.78841	53.32783	55.99422	58.79393	61.73363
603 02	POLICE SERGEANT	131,448.44	138,020.86	144,921.90	152,168.00	159,776.40
		10,954.04	11,501.74	12,076.83	12,680.67	13,314.70
		2527.85	2654.25	2786.96	2926.31	3072.62
		63.19637	66.35618	69.67399	73.15769	76.81558
606 03	POLICE TRAINEE (Non-Sworn)	37.00128	-	-	-	-

CITY OF LIVERMORE
MANAGEMENT SALARY SCHEDULE
\$7,504 - \$17,106/month
Effective July 4, 2022

Class Code	Classification	Monthly Salary Range		
		\$13,684.77	-	\$17,105.96
119	Assistant Administrative Services Director			
100	Assistant City Attorney			
132	Assistant Community Development Director			
129	Assistant Public Works Director			
124	City Engineer			
		\$12,730.29	-	\$15,912.86
250	Assistant City Engineer			
289	Building Official			
218	Finance Manager			
125	Maintenance and Golf Operations Manager			
118	Planning Manager			
449	Water Resources Division Manager			
		\$12,102.02	-	\$15,127.53
123	Housing & Human Services Manager			
		\$11,975.92	-	\$14,969.90
246	Senior Transportation Engineer			
		\$11,491.86	-	\$14,364.82
283	Permit Center Manager			
		\$11,468.74	-	\$14,335.93
253	Senior Civil Engineer			
		\$10,895.92	-	\$14,164.69
269	Cyber Security Manager			
268	Information Technology Manager			
		\$11,145.89	-	\$13,932.36
127	Risk Manager			
		\$11,001.70	-	\$13,752.13
472	Airport Manager			
136	City Clerk			
134	Housing Programs Manager			
135	Human Services Programs Manager			
297	Police Support Services Manager			
259	Principal Planner			
951	Youth and Family Services Manager - Clinical			
		\$10,387.14	-	\$12,983.93
137	Assistant Finance Manager			
130	Assistant Library Director			
120	Economic Development Manager			
278	Inspection & Neighborhood Preservation Manager			
450	Water Resources Operations Manager			
474	Water Resources Technical Programs Manager			
953	Youth and Family Services Manager - Programs			

CITY OF LIVERMORE
MANAGEMENT SALARY SCHEDULE
\$7,504 - \$17,106/month
 Effective July 4, 2022

Class Code	Classification	Monthly Salary Range		
		\$9,873.94	-	\$12,342.42
217	Accounting Supervisor*			
232	Information Technology Coordinator			
148	Management Analyst, Senior			
133	Public Works Manager			
270	Systems Administrator			
468	Water Distribution Operations Manager			
		\$9,769.14	-	\$12,211.42
272	Construction Inspection Manager			
		\$9,724.54	-	\$12,155.68
128	Deputy City Attorney			
295	Police Business Services Manager			
293	Police Facility & Equipment Manager			
		\$9,228.46	-	\$11,535.57
131	Assistant City Clerk			
150	Management Analyst II			
298	Police Media & Community Relations Analyst			
126	Public Works Supervisor			
		\$7,504.89	-	\$9,381.11
207	Deputy City Clerk			
152	Management Analyst I			
264	Supervising Librarian			
466	Water Resources Communications Representative			

*Accounting Supervisor - Market Equity Adjustment - effective October 10, 2022

CITY OF LIVERMORE
MANAGEMENT CONFIDENTIAL SALARY SCHEDULE
\$7,504 - \$18,443/month
Effective July 4, 2022

Class Code	Classification	Monthly Salary Range		
113	Assistant City Attorney, Senior (Confidential)	\$14,754.08	-	\$18,442.60
104	Assistant to the City Manager (Confidential)	\$12,102.02	-	\$15,127.53
122	Human Resources Manager (Confidential)	\$12,730.29	-	\$15,912.86
154	Human Resources Analyst, Senior (Confidential)	\$9,873.94	-	\$12,342.42
155	Human Resources Analyst II (Confidential)	\$9,228.46	-	\$11,535.57
156	Human Resources Analyst I (Confidential)	\$7,504.89	-	\$9,381.11
149	Management Analyst, Senior (Confidential)	\$9,873.94	-	\$12,342.42
151	Management Analyst II (Confidential)	\$9,228.46	-	\$11,535.57
153	Management Analyst I (Confidential)	\$7,504.89	-	\$9,381.11

CITY OF LIVERMORE
POLICE MANAGEMENT SALARY SCHEDULE
\$12,830 - \$19,891/month
Effective July 4, 2022

Class Code	Classification	Salary Range	
605	Police Captain	\$16,628.44	- \$20,785.55
602	Police Lieutenant	\$13,408.46	- \$16,760.58

CITY OF LIVERMORE
CONFIDENTIAL SALARY SCHEDULE
\$4,970 - \$10,355/month
 Effective July 4, 2022

Class Code	Classifications	Monthly Salary Range		
216	Administrative Receptionist	\$4,970.89	-	\$6,213.61
203	Administrative Specialist I	\$5,753.66	-	\$7,192.07
227	Administrative Specialist II	\$6,471.02	-	\$8,088.77
200	Executive Assistant	\$8,283.88	-	\$10,354.85
226	Human Resources Clerk I	\$5,753.66	-	\$7,192.07
212	Human Resources Clerk II	\$6,329.66	-	\$7,912.08
219	Human Resources Technician	\$6,945.30	-	\$8,681.63
201	Law Office Supervisor	\$8,283.88	-	\$10,354.85
204	Legal Assistant	\$6,879.30	-	\$8,599.12

CITY OF LIVERMORE
EXECUTIVE MANAGEMENT SALARY SCHEDULE
\$13,684 - \$23,501/month
Effective December 5, 2022

Class Code	Classification	Monthly Salary Range		
109	Administrative Services Director	\$15,956.73	-	\$19,945.91
103	Assistant City Manager	\$17,212.88	-	\$21,516.10
105	Community Development Director	\$15,956.73	-	\$19,945.91
106	Deputy City Manager	\$13,684.77	-	\$17,105.96
117	Deputy City Manager/City Clerk*	\$13,684.77	-	\$17,105.96
114	Innovation and Economic Development Director	\$15,956.73	-	\$19,945.91
121	Library Services Director	\$15,956.73	-	\$19,945.91
107	Police Chief	\$18,800.54	-	\$23,500.68
111	Public Works Director	\$15,956.73	-	\$19,945.91

*New Position Added 03/27/2023

**CITY OF LIVERMORE
APPOINTED MANAGEMENT**

Class Code	Classification	Annual Salary	Effective
102	City Manager	\$317,200	12/5/2022
112	City Attorney	\$290,170	12/5/2022

**CITY OF LIVERMORE
UNCLASSIFIED AND HOURLY SALARY SCHEDULE**

Class Code	Classification	Salary Range	Effective Date
210	Department Assistant	\$15.50 - \$25.25 Hourly	12/19/22
438	Field/Maintenance Aide	\$15.50 - \$25.25 Hourly	12/19/22
240	Law Clerk	\$15.50 - \$25.00 Hourly	12/19/22
915	Temporary Librarian	\$19.00 - \$23.50 Hourly	05/11/07
916	Temporary Library Assistant	\$17.00 - \$22.50 Hourly	05/11/07
917	Temporary Library Clerk	\$15.75 - \$19.00 Hourly	05/11/07
920	Library Aide	\$15.50 Hour	12/19/22
961	Police Cadet	\$15.50 - \$19.00 Hourly	12/19/22
963	Reserve Police Officer	Hourly equivalent to Police Officer Step A	
956	Special Projects Coordinator	\$20.00 - \$100.00 Hourly	12/20/21



CITY COUNCIL STAFF REPORT

ITEM NO. 5.7

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Tina Olson, Administrative Services Director

SUBJECT: Resolution approving the City of Livermore Recruitment Incentive Policy effective April 1, 2023.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution approving the City of Livermore Recruitment Incentive Policy effective April 1, 2023 and authorizes the City Manager to offer recruitment incentives consistent with the approved policy.

SUMMARY

In December of 2021, Mission Square Research Institute, in collaboration with ICMA, conducted a survey of 1,100 state and local government employees to assess the continued impact of the COVID-19 pandemic on public sector employee satisfaction and retention.

The research found that from the start of the declared public health emergency (February 2020) to February 2022, state and local employment levels were down approximately 3.5% or around 695,000 positions.

Although the City hired and/or promoted a total of 70 employees in 2022 alone, as of March 1, 2023, there are 50 vacant regular, budgeted positions. The City faces fierce competition for top, diverse talent and has recently seen the impact of this talent competition with dramatically reduced applicant pools. To attract the best qualified candidates to fill vacant positions, the City needs to employ flexible and modern recruiting tools including a variety of incentives. Approving the use of recruiting incentives will allow Livermore to be more competitive with other public agencies and the private sector who are offering a wide range of incentives to new hires.

DISCUSSION

As the competition for top talent heated up across the region, Livermore experienced historic employee

terminations. In 2020 and 2021 the annual turnover rate was 20% higher than average and in 2022 we had over eight job offers rejected.

Faced with a recruiting challenge, the Administrative Services Director and Human Resources Manager met individually with each member of the Executive team to develop a list of possible solutions. The list of recommended recruiting incentives is a direct result of these meetings.

If approved, requests for a recruitment incentive will be required to be provided in writing to the Human Resources Manager in advance of the Job Offer being extended to a candidate (job offer letter given to candidate). The written request must include the reason for the request, the dollar amount of the request (supported by an itemized statement or receipt of the expense) and how the candidate is uniquely qualified for the vacant position.

Eligible Incentives include:

- **Advanced Leave Accrual Credit.** City will provide recognition of prior public-sector experience in providing vacation accrual rates. The employee will receive credit towards vacation accruals for related public-sector service at a rate of one year of credit for every two years of directly related experience, up to a total credit of 10 years for 20 years of applicable work experience. Once credit is assigned, the employee must have actual City service equal to the next vacation accrual level to move into the new accrual band.
- **Moving expenses.** Actual moving expenses of up to \$5,000 can be reimbursed if a candidate lives 50 miles or more from Livermore.
- **COBRA fees** to cover medical, dental and vision coverage until the City of Livermore benefits begin. Actual expenses are reimbursable up to \$3,000.
- **Educational/Training fees** that must be repaid to a former employer of up to \$5,000.
- **Student Loan fees** incurred in the pursuit of a bachelor's degree or higher are reimbursable up to a maximum of \$5,000.

ELIGIBILITY

As noted, this policy is designed to secure top new talent to vacant budgeted positions. Eligibility will be determined by the City Manager in consultation with the Director of Administrative Services based on a recommendation from the recruiting department director.

FISCAL AND ADMINISTRATIVE IMPACTS

The estimated fiscal impact of these incentives could total approximately \$50,000 annually. The cost of each paid incentive would be covered by the departments existing fiscal year budget through salary savings derived from vacant positions.

COMMUNITY PILAR

5: A City That Works

GOAL CATEGORY

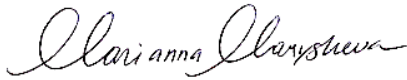
8: Attract, develop, engage, and retain a diverse and highly skilled workforce across the organization.

ATTACHMENTS

- 1. Resolution
- 2. Exhibit A - Recruitment Incentive Policy

Prepared by: Nancy Dias
Human Resource 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 APPROVING A RECRUITMENT INCENTIVE POLICY
AND AUTHORIZING THE CITY MANAGER TO OFFER RECRUITMENT
INCENTIVES FOR HARD TO FILL POSITIONS**

As of January 2022, the state and local government job opening rate was at the highest it had been in over 20 years. The City of Livermore ("City") followed a similar trend. The number of employees who resigned or retired in 2020 and 2021 was 26% higher than the 5 years preceding the pandemic. The City lost a combined total of 107 employees in 2020 and 2021.

As of March 1, 2023, there are 50 vacant regular, budgeted positions. The City faces fierce competition for top, diverse talent and has recently seen the impact of this talent competition with dramatically reduced applicant pools. To attract the best qualified candidates to fill vacant positions, the City needs to employ flexible and modern recruiting tools including a variety of incentives.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby approves the Recruitment Incentive Policy set forth in Exhibit A, attached hereto, and authorizes the City Manager to offer recruitment incentives consistent with the approved policy.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Jason Alcala
Jason Alcala
City Attorney

Exhibit A - Recruitment Incentive Policy

RECRUITMENT INCENTIVE POLICY

PURPOSE & RESPONSIBILITY

The City Manager is authorized to provide recruitment incentives for eligible, vacant/budgeted, and hard-to-fill Executive, Manager and Confidential City positions.

While this outline does not cover every possible situation, it establishes reasonable guidelines to follow while awarding appropriate and consistent incentives.

Department Heads recommending a recruitment incentive are responsible for determining that the cost is reasonable and justified. Department Heads will ensure that:

- The purpose of the incentive cannot be fulfilled by another City benefit or policy.
- The incentive is required to secure the best qualified candidate to a vacant City position.
- An appropriate number of alternate candidates have been considered from the qualified applicant pool.
- The identified candidate possesses the required knowledge, skills and abilities to best complete the essential functions of the vacant job.
- There are enough funds in the appropriate department budget to cover all associated costs.

DEFINITIONS

- A. Hard to Fill Position:** A position that requires advanced knowledge, experience or training, and there is, or there is expected to be, a limited pool of qualified applicants.
- B. Qualified Applicant Pool:** The group of applicants who apply for a vacant position and meet the minimum requirements to complete the essential functions of a vacant position.
- C. Eligible Position:** An Executive, Confidential, or Management position that is in the currently approved fiscal year budget.

RECRUITMENT INCENTIVES

The City Manager, based upon a recommendation from a Department Head and in coordination with the Human Resources Manager, may offer in his or her discretion one or more the following recruitment incentives:

- **Advanced Leave Accrual Credit.** City to provide recognition of prior Public Sector experience. Employee will receive credit towards vacation accruals

for related public-sector service at a rate of one year of credit for every two years of directly related experience, up to a total credit of 10 years for 20 years of applicable work experience. Once credit is assigned, the employee must have actual City service equal to the next vacation accrual level to move into the new accrual band.

- **Moving expenses.** Actual expenses up to \$5,000 can be reimbursed if a candidate lives 50 miles or more away from Livermore.
- **COBRA fees** to cover medical, dental and vision coverage UNTIL the City of Livermore benefits begin. Actual expenses are reimbursable up to \$3,000.
- **Educational/Training fees** that must be repaid to a former employer up to \$5,000.
- **Student Loan fees** incurred in the pursuit of a bachelor's degree or higher are reimbursable up to a maximum of \$5,000.



CITY COUNCIL STAFF REPORT

ITEM NO. 6.1

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Hearing to consider the Housing Element Annual Progress Report, which tracks the City's progress towards implementing the Housing Element of the General Plan and meeting its Regional Housing Need Allocation (RHNA), pursuant to Government Code Section 65400.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution accepting the 2022 Housing Element Annual Progress Report.

SUMMARY

The City completed its eighth and final year implementing the 2015-2022 Housing Element. The Annual Progress Report (APR) describes the City's progress completing the programs in the Housing Element and meeting its Regional Housing Need Allocation (RHNA). Overall permitting for residential development was lower in 2022 than previous years, likely reflecting COVID-19 impacts and continued litigation preventing construction of approved projects. Residential permitting activity is likely to increase over the next few years due to the construction of approved projects in the Isabel Neighborhood Specific Plan and projects currently in the entitlement process. Similar to most East Bay Area jurisdictions, Livermore exceeded its RHNA targets for the above moderate- and moderate-income categories but did not meet its targets for low and very low-income categories. However, the City made significant progress toward implementing housing programs and securing funding to increase housing opportunities for community members across the lower income levels.

Government Code Section 65400 requires the City to submit the Annual Progress Report to both the State Housing and Community Development Department and the Governor's Office of Planning and Research by April 1, 2023. Government Code Section 65400 also requires that City Council consider the report and allow public comment. If City Council accepts the report, staff will file it with the State prior to the April 1, 2023, deadline.

DISCUSSION

Background

In March 2010, the California Department of Housing and Community Development (HCD) adopted Housing Element regulations that specify for cities and counties how to complete annual reports on Housing Element progress. Since 2010, the State has passed extensive housing legislation due to concerns about the lack of housing production and housing affordability. Included in that legislation are expanded reporting requirements for Annual Progress Reports (APRs). APRs require local jurisdictions to report the following information:

- Building permits issued for housing units by income level to show progress meeting RHNA targets.
- Progress implementing Housing Element programs to maintain, improve, and develop housing opportunities for all income levels.
- Housing development applications submitted.
- Housing units receiving a planning entitlement.
- Housing units receiving a certificate of occupancy or other form of readiness (such as a final building permit).
- Housing units proposed, approved, or constructed pursuant to the streamlining provisions in Senate Bill (SB) 35.
- Housing units constructed and lot splits approved pursuant to Senate Bill 9.
- Housing units constructed in conjunction with a commercial development bonus.
- Student housing units approved for lower income students for which a density bonus was granted.
- Units rehabilitated, preserved, or acquired for alternative adequate sites.
- Above moderate income units converted to moderate income units.
- List of sites rezoned to accommodate RHNA targets.
- List of sites identified as surplus publicly owned land.
- Status of projects that received Local Early Action Planning (LEAP) funding.

In addition to being required by State law, compliance with the filing requirement is a criterion of eligibility for several regional and State grants. For example, the One Bay Area Grant (OBAG) competitive grant program administered by the Alameda County Transportation Commission using regional funds requires on-time filing of the APR (by April 1) for eligibility. In the past, the City has received other grants from HCD for first-time homebuyer assistance (Cal Home), affordable housing development (Local Housing Trust), and other park and public amenity projects predicated on timely submittal of the APR. Filing the APR will sustain the City's eligibility for these grant programs and others in the future.

City Council is required to review and accept the APR before staff files it with the State Housing and Community Development Department and the Governor's Office of Planning and Research by the April 1st deadline. The 2022 APR is included as Exhibit A to the Resolution and includes tables that show all the required information listed above, consistent with State legislation.

Regional Housing Needs Allocation

The RHNA refers to the fair share of regional housing that the City needs to accommodate during the Housing Element planning period. The City is not required to construct housing to meet the RHNA. Rather, Housing Element legislation requires cities to demonstrate the availability of land with zoning

appropriate to accommodate future additional residential units. In addition to a residential land inventory, the Housing Element also includes programs to develop, preserve, and improve the housing stock.

The City's RHNA for the 2015-2022 Housing Element cycle was 2,729 dwelling units, distributed among four income categories (839 very low, 474 low, 496 moderate, and 920 above moderate). Consistent with the RHNA for most Bay Area cities, Livermore's overall housing need is greatest in the very low-income (31 percent of RHNA) and above moderate-income (34 percent of RHNA) categories of the RHNA. Livermore's RHNA also reflects a need for workforce and senior housing in the low- and moderate-income categories, which represents 17 percent and 18 percent of the RHNA, respectively.

Building Affordable Housing in Livermore

State Housing Element Law allows jurisdictions to use density as a proxy for affordability when demonstrating the availability of residentially zoned land for low-income RHNA categories; however, HCD issued guidance starting with the 2017 APR noting that affordability of built units may not rely on density and must be based on actual sales/rental prices. As such, higher density product types no longer qualify as affordable based on density alone.

The affordable housing income limits that define above moderate, moderate, low and very low-income are established each year by Council resolution. The adopted 2022 income limits are provided in Attachment 1.

The City's inclusionary housing ordinance requires new residential projects to include affordable units by contract (i.e., deed-restricted) with the City as follows:

- For-sale units: 15 percent of all for-sale housing units built in the City must be affordable to low and moderate-income households. Of the 15 percent, a minimum of 7.5 percent of the units must be for low-income households.
- Rental units: 15 percent of all rental housing units built in the City must be affordable to very-low and low-income households. Of the 15 percent, a minimum of 7.5 percent of the units must be for very-low-income households.
- 10 percent of for-sale housing units built in the Downtown Specific Plan shall be affordable to low-income households.
- 20 percent of both for-sale and rental units built in the Isabel Neighborhood Specific Plan shall be affordable to moderate-income households.
- Inclusionary units are required to be the same quality as market rate units and evenly distributed throughout each residential project.

The City Council can approve alternative means of meeting the inclusionary housing requirements above (e.g., in-lieu fees, donation of land, etc.). The City uses in-lieu fees for the construction of affordable housing, such as the Chestnut Square project. Due to high sales and rental costs, all low and very low-income units produced in the city require a subsidy. The City does not have sufficient affordable housing funds to subsidize enough units to reach the RHNA goals in these categories.

State and local policies aside, attached unit types tend to cost less than single-family detached units and are more attainable to first-time homebuyers and other households with less ability to afford large down payments. Rental units and accessory dwelling units offer options for households that cannot afford to buy. These housing types are important for diversifying housing choices in Livermore.

2022 Housing Permit Activity

Attachment 2 includes summary tables from the APR showing housing permit activity in 2022. The City issued building permits for 106 units, which is lower than previous years of the planning cycle. The reduced activity could be a reflection of COVID-19 impacts and continued litigation preventing construction of approved housing projects like Eden Housing and Garaventa Hills. Over half of the permits issued in 2022 were for accessory dwelling units (approximately 58 percent). Multi-family units and single-family detached units were approximately 23 and 20 percent of the total, respectively.

Staff anticipates building permit activity to increase over the next several years due to construction of recently approved projects in the Isabel Neighborhood Specific Plan (INSP). The INSP allows for over 4,000 new residential units at build-out.

Progress Meeting RHNA for the 2015-2022 Cycle

Table B of the APR, included as Attachment 3, shows the City's progress meeting its RHNA numbers throughout each year of the planning period. RHNA progress is determined through building permits issued by income level. The City exceeded its RHNA targets for the above moderate and moderate-income categories. Additional housing units built at these income levels did not count towards RHNA progress, but still helped increase the supply of housing in Livermore. The City did not meet its targets for the low and very low-income categories.

Progress Implementing Housing Programs

In addition to planning for and entitling housing at a range of densities and affordability levels, the City implements a variety of housing programs to address affordability challenges in Livermore. Table D of the Annual Progress Report lists the goals, policies, and programs in the Housing Element and the status towards implementing and completing these programs. The majority of Housing Element programs outlined in Table D are either completed or ongoing. Below are accomplishments in 2022 that highlight implementation of the City's 2015-2022 Housing Element.

- An appellate court ruled in favor of the City in a lawsuit filed in opposition to the Eden Housing project, a 130-unit workforce housing development in Downtown Livermore. The City continued to work with Eden to secure grant funding for the project.
- In April 2022, City staff joined non-profit partners, elected officials, and community members for the groundbreaking ceremony for the Vineyard 2.0 project. The site will provide 24 supportive housing units and approximately 10,000 s.f. of commercial space for a resource center serving persons who are homeless and a commercial food kitchen that will benefit food insecure people in Livermore.
- In February 2022, a community-based organization called EveryOne Home conducted a point-in-time homeless count and survey for Alameda County. The count found there were 9,747 people in

Alameda County who were homeless at the time of the count. Of this population, 242 were counted in Livermore, an 8 percent decrease since 2019.

- In June 2022, the City partnered with Centro Legal de la Raza and the Livermore Housing Authority to provide free virtual workshops for Livermore renters, nonprofit services providers, and local landlords on tenant protections and fair housing laws. The workshops were conducted and marketed in both English and Spanish.
- The City was awarded \$581,000 from the State of California's Family Homelessness Challenge Grant program to re-house Livermore students and their families experiencing homelessness through bridge housing provided by the Livermore Housing Authority, along with supportive services and housing navigation. Livermore was one of ten communities across California to receive this competitive award.
- The State of California's No Place Like Home program awarded more than seven million dollars in capital funding and four and a half million dollars in operating resources for Pacific Avenue Senior Apartments which will provide 140 homes to low-income senior households. The funds will be used to build and set aside 24 units for seniors experiencing homelessness who need mental health services, as well as funding supportive services to help residents stabilize and age in place.

2023-2031 Housing Element Update

To comply with State law, the City's Housing Element must be updated every eight years to ensure the City's policies and programs can accommodate estimated housing growth needs identified in the Association of Bay Area Government's (ABAG) Regional Housing Needs Allocation (RHNA). For the 2023-2031 planning period, the City of Livermore was assigned a total of 4,570 units, 2,075 of which are lower income units (1,317 very low-income units and 758 low-income units). On March 13, 2023, the City Council adopted the 2023-2031 Housing Element to demonstrate its ability to accommodate these units and meet housing needs in Livermore.

CEQA DETERMINATION

Accepting the 2022 Annual Progress Report is not a project as defined by the California Environmental Quality Action (CEQA) Guidelines Section 15378 because it will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

FISCAL AND ADMINISTRATIVE IMPACTS

There are no direct fiscal impacts resulting from preparation of the 2022 Annual Progress Report. City Council acceptance of the report and staff submittal of the report to the State will retain the City's eligibility for competitive grant funding for transportation projects and other grants that may be available from HCD in 2023.

COMMUNITY PILLAR

1: A Safe Community that Thrives

GOAL CATEGORY

7: Expand and preserve the supply of affordable housing opportunities

GUIDING DOCUMENT

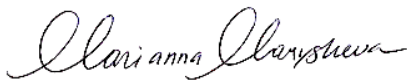
2015-2022 Housing Element

ATTACHMENTS

1. 2022 Affordable For-Sales Prices and Rental Rates
2. 2022 Building Permit Activity Summary
3. 2015-2022 RHNA Progress
4. Resolution - 2022 APR
5. Exhibit A - 2022 APR

Prepared by: Tricia Pontau
Senior Planner

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



City of Livermore Affordable For-Sale Prices and Rental Rates

For-Sale Housing*									
No. Bed-rooms	Size House hold	Very-Low Income (50%)		Low-Income (80%)		Median-Income (100%)		Moderate-Income (120%)	
		Maximum Income	Maximum Purchase Price	Maximum Income	Maximum Purchase Price	Maximum Income	Maximum Purchase Price	Maximum Income	Maximum Purchase Price
Studio	1	\$50,000	\$109,099	\$76,750	\$204,264	\$99,950	\$286,800	\$119,950	\$357,952
1	2	\$57,150	\$134,536	\$87,700	\$243,220	\$114,250	\$337,673	\$137,100	\$418,964
2	3	\$64,300	\$159,972	\$98,650	\$282,175	\$128,500	\$388,369	\$154,200	\$479,799
3	4	\$71,400	\$185,231	\$109,600	\$321,131	\$142,800	\$439,242	\$171,350	\$540,811
4	5	\$77,150	\$205,687	\$118,400	\$352,437	\$154,200	\$479,799	\$185,050	\$589,550

*Effective January 1, 2023

Rental Housing*													
No. Bed-rooms	Size House-hold	Ext. Low-Income (30%)		Very-Low Income (50%)		Lower-Income (60%)		Low-Income (80%)		Median-Income (100%)		Moderate-Income (120%)	
		Maximum Income	Maximum Rent	Maximum Income	Maximum Rent	Maximum Income	Maximum Rent	Maximum Income	Maximum Rent	Maximum Income	Maximum Rent	Maximum Income	Maximum Rent
Studio	1	\$30,000	\$750	\$50,000	\$1,250	\$60,000	\$1,500	\$76,750	\$1,919	\$99,950	\$2,499	\$119,950	\$2,999
1 ^(*)	1.5	\$34,300	\$858	\$53,575	\$1,339	\$64,290	\$1,607	\$82,225	\$2,056	\$107,100	\$2,678	\$128,525	\$3,213
1	2	\$38,600	\$965	\$57,150	\$1,429	\$68,580	\$1,715	\$87,700	\$2,193	\$114,250	\$2,856	\$137,100	\$3,428
2	3	\$42,850	\$1,071	\$64,300	\$1,608	\$77,160	\$1,929	\$98,650	\$2,466	\$128,500	\$3,213	\$154,200	\$3,855
3	4	\$46,300	\$1,158	\$71,400	\$1,785	\$85,680	\$2,142	\$109,600	\$2,740	\$142,800	\$3,570	\$171,350	\$4,284
4	5	\$49,750	\$1,244	\$77,150	\$1,929	\$92,580	\$2,315	\$118,400	\$2,960	\$154,200	\$3,855	\$185,050	\$4,626

*Effective November 28, 2022

NOTES: These limits are based on income data from the California Department of Housing and Community Development (HCD) for 2022. The Affordable Sales Prices are effective for the 2023 Affordable Homeownership Program year and thereafter until updated by City Council. The 2022 Area Median Income for a 4-person household of \$142,800 published by State HCD is derived from the U.S. Department of Housing and Urban Development for Alameda County (Oakland-Fremont Metro Region) for the Section 8 Program.

(*) Low Income Housing Tax Credit (LIHTC) Household size

Sales Prices: assume a 6% interest rate, 30-year mortgage, and housing payments (PITI) which do not exceed 30% of the household's monthly income.

The Rental Housing limits are effective upon adoption by City Council and thereafter until updated by City Council. Rental affordability based on 30% of the household's monthly income and do not include tenant utility allowances. Utility allowances should be deducted from the maximum rents based on the Livermore Housing Authority's utility allowance schedule for the Section 8 Program.

Date Adopted by Livermore City Council: November 28, 2022

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	24
	Non-Deed Restricted	
Low	Deed Restricted	
	Non-Deed Restricted	
Moderate	Deed Restricted	
	Non-Deed Restricted	61
Above Moderate		21
Total Units		106

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA			28
SFD	2	21	2
2 to 4			
5+	411	24	
ADU		61	39
MH			
Total	413	106	69

Housing Applications Summary	
Total Housing Applications Submitted:	89
Number of Proposed Units in All Applications Received:	91
Total Housing Units Approved:	67
Total Housing Units Disapproved:	

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	
Number of Streamlining Applications Approved	
Total Developments Approved with Streamlining	
Total Units Constructed with Streamlining	

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low			
Low			
Moderate			
Above Moderate			
Total			

Cells in grey contain auto-calculation formulas

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1		2									3
Income Level		RHNA Allocation by Income Level		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)
													Total Remaining RHNA by Income Level
Very Low	Deed Restricted	839	-	-	-	52	34	42	-	44	24	-	196
	Non-Deed Restricted	-	-	-	-	-	-	-	-	-	-	-	643
Low	Deed Restricted	474	-	2	4	24	10	1	3	-	-	-	56
	Non-Deed Restricted	-	-	-	12	-	-	-	-	-	-	-	418
Moderate	Deed Restricted	496	-	-	-	-	8	2	-	-	-	-	-
	Non-Deed Restricted	-	-	14	395	15	18	36	40	60	61	-	649
Above Moderate		920	-	420	15	311	235	260	124	25	21	-	1,411
Total RHNA		2,729	-	436	426	402	305	341	167	129	106	-	2,312
Total Units		-	-	436	426	402	305	341	167	129	106	-	2,312
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).													
		5		2015	2016	2017	2018	2019	2020	2021	2022	2023	6
		Extremely low-income Need											Total Units to Date
Extremely Low-Income Units*		420	-	-	-	-	-	-	-	-	24	-	24
													Total Units Remaining
													396

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle,

Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

**A RESOLUTION ACCEPTING THE 2022 HOUSING ELEMENT
ANNUAL PROGRESS REPORT**

The California Department of Housing and Community Development's ("HCD") Housing Element regulations require cities and counties to complete annual reports on housing element progress.

Housing Element Annual Progress Reports must include information such as (1) annual building permits issued by income level to show progress meeting Regional Housing Need Allocation ("RHNA") targets; (2) progress implementing Housing Element programs to maintain, improve, and develop housing opportunities for all income levels, (3) annual housing development applications submitted; (4) annual housing units receiving a planning entitlement; (5) annual housing units receiving a certificate of occupancy or other form of readiness; (6) annual housing units proposed, approved, or constructed pursuant to SB 35 and SB 9; (7) housing units constructed in conjunction with a commercial development bonus; (8) list of sites rezoned to accommodate RHNA targets; (9) list of sites identified as surplus publicly owned land; and (10) status of projects that received Local Early Action Planning (LEAP) funding.

In addition to being required by State law, the City must file Annual Progress Reports to maintain eligibility for regional and State grants. On-time filing of these reports ensures eligibility for competitive grant programs, such as the One Bay Area Grant competitive grant program administered by the Alameda County Transportation Commission. In the past, the City has received other grants from HCD for first-time homebuyer assistance such as Cal Home and the Local Housing Trust, as well as other park and public amenity projects predicated on timely submittal of the Annual Progress Report.

Accepting the 2022 Annual Progress Report is not a project as defined by the California Environmental Quality Action (CEQA) Guidelines Section 15378 because it will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

On March 27, 2023, the City Council held a duly noticed public hearing to consider the 2022 Housing Element Annual Progress Report, staff recommendations, and all public comments and testimony.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that it hereby accepts the 2022 Housing Element Annual Progress Report, attached hereto as Exhibit A.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney

Exhibit A - 2022 Housing Element Annual Progress Report

Jurisdiction	Livermore
Reporting Year	2022 (Jan. 1 - Dec. 31)
Planning Period	5th Cycle 01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes							Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications		Application Status	Notes	
1					2	3	4	5							6		7	8	9	10	11	12
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4.5+ADU,MH)	Tenure R=Renter O=Owner	Date Application Submitted+ (see instructions)	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total PROPOSED Units by Project	Total APPROVED Units by project	Total DISAPPROVED Units by Project	Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)	Ddl the housing development application seek incentives or concessions pursuant to Government Code section 65915?	Were incentives or concessions requested pursuant to Government Code section 65915 approved?	Please indicate the status of the application.	Notes*
Summary Row: Start Data Entry Below																						
	099 134501600	256 WHITE FANG WY		ADU220001	ADU	R	1/4/2022								1	1	1		No	No	N/A	Approved
	097 005401100	636 1ST		ADU220002	ADU	R	1/5/2022								1	1	1		No	No	N/A	Approved
	099 132806100	4108 BISHOP PINE WY		ADU220003	ADU	R	1/11/2022								1	1	1		No	No	N/A	Approved
	097 014604200	1195 KILLARNEY ST		ADU220005	ADU	R	1/18/2022								1	1	1		No	No	N/A	Approved
	098 040012500	631 PELICAN CT		ADU220006	ADU	R	1/21/2022								1	1	1		No	No	N/A	Approved
	098 022000500	658 O ST		ADU220007	ADU	R	1/31/2022								1	1	1		No	No	N/A	Approved
	098 024000114	492 N LIVERMORE AV		ADU220008	ADU	R	2/3/2022								1	1	1		No	No	N/A	Approved
	097 014200901	1740 PEARY WY		ADU220009	ADU	R	2/8/2022								1	1	1		No	No	N/A	Approved
	099B810107600	2386 SPYGLASS HILLS RD		ADU220010	ADU	R	2/10/2022								1	1	1		No	No	N/A	Approved
	097 008501802	227 HOLMES ST		ADU220011	ADU	R	3/3/2022								1	1	1		No	No	N/A	Pending
	099A291008900	91 MARCIA CT		ADU220012	ADU	R	3/9/2022								1	1	1		No	No	N/A	Approved
	099 136501300	1120 HANSEN RD		ADU220013	ADU	R	3/10/2022								1	1	1		No	No	N/A	Approved
	098 038902700	969 CAYUGA DR		ADU220014	ADU	R	3/16/2022								1	1	1		No	No	N/A	Approved
	099 046103700	2974 PICHOLINE CT		ADU220015	ADU	R	3/21/2022								1	1	1		No	No	N/A	Approved
	099 132901700	531 LAGRANGE LN		ADU220017	ADU	R	3/28/2022								1	1	1		No	No	N/A	Approved
	098 039110000	799 L ST		ADU220019	ADU	R	4/1/2022								1	1	1		No	No	N/A	Approved
	098 039110000	799 L ST		ADU220020	ADU	R	4/1/2022								1	1	1		No	No	N/A	Approved
	099B520802900	5593 OAKMONT CI		ADU220021	ADU	R	4/19/2022								1	1	1		No	No	N/A	Approved
	099B505000802	919 CENTRAL AV		ADU220022	ADU	R	4/22/2022								1	1	1		No	No	N/A	Approved
	099 029903000	846 SATURN WY		ADU220023	ADU	R	4/25/2022								1	1	1		No	No	N/A	Approved
	099 029601200	749 ORION WY		ADU220024	ADU	R	4/25/2022								1	1	1		No	No	N/A	Approved
	099 031307800	874 LAGUNA ST		ADU220025	ADU	R	4/26/2022								1	1	1		No	No	N/A	Approved
	099 072506400	2013 CHARDONNAY WY		ADU220026	ADU	R	5/16/2022								1	1	1		No	No	N/A	Approved
	099 019000900	448 HUMMINGBIRD LN		ADU220027	ADU	R	5/16/2022								1	1	1		No	No	N/A	Approved
	099 005102400	3512 FIRST ST		ADU220028	ADU	R	5/17/2022								1	1	1		No	No	N/A	Approved
	099 005102400	3512 FIRST ST		ADU220029	ADU	R	5/17/2022								1	1	1		No	No	N/A	Approved
	098 032000600	617 P ST		ADU220030	ADU	R	5/18/2022								1	1	1		No	No	N/A	Approved
	099 080300903	2602 LUCCA CT		ADU220031	ADU	R	5/23/2022								1	1	1		No	No	N/A	Approved
	098 034906200	1572 ELM ST		ADU220033	ADU	R	6/1/2022								1	1	1		No	No	N/A	Approved
	099 130002000	1908 PARKSIDE CT		ADU220034	ADU	R	6/15/2022								1	1	1		No	No	N/A	Approved
	098 024700206	1666 CHESTNUT ST		ADU220035	ADU	R	6/17/2022								1	1	1		No	No	N/A	Approved
	099 132902900	1920 ALTAIR AV		ADU220036	ADU	R	6/28/2022								1	1	1		No	No	N/A	Approved
	098 039703700	1172 DELAWARE WY		ADU220037	ADU	R	6/29/2022								1	1	1		No	No	N/A	Approved
	099 029503300	2498 LIVORNO CT		ADU220038	ADU	R	7/12/2022								1	1	1		No	No	N/A	Approved
	097 007200301	980 ACACIA WY		ADU220039	ADU	R	7/27/2022								1	1	1		No	No	N/A	Approved
	098A042401100	3895 HARVARD WY		ADU220040	ADU	R	7/28/2022								1	1	1		No	No	N/A	Approved
	098 020300300	859 M ST		ADU220041	ADU	R	8/3/2022								1	1	1		No	No	N/A	Pending
	099 033002800	69 AGATE CT		ADU220042	ADU	R	8/4/2022								1	1	1		No	No	N/A	Approved
	098 036704800	640 ORIOLE AV		ADU220043	ADU	R	8/24/2022								1	1	1		No	No	N/A	Approved
	097 004900401	581 J ST		ADU220044	ADU	R	8/25/2022								1	1	1		No	No	N/A	Approved
	099 033200800	280 LOUIS CT		ADU220045	ADU	R	8/31/2022								1	1	1		No	No	N/A	Approved
	097 014710500	1893 HELSINKI WY		ADU220048	ADU	R	9/9/2022								1	1	1		No	No	N/A	Approved
	098A041401802	3428 EAST AV		ADU220049	ADU	R	9/9/2022								1	1	1		No	No	N/A	Approved
	099 045407500	1359 CHELSEA WY		ADU220050	ADU	R	9/12/2022								1	1	1		No	No	N/A	Approved
	097 009708200	2357 COLLEGE AV		ADU220051	ADU	R	9/14/2022								1	1	1		No	No	N/A	Approved
	098A041400804	482 SCHOOL ST		ADU220052	ADU	R	9/14/2022								1	1	1		No	No	N/A	Pending
	097 015003500	1354 CAPRI CT		ADU220053	ADU	R	9/14/2022								1	1	1		No	No	N/A	Approved
	099 136201300	3088 DANIELLE LN		ADU220054	ADU	R	9/21/2022								1	1	1		No	No	N/A	Approved
	099 030605700	1077 CAMELIA DR		ADU220055	ADU	R	9/26/2022								1	1	1		No	No	N/A	Approved
	099 133805000	4001 CAMROSE AV		ADU220056	ADU	R	9/27/2022								1	1	1		No	No	N/A	Approved
	099 045410301	2633 REGENT RD		ADU220057	ADU	R	9/29/2022								1	1	1		No	No	N/A	Approved
	097 008102601	210 R ST		ADU220058	ADU	R	10/3/2022								1	1	1		No	No	N/A	Approved

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	099 075102500	2021 CABERNET WY	ADU220059	ADU	R	10/11/2022							1	1	1		No	No	N/A	Approved
	099 110102400	4339 RUTGERS CT	ADU220060	ADU	R	10/17/2022							1	1	1		No	No	N/A	Approved
	099 031804500	689 LIDO DR	ADU220061	ADU	R	10/17/2022							1	1	1		No	No	N/A	Approved
	099 002800200	1019 BLUEBELL DR	ADU220062	ADU	R	10/20/2022							1	1	1		No	No	N/A	Approved
	099 004003900	118 TREVARN RD	ADU220063	ADU	R	10/21/2022							1	1			No	No	N/A	Pending
	099 133502000	1548 MURDELL LN	ADU220064	ADU	R	10/24/2022							1	1	1		No	No	N/A	Approved
	097 066000900	766 J ST	ADU220065	ADU	R	10/24/2022							1	1	1		No	No	N/A	Approved
	098 022700106	553 1ST	ADU220066	ADU	R	11/3/2022							1	1	1		No	No	N/A	Approved
	098 022700106	553 1ST	ADU220067	ADU	R	11/3/2022							1	1	1		No	No	N/A	Approved
	099 018807400	374 GOLDFINCH WY	ADU220068	ADU	R	11/9/2022							1	1	1		No	No	N/A	Approved
	098 026503800	2869 KENNEDY ST	ADU220069	ADU	R	11/18/2022							1	1	1		No	No	N/A	Approved
	098 039707000	1282 NICE CT	ADU220071	ADU	R	11/18/2022							1	1	1		No	No	N/A	Approved
	099A143909000	5136 FELICIA AV	ADU220072	ADU	R	12/1/2022							1	1			No	No	N/A	Approved
	099 004003500	181 TREVARN RD	ADU220073	ADU	R	12/1/2022							1	1	1		No	No	N/A	Approved
	099A292200200	1423 JOY CT	ADU220074	ADU	R	12/9/2022							1	1			No	No	N/A	Pending
	099 068300700	2384 PENDOLINO LN	ADU220075	ADU	R	12/15/2022							1	1			No	No	N/A	Pending
	099 018605400	441 SWALLOW CT	ADU220076	ADU	R	12/16/2022							1	1	1		No	No	N/A	Approved
	099 133000500	1979 RHODODENDRON CT	ADU220077	ADU	R	12/19/2022							1	1	1		No	No	N/A	Approved
	097 014702900	1669 GENOA ST	ADU220078	ADU	R	12/22/2022							1	1			No	No	N/A	Pending
	098A042402102	3836 EAST AV	ADU220079	ADU	R	12/22/2022							1	1	1		No	No	N/A	Approved
	099 001502606	1365 HILLIKER PL	ADU220080	ADU	R	12/27/2022							1	1			No	No	N/A	Approved
	098 023000801	1925 LINDEN ST	ADU220081	ADU	R	12/27/2022							1	1			No	No	N/A	Pending
	099 098500302	979 LIVERMORE AV	ADU220082	ADU	R	12/27/2022							1	1			No	No	N/A	Pending
	099 134501600	256 WHITE FANG WY	D220006	ADU	R	1/4/2022							1	1	1		No	No	N/A	Approved
	098 030402100	1460 OLIVNA AV	D220022	ADU	R	1/18/2022							1	1	1		No	No	N/A	Approved
	098 034903900	1130 LOCUST ST	D220046	ADU	R	1/26/2022							1	1	1		No	No	N/A	Approved
	097 008501802	227 HOLMES ST	D220145	ADU	R	3/3/2022							1	1			No	No	N/A	Pending
	097 010200200	727 MCLEOD ST	D220796	ADU	R	12/12/2022							1	1			No	No	N/A	Approved
	099 031307900	888 LAGUNA ST	D220838	ADU	R	12/27/2022							1	1			No	No	N/A	Approved
	098A042501802	3884 HARVARD WY	D220839	ADU	R	12/27/2022							1	1			No	No	N/A	Approved
	098 025100701	1949 CHESTNUT ST	D220841	ADU	R	12/28/2022							1	1			No	No	N/A	Pending
	098 025100701	1951 CHESTNUT ST	D220842	ADU	R	12/28/2022							1	1			No	No	N/A	Pending
	097 008501802	227 HOLMES ST	D220145	SFD	O	3/3/2022							1	1			No	No	N/A	Pending
	097 010201200	SEVENTH ST	D220746	SFD	O	11/15/2022							1	1			No	No	N/A	Approved
	099 072505300	2352 GAMAY CM	D220830	SFD	O	12/21/2022							1	1			No	No	N/A	Pending
	098 023900604	440 N K ST	SPDR22-006	SFA	O	12/19/2022							3	3			No	No	N/A	Pending
	099 135600600	303 E VINEYARD AVE	SPDR22-002	SFD	O	8/1/2022							1	1			No	No	N/A	Pending

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicate
Cells in grey conta

Table A2																	
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units																	
Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement									Afford	
1					2	3	4								5	6	
Prior APN*	Current APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SFA,SFD,2 to 4,5+,ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low-Income Deed Restricted	Low-Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted
Summary Row: Start Data Entry Below							14		14		54		331		413	24	
	905 001000600	Triad Dr	Triad Condos	SPDR21-003	5+	O					22		90	5/9/2022	112		
	903 001003000	Portola Ave	Shea Portola Ave - Apartments	SPDR21-005	5+	R								7/25/2022			
							14		14		14		168		210		
	903 001003000	Portola Ave	Shea Portola Ave - Condos	SPDR21-005	5+	O					18		71	7/25/2022	89		
	097 010200704	2750 Eighth St	O'Keefe Residence	ZC21-026	SFD	O							1	1/3/2022	1		
	099 007604300	2394 FARNSWORTH DR		ADU200018	ADU	R											
	097 010201200	SEVENTH ST		ZC22-002	SFD	O							1	10/25/2022	1		
	099A290903700	91 CASSADY CT		ADU200029	ADU	R											
	098 034904800	1223 PINE ST		ADU200033	ADU	R											
	099 068000900	3209 SARATOGA CT		ADU200040	ADU	R											
	099 131100200	2471 SHEFFIELD DR		ADU200042	ADU	R											
	098 020701300	841 K ST		ADU210003	ADU	R											
	099 005100700	3368 GARDELLA PZ		ADU210006	ADU	R											
	098 039907700	634 PLACER CT		ADU210009	ADU	R											
	099 028301200	1699 SARDONYX RD		ADU210010	ADU	R											
	097 015001000	1538 LOMITAS AV		ADU210013	ADU	R											
	097 011401300	2463 THIRD ST		ADU210014	ADU	R											
	099 031607300	849 MAYVIEW WY		ADU210015	ADU	R											
	099 131007000	1972 CARNATION CI		ADU210016	ADU	R											
	099 030604100	997 DE CAEN CT		ADU210017	ADU	R											
	099 134302200	247 VALLECITOS RD		ADU210019	ADU	R											
	099B812003200	6941 HILLSTONE CT		ADU210020	ADU	R											
	099A291302500	945 DANA CI		ADU210021	ADU	R											
	099 075100400	2020 PLEASANT VIEW LN		ADU210023	ADU	R											
	099 045304300	2356 HAMPTON RD		ADU210024	ADU	R											
	098 034908300	1083 LOCUST ST		ADU210025	ADU	R											
	099 072514700	2453 BESS AV		ADU210026	ADU	R											

EXHIBIT A

is an optional field
in auto-calculation formulas

ability by Household Incomes - Building Permits							Affordability by Household Incomes - Certificates of Occupancy											Streamlining
7					8	9	10								11	12	13	14
Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Building Permits <u>Date Issued</u>	# of Units Issued Building Permits	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	Certificates of Occupancy or other forms of readiness (see instructions) <u>Date Issued</u>	# of Units issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?*	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	
			61	21		106							39	30		69	24	
																		N
																		N
																		N
																		N
																		N
			1		1/5/2021	1												N
																		N
			1		5/18/2021	1							1	5/12/2022	1			N
			1		3/30/2021	1												N
			1		6/25/2021	1												N
			1		2/4/2021	1							1	1/10/2022	1			N
			1		3/30/2021	1												N
			1		3/30/2021	1							1	9/29/2022	1			N
			1		4/26/2021	1												N
			1		6/4/2021	1												N
			1		4/28/2021	1							1	8/11/2022	1			N
			1		6/9/2021	1							1	5/25/2022	1			N
			1		7/26/2021	1												N
			1		7/28/2021	1							1	1/14/2022	1			N
			1		8/17/2021	1												N
			1		9/30/2021	1												N
			1		10/5/2021	1							1	9/16/2022	1			N
			1		6/21/2021	1							1	2/10/2022	1			N
			1		6/15/2021	1							1	5/3/2022	1			N
			1		12/13/2021	1												N
			1		6/14/2021	1												N
			1		7/21/2021	1							1	7/8/2022	1			N

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[illegible]

EXHIBIT A

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicate
Cells in grey conta

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

	099 019102900	189 RAINIER AV		ADU210029	ADU	R											
	098 039201800	606 SALEM CT		ADU210030	ADU	R											
	099 133613200	573 SHERIDAN CI		ADU210033	ADU	R											
	097 005801400	2030 COLLEGE AV		ADU210036	ADU	R											
	098 023701000	494 M ST		ADU210037	ADU	R											
	097 008104503	292 R ST		ADU210038	ADU	R											
	097 014806600	1860 STERLING PL		ADU210039	ADU	R											
	099 110203100	4240 GUILFORD AV		ADU210041	ADU	R											
	097 014607000	1261 BORDEAUX ST		ADU210042	ADU	R											
	098A042801301	3844 STANFORD WY		ADU210043	ADU	R											
	098 026900900	277 CLARKE AV		ADU210045	ADU	R											
	097 014205900	1162 INNSBRUCK ST		ADU210047	ADU	R											
	098 035004700	343 BERNAL AV		ADU210049	ADU	R											
	099 002901500	1321 BLUEBELL DR		ADU210050	ADU	R											
	099 028205300	1608 KLONDIKE RD		ADU210051	ADU	R											
	099A143504000	1475 LILLIAN ST		ADU210052	ADU	R											
	097 009702200	2233 CHATEAU WY		ADU210053	ADU	R											
	097 007500200	1731 SIXTH ST		ADU210055	ADU	R											
	099 045603400	2781 TAHOE DR		ADU210060	ADU	R											
	097 007100800	961 ACACIA WY		D190766	ADU	R											
	097 013910200	1451 NAPLES WY		D200800	ADU	R											
	098 023200214	522 O ST		D210014	ADU	R											
	097 002600502	1626 FOURTH ST		D191587	ADU	R											
	097 002600502	1626 FOURTH ST		D191587	SFD	R											
	097 014807500	1745 STERLING CT		D190972	SFD	O											
	902 001402700	4210 FIRST ST	Avance	D191802	5+	R										8	
	902 001402700	4220 FIRST ST	Avance	D191803	5+	R										7	
	902 001402700	4230 FIRST ST	Avance	D191804	5+	R										5	
	902 001402700	4250 FIRST ST	Avance	D191805	5+	R										8	
	902 001402700	4270 FIRST ST	Avance	D191806	5+	R										8	
	902 001402700	4280 FIRST ST	Avance	D191807	5+	R										8	
	098 024900400	1742 PEDROZZI CM		D210058	SFA	O											
	098 024000117	450 N LIVERMORE AVE	VINEYARD 2.0	CB210003	5+	R										18	
	098 024900400	231 N ST		D210086	SFA	O											
	098 024900400	1681 CHESTNUT CM		D210087	SFA	O											
	098 024900400	1685 CHESTNUT CM		D210088	SFA	O											
	099 031607300	849 MAYVIEW WY		ADU210015	ADU	R											
	098A040301504	4308 EMORY WY		ADU210018	ADU	R											
	097 008103004	1442 THIRD ST		ADU210022	ADU	R											
	098 022300800	658 L ST		ADU210032	ADU	R											
	098 024300603	2055 PARK ST		ADU210046	ADU	R											
	099 003300600	1169 HEATHER LN		ADU210057	ADU	R											
	099 045102400	1130 LOMITAS AV		ADU210058	ADU	R											

EXHIBIT A

is an optional field
in auto-calculation formulas

			1	9/20/2021	1												N
			1	7/22/2021	1						1		1/4/2022	1			N
			1	9/9/2021	1												N
			1	10/19/2021	1						1		7/29/2022	1			N
			1	9/27/2021	1						1		2/14/2022	1			N
			1	10/14/2021	1												N
			1	9/29/2021	1						1		4/26/2022	1			N
			1	10/7/2021	1												N
			1	10/28/2021	1						1		9/30/2022	1			N
			1	10/11/2021	1						1		7/12/2022	1			N
			1	10/20/2021	1						1		4/8/2022	1			N
			1	10/25/2021	1												N
			1	11/5/2021	1						1		9/28/2022	1			N
			1	12/17/2021	1						1		6/6/2022	1			N
			1	12/8/2021	1						1		12/2/2022	1			N
			1	11/3/2021	1						1		2/22/2022	1			N
			1	11/3/2021	1						1		11/4/2022	1			N
			1	11/29/2021	1												N
			1	12/27/2021	1						1		1/31/2022	1			N
			1	6/1/2021	1						1		2/16/2022	1			N
			1	11/16/2021	1												N
			1	1/26/2021	1						1		9/28/2022	1			N
			1	9/9/2021	1						1		11/12/2022	1			N
			1	9/9/2021	1							1	11/12/2022	1			N
			1	2/18/2021	1												N
				2/25/2021	8												N
				2/25/2021	7												N
				2/25/2021	5												N
				2/25/2021	8												N
				2/25/2021	8												N
				2/25/2021	8												N
			6	2/9/2021	6							6	1/27/2022	6			N
				3/9/2022	18										18		N
			6	3/23/2021	6							6	3/29/2022	6			N
			2	3/23/2021	2							2	5/10/2022	2			N
			2	3/23/2021	2							2	5/10/2022	2			N
			1	5/16/2022	1												N
			1	2/11/2022	1												N
			1	4/21/2022	1												N
			1	1/18/2022	1						1		7/6/2022	1			N
			1	5/31/2022	1												N
			1	1/18/2022	1						1		8/18/2022	1			N
			1	2/8/2022	1												N

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Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicate
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	099 029802400	2138 MARS RD		ADU210059	ADU	R											
	099 070008300	2195 RHONE DR		ADU210061	ADU	R											
	099 132204400	5348 TREEFLOWER DR		ADU210062	ADU	R											
	099 138313600	1550 SPRINGTOWN BL		ADU210063	ADU	R											
	098 035003200	529 RINCON AV		ADU210064	ADU	R											
	099 134501600	256 WHITE FANG WY		ADU220001	ADU	R											
	099 132806100	4108 BISHOP PINE WY		ADU220003	ADU	R											
	097 014604200	1195 KILLARNEY ST		ADU220005	ADU	R											
	098 040012500	631 PELICAN CT		ADU220006	ADU	R											
	098 024000114	492 NORTH LIVERMORE AVENUE AV		ADU220008	ADU	R											
	097 014200901	1740 PEARY WY		ADU220009	ADU	R											
	099B810107600	2386 SPYGLASS HILLS RD		ADU220010	ADU	R											
	099A291008900	91 MARCIA CT		ADU220012	ADU	R											
	099 136501300	1120 HANSEN RD		ADU220013	ADU	R											
	098 038902700	969 CAYUGA DR		ADU220014	ADU	R											
	099 046103700	2974 PICHOLINE CT		ADU220015	ADU	R											
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	099B505000802	919 CENTRAL AV		ADU220022	ADU	R											
	099 029903000	846 SATURN WY		ADU220023	ADU	R											
	099 029601200	749 ORION WY		ADU220024	ADU	R											
	099 031307800	874 LAGUNA ST		ADU220025	ADU	R											
	099 072506400	2013 CHARDONNAY WY		ADU220026	ADU	R											
	099 019000900	448 HUMMINGBIRD LN		ADU220027	ADU	R											
	099 005102400	3512 FIRST ST		ADU220028	ADU	R											
	098 032000600	617 P ST		ADU220030	ADU	R											
	099 080300903	2602 LUCCA CT		ADU220031	ADU	R											
	098 034906200	1572 ELM ST		ADU220033	ADU	R											
	099 130002000	1908 PARKSIDE CT		ADU220034	ADU	R											
	098 024700206	1666 CHESTNUT ST		ADU220035	ADU	R											
	099 132902900	1920 ALTAIR AV		ADU220036	ADU	R											
	098 039703700	1172 DELAWARE WY		ADU220037	ADU	R											
	099 029503300	2498 LIVORNO CT		ADU220038	ADU	R											
	097 007200301	980 ACACIA WY		ADU220039	ADU	R											
	098A042401100	3895 HARVARD WY		ADU220040	ADU	R											
	099 033002800	69 AGATE CT		ADU220042	ADU	R											
	098 038704800	640 ORIOLE AV		ADU220043	ADU	R											
	097 004900401	581 J ST		ADU220044	ADU	R											

EXHIBIT A

is an optional field
in auto-calculation formulas

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EXHIBIT A

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EXHIBIT A

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicate
Cells in grey conta

	099 033200800	280 LOUIS CT		ADU220045	ADU	R											
	098A041401802	3428 EAST AV		ADU220049	ADU	R											
	099 045407500	1359 CHELSEA WY		ADU220050	ADU	R											
	097 009708200	2357 COLLEGE AV		ADU220051	ADU	R											
	099 133805000	4001 CAMROSE AV		ADU220056	ADU	R											
	099 045410301	2633 REGENT RD		ADU220057	ADU	R											
	097 008102601	210 R ST		ADU220058	ADU	R											
	099 075102500	2021 CABERNET WY		ADU220059	ADU	R											
	099 110102400	4339 RUTGERS CT		ADU220060	ADU	R											
	099 002800200	1019 BLUEBELL DR		ADU220062	ADU	R											
	099 133502000	1548 MURDELL LN		ADU220064	ADU	R											
	099 001502202	2680 WAVERLEY WY		D181381	SFD	O											
	098 024000117	456 LIVERMORE AV		D210140	5+	R											
	097 015101102	1734 BELLA KRISTINA LN		D210836	SFD	O											
	097 015101102	1740 BELLA KRISTINA LN		D210837	SFD	O											
	097 015101102	1746 BELLA KRISTINA LN		D210838	SFD	O											
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	098 030402100	1460 OLIVINA AV		D220022	ADU	R											
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	099 131204101	5168 QUINCE CT		ADU200013	ADU	R											
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EXHIBIT A

is an optional field
in auto-calculation formulas

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			ADUs are rented at moderate prices									
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	LHTF, NPLH	Other										
			ADUs are rented at moderate prices									
			ADUs are rented at moderate prices									
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			ADUs are rented at moderate prices									

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
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Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	24
	Non-Deed Restricted	
Low	Deed Restricted	
	Non-Deed Restricted	
Moderate	Deed Restricted	
	Non-Deed Restricted	61
Above Moderate		21
Total Units		106

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA			28
SFD	2	21	2
2 to 4			
5+	411	24	
ADU		61	39
MH			
Total	413	106	69

Housing Applications Summary	
Total Housing Applications Submitted:	89
Number of Proposed Units in All Applications Received:	91
Total Housing Units Approved:	67
Total Housing Units Disapproved:	

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	
Number of Streamlining Applications Approved	
Total Developments Approved with Streamlining	
Total Units Constructed with Streamlining	

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low			
Low			
Moderate			
Above Moderate			
Total			

Cells in grey contain auto-calculation formulas

Jurisdiction	Livermore	
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ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

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Cells in grey contain auto-calculation formulas

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ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction		Livermore	
Reporting Year		2022 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Program 1.1.1: Land Inventory	Develop a land inventory that provides sufficient sites to meet the Regional Housing Needs Allocation (RHNA) of 2,729 units (839 very-low, 474 low, 496 moderate-income, and 920 above moderate).	Completed for the 2015-2022 Cycle	Complete. In March 2015, the City adopted an updated Housing Element for the 2015-2023 cycle that included a Land Inventory with sufficient sites to meet the RHNA. HCD certified the Housing Element on April 20, 2015. In 2022, the City updated its Housing Element for the 2023-2031 cycle. City Council adopted the 2023-2031 Housing Element on March 13, 2023.
Program 1.1.1: Land Inventory	In the event that a site included in the City's land inventory is developed commercially or with other non-residential uses, identify an additional site with the same or more capacity as the previous site.	Ongoing	Ongoing. No sites listed in the Land Inventory were redesignated to a non-residential use in 2022.
Program 1.1.1: Land Inventory	Should a proposed density reduction decrease the number of units below the City's RHNA for the Housing Element period, identify additional sites/units to ensure the RHNA can still be met.	Ongoing	Ongoing. The City did not process any projects in 2022 that would decrease the number of units below the City's RHNA.
Program 1.1.1: Land Inventory	Maintain a file in the Planning Division of vacant residential acreage to assist developers in identifying land suitable for single-family and multi-family residential development.	Ongoing	Ongoing. The Land Inventory is available to prospective home builders.
Program 1.1.1: Land Inventory	Maintain maps indicating current zoning as well as public facilities and services to these sites.	Ongoing	Ongoing. The zoning map is available on the City's website. The City's GIS system provides updated general plan and zoning information, and map layers of the location of public facilities and services available to residential sites. The City made some of the GIS layers publically accessible in 2017.
Program 1.1.1: Land Inventory	Monitor on an annual basis the development of underutilized or vacant residential sites identified to meet the RHNA.	Annually	Completed as part of the Annual Progress Report.
Program 1.1.1: Land Inventory	Following future amendments to the General Plan's Safety Element, ensure consistency with the Housing Element, including the land inventory.	As needed	The Safety Element was updated in 2018 to include a new goal, objectives and policies relating to and supporting the Tri-Valley Hazard Mitigation Plan. The goal, objectives and policies address natural hazard mitigation and protecting people, property and the environmental from natural hazards. In 2022, the City continued its comprehensive General Plan update that includes updates to the Safety and Housing Elements.
Program 1.2.1: Implementation of the General Plan, Downtown Specific Plan, and Development Code	Continue to update and amend the General Plan as needed and appropriate to provide a range of housing types, densities, and affordability levels.	As projects are proposed; reviewed annually	Ongoing. In 2022, the City continued its comprehensive General Plan Update that will update policies and programs to streamline and facilitate housing development for a variety of housing types, densities, and income levels. The General Plan update will also study land use alternatives that could identify areas of the city that are appropriate to redesignate for housing.
Program 1.2.1: Implementation of the General Plan, Downtown Specific Plan, and Development Code	Continue to update and amend the Downtown Specific Plan as needed and appropriate to facilitate downtown revitalization, the provision of affordable housing, and mixed-use development.	As projects are proposed; reviewed annually	Ongoing. In 2018 the City continued its downtown redevelopment efforts by approving a conceptual plan with a variety of amenities, including 130 units of affordable workforce housing. Downtown Specific Plan amendments to facilitate the redevelopment plan were adopted City Council in 2020. The City Council approved the entitlements for the affordable workforce housing in 2021.
Program 1.2.1: Implementation of the General Plan, Downtown Specific Plan, and Development Code	Analyze potential Development Code updates that would expand opportunities for attached housing (e.g., small apartment complexes) and smaller unit types (e.g., studios and cottages).	Ongoing	An update to the Density Bonus section of the Code was approved in 2019. Additionally, staff is implementing the new State Accessory Dwelling Unit standards. The City began a comprehensive General Plan update in 2021 and a comprehensive Development Code update in 2022, which will consider additional policies for expand opportunities for these housing types.
Program 1.2.1: Implementation of the General Plan, Downtown Specific Plan, and Development Code	Evaluate specific barriers to residential development of small properties	Ongoing	The City will explore options to remove barriers to the development of small properties as part of the General Plan and Development Code updates which are underway.
Program 1.2.2: Isabel BART Station Specific Plan	Develop a Specific Plan for the area surrounding the future Isabel BART Station, and revise the General Plan and Zoning designations accordingly to allow for residential transit-oriented development	By 2017	Complete. City Council adopted the Isabel Neighborhood Specific Plan in 2020. The City approved entitlements for several hundred units in the INSP in 2022.

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Program 1.2.3: Mobile and Manufactured Homes	Continue to allow mobile and manufactured homes that meet State and City codes, as well as the City's design review requirements, in all residential districts.	Ongoing	Ongoing. The City issues permits for several manufactured units each year, typically for Accessory Dwelling Units.
Program 1.2.4: Secondary Dwelling Units	Continue to encourage the development of secondary dwelling units by exempting them from certain development impact fees.	Ongoing	Ongoing. The City waives certain development fees for ADUs consistent with State ADU law. The City issued permits for 61 ADUs in 2022.
Program 1.2.5: Reduce Governmental Constraints	The City of Livermore facilitates and encourages the development of a variety of housing in the community. The City will monitor its development fees to ensure they are reasonable and do not unduly constrain development, while protecting the quality, health, and public safety of the community.	Ongoing; as changes are made to development fees. Make changes as needed.	Ongoing. As part of the Housing Element update completed in 2015, the City determined that its development impact fees are comparable to nearby jurisdictions with similar markets and are not constraining housing production. The City continues to use various practices to offset potential negative effects of development impact fees on housing development and cost. The City updated its development fees in 2022 to reflect cost of living changes, in accordance with local ordinance.
Program 1.3.1: Licensed Community Residential Care Facilities	Consistent with State law, continue to allow licensed community residential care facilities serving 6 or fewer persons in all residential districts as a means of providing housing for these special needs groups.	Ongoing	Ongoing. The Livermore Development Code continues to allow licensed community residential care facilities in the residential zoning districts.
Program 1.3.2: Universal Design	Continue to include universal design features as project specific criteria to achieve a higher project-specific rating during competitive years of the Housing Implementation Program (HIP).	2014-2016 and 2017-2019 HIP Cycles	The City discontinued the HIP program. Accommodation of housing units will instead be based on the City's capacity to provide infrastructure and services for new housing. The City will continue to allow and encourage universal design in housing projects.
Program 1.3.2: Universal Design	Update the City's residential design guidelines and standards to encourage "visability" and universal design features in new homes.	By 2020	Incomplete. The City intends to update the residential design guidelines and standards following the comprehensive General Plan update.
Program 1.3.2: Universal Design	Expand consumer awareness by providing information on universal design features at the City's Permit Center and develop resource information for the City's Permit Center website.	By 2018	Ongoing. The City has not yet developed Livermore-specific resources on universal design features, but provides information and guidance upon request at the Permit Center.
Program 1.3.3: Development of Housing for Persons with Disabilities	Continue to provide monetary subsidies to market-rate developers and non-profits to encourage the development of new housing for persons with disabilities, including developmental disabilities, and for the improvement of existing housing. Seek state and federal funding to increase resources available for this program.	Ongoing, as the City identifies projects.	In 2022, MidPen Housing continued construction on the City-financed Avance Apartments, which will provide 44-units of affordable, services-enriched housing for persons with developmental disabilities. The City has provided financial support for acquisition and development of the project through a loan from the City's Affordable Housing Trust Fund of up to \$8,003,832. The City also worked with Tri-Valley REACH, a non-profit operator of disabled/special needs housing, to expand a shared home which operates as permanent housing for developmentally disabled adults who are able to live independently, and obtained State funding to rehabilitate and expand supportive shared housing for people with disabilities.
Program 1.3.3: Development of Housing for Persons with Disabilities	Consider regulatory incentives for projects targeted for persons with disabilities, including persons with developmental disabilities.	Annually, or as projects are proposed	Ongoing. The Development Code update process may include an analysis of potential regulatory incentives. The City provides some specific fee reductions for developers of affordable housing, including those targeting persons with disabilities. In addition, recent State law has taken the lead in considering regulatory incentives for housing for persons with physical or mental disabilities. Notably, AB 2162 require local entities to streamline the approval of housing projects containing a minimum amount of Supportive Housing by providing a ministerial approval process, removing the requirement for CEQA analysis and removing the requirement for Conditional Use Authorization or other similar discretionary entitlements granted by the Planning Commission.
Program 1.3.3: Development of Housing for Persons with Disabilities	Support "aging in place" through community design, partnering with organizations that provide support services, and encouraging accessibility improvements to rental housing.	Annual renewal of Housing & Human Services Grant funding agreements and as projects are proposed	Ongoing. The City has provided grant funds to a several nonprofit agencies that provide senior support and disabled services to individuals: Senior Support Program of the Tri-Valley and Community Resources for Independent Living (CRIL) encourage seniors' and disabled persons to age in place and to facilitate independent living skills. The City contracts with Habitat for Humanity East Bay/Silicon Valley to administer the City's owner-occupied housing rehabilitation program, which assists seniors with home accessibility improvements. The State of California's No Place Like Home program awarded more than seven million dollars in capital funding and four and a half million dollars in operating resources for the Pacific Avenue Senior Apartments which will provide 140 homes to low-income senior households. The funds will be used to build and set aside 24 units for seniors experiencing homelessness who need mental health services, as well as funding supportive services to help residents stabilize and age in place.
Program 2.1.1: Housing Implementation Program (HIP)	Ensure that future HIP programs address the need to provide very low- and low-income housing units (according to the City's RHNA) by establishing sufficient allocations for development of sites identified in the land inventory.	Ongoing	The 2017-2019 HIP included sufficient allocations for development sites identified in the Land Inventory, including 1,566 in the Downtown area. Additionally, the 2017-2019 HIP was the last HIP cycle for the foreseeable future. Accommodation of housing units will instead be based on the City's capacity to provide infrastructure and services for new housing. The City will continue to encourage and accommodate very low- and low-income housing.
Program 2.1.1: Housing Implementation Program (HIP)	Re-evaluate and continue HIP exemptions as needed to facilitate housing construction, redevelopment, and large scale catalyst projects in the Downtown area.	Ongoing	The 2017-19 HIP did not put further limitations on growth in the Downtown area. Additionally, the 2017-2019 HIP was the last HIP cycle for the foreseeable future. Accommodation of housing units will instead be based on the City's capacity to provide infrastructure and services for new housing. Several projects are underway to redevelop downtown catalyst sites with housing.
Program 2.1.1: Housing Implementation Program (HIP)	Continue to allow exemptions from the HIP in conjunction with the TDC Program to encourage infill development.	Ongoing	The City discontinued the HIP program. Accommodation of housing units will instead be based on the City's capacity to provide infrastructure and services for new housing. The City will continue to encourage infill development.

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Program 2.1.1: Housing Implementation Program (HIP)	Continue to use emphasized categories during competitive years as a mechanism to encourage infill development, mixed-use (commercial/residential) projects, and lot consolidation for larger projects.	Ongoing	The City discontinued the HIP program. Accommodation of housing units will instead be based on the City's capacity to provide infrastructure and services for new housing. The City will continue to encourage infill development, mixed-use projects, and lot consolidation for larger projects.
Program 2.1.1: Housing Implementation Program (HIP)	Provide information on the HIP on the Community and Economic Development website and conduct outreach to local developers. Conduct 2-3 developer workshops during the 2015-2022 period. Conduct outreach at the yearly Real Estate Roundup.	Ongoing	Ongoing. The City discontinued the HIP program. City planning staff is still available to meet and answer questions one-on-one with potential applicants. The City also conducts notification and outreach to local developers.
Program 2.1.2: Monitor Infrastructure Needs	Continue to analyze infrastructure needs and capacity to guide HIP allocations in a manner that balances residential growth with the provision of adequate infrastructure and services.	Every three years, as part of HIP process	The City prepares a "Community Services and Infrastructure Report" (CSIR) every three years in order to ensure the growth rate does not exceed the City's capability to provide services and infrastructure. Previously, this CSIR served as the basis for establishing HIP allocations. The City adopted a new CSIR in 2020, but has discontinued the HIP program.
Program 2.1.2: Monitor Infrastructure Needs	Review infrastructure needs to support intensified development on infill sites within City limits and in the Downtown area; program improvements and upgrades into the City's Capital Improvement Program (CIP).	Annually, as part of CIP updates	The City annually reviews and amends its CIP as needed to accommodate upgrades to support intensified development. The 2021-2023 CIP included funding for Downtown Revitalization Projects such as design and construction of two new parks, new parking garages, and street improvements.
Program 2.1.2: Monitor Infrastructure Needs	Work with the City's water and sewer provider in order to ensure the availability and adequate capacity of water and wastewater systems to accommodate the housing needs during the planning period.	Ongoing; as projects are proposed	The City evaluates the capacity for water and wastewater systems to accommodate housing needs as part of the Community Services and Infrastructure Report. The City's 2021-2023 CIP included improvements/upgrades to water and wastewater systems. The City continues to work with Cal Water Company during the review of projects within their service area.
Program 2.1.2: Monitor Infrastructure Needs	Prioritize proposed developments that include housing affordable to lower-income households.	As needed	Ongoing. In 2022, the City continued to make infrastructure improvements to support affordable housing projects such as Eden Housing, Avance, and Vineyard 2.0. There is sufficient capacity of public infrastructure and services to accommodate demands resulting from the projects.
Program 2.1.2: Monitor Infrastructure Needs	Provide a copy of the Housing Element and any future amendments to the utility providers immediately after adoption.	After adoption of the Housing Element and as needed	Complete for the 2015-2022 Housing Element.
Program 2.1.3: Support Mixed-Use and Transit-Oriented Development	Promote lot consolidation to increase opportunities for mixed-use development.	Ongoing	Ongoing. Following the dissolution of redevelopment agencies, the City continues to explore funding sources to assist with lot consolidation and increase opportunities for mixed use development in Priority Development Areas (PDA).
Program 2.1.3: Support Mixed-Use and Transit-Oriented Development	Continue to require minimum residential densities in areas designated for transit-oriented, mixed-use development to ensure higher density in these areas.	Underway	Ongoing. There are minimum residential densities in the Downtown area to support higher density housing in this mixed use, transit-oriented neighborhood. The City also adopted a Specific Plan for the Isabel Neighborhood, a Priority Development Area (PDA), to guide development around the proposed Valley Link station. The Plan calls for a mix of higher density housing types to take advantage of regional transit access and support Housing Element goals. In addition, the City's Development Code includes form-based zoning for two mixed-use sites that requires a minimum percentage of residential development.
Program 2.1.3: Support Mixed-Use and Transit-Oriented Development	Continue to use existing density incentives and develop additional incentives to promote mixed-use and more intense residential development near transit. Identify additional areas served by transit where density incentives should be encouraged.	Ongoing	Ongoing. For example, the Chestnut Square project, which finished construction in 2022, used the City's Density Bonus provision to provide affordable rental units (see Program 3.2.1 for more detail). The City continues to explore opportunities for promoting high density residential development. The City adopted the Isabel Neighborhood Specific Plan, which established a goal for 25 percent of the approximately 4,095 new housing units to be offered at affordable prices/rents, with a project-level minimum of 20 percent. Projects within the Isabel area may also use the City's Density Bonus. The Plan provides flexible development standards and parking requirements, allows for master planning across adjacent blocks, and facilitates environmental streamlining, as incentives to encourage mixed-use, transit-oriented development. The City will also consider density incentives for other existing and future Priority Development Areas.
Program 3.1.1: Inclusionary Housing Ordinance	Continue to implement the inclusionary housing ordinance.	Ongoing; review every 5 years for adjustment to market conditions or as needed/required	Ongoing. Approved projects have been providing below market rate units on-site and/or paying in-lieu fees to comply with the policy. It continues to be a major tool in promoting affordable housing production in the city. In 2022, the City approved entitlements for 82 below market rate inclusionary units.
Program 3.1.1: Inclusionary Housing Ordinance	Continue to require developers to identify the location of inclusionary units.	Ongoing	Ongoing, as part of the entitlement process for development projects.
Program 3.1.1: Inclusionary Housing Ordinance	Update feasibility analysis of inclusionary housing ordinance to reflect current market conditions. As part of feasibility study, the City will evaluate the must-build component of the inclusionary Housing Ordinance to allow developers to choose one of the alternative means of compliance without discretionary review by the City Council.	Complete; review every 5 years for adjustment to market conditions or as needed/require	Complete. The 2013 Residential Nexus Analysis and 2013 Financial Feasibility Analysis demonstrated the direct impact of homebuilding on the need for additional affordable housing and the inclusionary housing must-build requirement for ownership housing was reinstated in 2015. Concurrently, the In-Lieu fee was adjusted to a square foot assessment basis per the Market Feasibility Study. The updated fee became effective January 1, 2015. In 2021, the City also updated its inclusionary housing ordinance to incorporate requirements for rental projects and developments in the Isabel Neighborhood Specific Plan Area.
Program 3.1.2: Density Bonuses and Incentives	Continue to ensure new residential projects are consistent with current State Density Bonus regulations.	Ongoing.	Ongoing. The City updated Chapter 6.02.030 of the Livermore Development Code to be consistent with State Density Bonus regulations in 2019. The City reviews requests for Density Bonuses during the development review process.
Program 3.1.2: Density Bonuses and Incentives	Continue to encourage the use of both the State Density Bonus Program and the City's density incentives for senior and very-low income housing.	Ongoing	Ongoing. The affordable Pacific Avenue Senior Apartments and Downtown Livermore Apartment projects used incentives from the Density Bonus Program to provide affordable rental units.

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Program 3.2.1: Affordable Housing Fund	Continue to use the Affordable Housing Fund to provide affordable housing opportunities for lower income households.	Ongoing	Ongoing. The City has been able to utilize its Affordable Housing Fund (which includes Housing Impact Fees and Inclusionary "In-Lieu" Fees) to secure key sites for future new affordable units and support development of affordable housing. In 2021, the City entered into a Disposition, Development and Loan Agreement with Satellite Affordable Housing Associates (SAHA) and their development partner, Interfaith Housing (IFH), in which the City committed to providing a development loan for the Pacific Avenue Senior Apartment project. The City has also committed funds for the Housing Consortium of the East Bay for the Vineyard 2.0 project that began construction in 2022. The site will provide 24 units of supportive housing and approximately 10,000 s.f. of commercial space for a resource center serving persons who are homeless and a commercial food kitchen that will benefit food insecure people in Livermore. The City also provided an acquisition and development loan to MidPen Housing for an affordable housing project, Avance, which continued construction in 2022. The City also secured \$3 million in County funds to develop 28 tiny homes for homeless individuals at CrossWinds Church. Nineteen of the 28 residents are Livermore residents, and provided Tri-Valley REACH with a loan to finance the expansion of a shared home which operates as permanent housing for developmentally disabled
Program 3.2.1: Affordable Housing Fund	Continue to apply the Low-Income Housing Impact fee to generate funds for the Affordable Housing Fund.	Ongoing; as projects are proposed	Ongoing. In 2021, the City updated its inclusionary housing ordinance to ensure that the method for calculating in-lieu fees is economically equivalent to the value of building affordable units on site.
Program 3.2.1: Affordable Housing Fund	Continue to allow the payment of In-lieu fees as an alternative compliance method under the Inclusionary Housing Ordinance (with City Council approval).	Ongoing; as projects are proposed	Ongoing. For example, the proposed Lassen Road project will use a combination of building on-site affordable units and paying an in-lieu fee that is economically equivalent to building units on-site to comply with the Inclusionary Housing policy, in accordance with a development agreement.
Program 3.2.1: Affordable Housing Fund	Review the In lieu and Low Income Housing Impact fees as major changes occur in the housing market and adjust if warranted.	Ongoing, monitor the feasibility of reinstituting an impact fee for rental units as the market develops/improves.	The housing in-lieu fee was increased to \$39.94 per square foot in 2022, thorough an annual adjustment to address market conditions, with the intent to make the fee comparable to building of an affordable unit, and thereby promoting inclusionary housing.
Program 3.2.1: Affordable Housing Fund	Explore additional funding sources and opportunities to leverage existing funding to increase resources for affordable housing programs.	Ongoing monitoring (see Program 1.3.3)	Ongoing. The City was awarded \$581,000 from the State of California's Family Homelessness Challenge Grant program to re-house Livermore students and their families experiencing homelessness through bridge housing provided by the Livermore Housing Authority, along with supportive services and housing navigation. Livermore was one of ten communities across California to receive this competitive award. The State of California's No Place Like Home program awarded more than seven million dollars in capital funding and four and a half million dollars in operating resources for Pacific Avenue Senior Apartments which will provide 140 homes to low-income senior households. The funds will be used to build and set aside 24 units for seniors experiencing homelessness who need mental health services, as well as funding supportive services to help residents stabilize and age in place.
Program 3.2.2: Acquire Land for Affordable Housing	Utilize a variety of funding sources to increase the City's inventory of City-controlled properties to be set aside for future development of affordable housing. Continue to allow land dedication as an alternative compliance method under the Inclusionary Housing Ordinance (with City Council approval)	Ongoing	Ongoing. The City currently owns five project sites for the future development of affordable housing.
Program 3.2.3: Partner with Affordable Housing Developers	Coordinate with nonprofit housing developers and applicable federal, state and regional agencies to facilitate the development of quality affordable housing.	Ongoing; as projects are proposed	Ongoing.
Program 3.2.3: Partner with Affordable Housing Developers	Continue to foster relationships with nonprofit housing developers active in the region.	Ongoing; as opportunities arise	Staff sends out Requests for Proposals (RFPs) for partnerships, as City-owned site development opportunities arise, and as projects propose support from the City's Affordable Housing Fund. Staff also communicates with developers and housing services providers via participation in community-based and regional committees to address housing needs (see Goal 6 below). In 2022, Staff worked with nonprofit development partners to advance housing projects in its current pipeline (Avance, Vineyard 2.0, Pacific Avenue Senior Apartments, and Downtown Livermore Apartments)
Program 3.2.4: Conversion of Market-Rate to Affordable Units	Continue to provide financial resources to non-profit organizations to convert and increase the existing affordable housing stock.	Ongoing; with monthly coordination with non-profit development partners to identify potential properties	The City continues to participate in as an additional member to the Joint Powers Authority established by CalCHA for the purpose of acquiring market rate housing and converting it to low to moderate income, restricted housing.
Program 3.2.5: Subsidies and Incentives	Continue to provide subsidies to affordable housing projects, prioritizing those that provide the greatest level of affordability and serve special needs households. Consider fee waivers for affordable units, direct subsidy through the Affordable Housing Fund, or providing land reserved for affordable housing.	Ongoing; as opportunities arise and through annual Housing & Human Services Grant allocation process	Ongoing. The City continues to provide subsidies to projects that meet city goals to provide affordable housing. Current affordable housing projects that have received City subsidy include: Eden Housing, Vineyard 2.0, Avance, and Tri Valley REACH Gillette.
Program 3.2.5: Subsidies and Incentives	Continue to allow the HIP exemption for projects with at least 35% very-low income units; emphasize affordable projects during competitive years.	Ongoing; as projects are proposed	The City discontinued the HIP program.

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Program 3.2.5: Subsidies and Incentives	Continue to allow developers of affordable units to amortize the payment of applicable development impact fees over time to help meet affordable housing targets.	Ongoing; as projects are proposed	Ongoing
Program 3.2.5: Subsidies and Incentives	Continue to meet regularly with developers to discuss incentive opportunities and provide information at workshops.	Ongoing; annually at a minimum	Ongoing
Program 3.2.6: Public Outreach	Improve communication with the public to increase awareness of policies, programs, and permit processes that support the production of affordable housing.	Ongoing; monthly participation in community-based meetings to distribute info	Ongoing. Staff continued to coordinate on improving access via the traditional methods of developer contact to increase knowledge of incentives available for projects that support the inclusion of affordable housing.
Program 3.3.1: First-Time Homebuyer Down Payment Assistance Program	Continue to provide mortgage assistance for down payment, closing costs, and secondary financing to low- and moderate-income first-time homebuyers.	2015 through 2022	During the planning period, the City provided 35 down payment assistance and second mortgage loans to low- and moderate-income, first-time homebuyers through its Mortgage Assistance Program and Affordable Homeownership Programs. The City also helped advertise the CalHome Mortgage Assistance Loan Program and the Tri-Valley Down Payment Assistance Program.
Program 3.3.1: First-Time Homebuyer Down Payment Assistance Program	Continue to target persons with disabilities for participation in the program.	Ongoing	Ongoing. Continued to seek and discuss opportunities for fully accessible inclusionary units with developers.
Program 3.3.1: First-Time Homebuyer Down Payment Assistance Program	Continue to promote and provide information about the program on the City's website, newsletter, through e-mail distribution, local advertising, and with brochures and handouts at the City's permit center counter.	Ongoing	In 2022, Staff maintained webpages with up-to-date content and user-friendly, easy to access information. Staff partnered with community partners, to help promote the City's First-Time Homebuyer programs and tabled at the local Farmer's Market and several community events. Program opportunities were featured on the City's social media platforms and emailed to 7000+ subscribers of the City's Affordable Housing Interest List. Staff also translated marketing materials to Spanish.
Program 3.3.2: Rental Assistance	Pursue additional funding to maintain the Section 8 Rental Assistance Program and enhance support for other rental assistance programs.	Ongoing	Ongoing. City worked with the Livermore Housing Authority and non-profit developers to apply Project Based Vouchers on City-sponsored affordable housing projects.
Program 3.3.2: Rental Assistance	Assist Livermore Housing Authority (LHA) to maintain and/or increase the amount of rental housing available to very-low income households, as well as the amount of households assisted through the Section 8 program. Provide technical assistance with property acquisition and administrative assistance to the Advisory Board. Continue to provide capital funds as needed to the LHA to upgrade rental housing owned and managed by the LHA.	Ongoing; monthly coordination meetings with LHA	Ongoing. The City continues to coordinate with the Livermore Housing Authority as they plan to renovate their affordable apartment complexes Bluebell, Chestnut, and Las Posadas, and work on conversion of the Public Housing project, Leahy Square, through the HUD's Section 8 program. Conversion of Leahy Square will provide the project will greater potential for redevelopment and unit expansion in the future. The City was awarded \$581,000 from the State of California's Family Homelessness Challenge Grant program to re-house Livermore students and their families experiencing homelessness through bridge housing provided by the Livermore Housing Authority, along with supportive services and housing navigation. Livermore was one of ten communities across California to receive this competitive award.
Program 3.3.2: Rental Assistance	Increase promotion of the Section 8 program to the development community, property owners, and possible participants. Provide information on LHA on City's website. Continue to advertise the program through the City's newsletter and brochures at the permit center and other public counters.	Update information as needed or annually	Ongoing
Program 3.3.2: Rental Assistance	Support partners that provide outreach to landlords about voucher programs with aim of increasing housing opportunities for recipients of rental assistance.	Ongoing; annual workshops and quarterly coordination with other cities	Ongoing
Program 3.3.3: Homelessness Prevention and Intervention	Amend the Development Code to modify the definition of transitional and supportive housing and update the use tables, listing transitional and supportive housing as a residential use subject to the same permit requirements as a residential use of the same type in the same zone.	Completed at the time of Housing Element adoption (2015)	Complete.
Program 3.3.3: Homelessness Prevention and Intervention	Implement the Housing First Program model aimed at ending homelessness for the most vulnerable populations in Livermore.	Established in 2017	Ongoing. Under the Housing First Model, a person who is homeless is moved into permanent housing as quickly as possible and is provided with the necessary services that will enable them to maintain their housing indefinitely. The program relies on a variety of strategies to produce and acquire new affordable units, expand support services, and increase rental assistance.
Program 3.3.3: Homelessness Prevention and Intervention	Continue to provide support (rental subsidies and case management) to emancipated youth through the Tenant Based Rental Assistance Program.	Ongoing; through annual Housing & Human Services Grant allocation process	The City chose to merge the Housing Scholarship and Project Independence Programs and to award one funding amount to Abode in Fiscal Year 2014-15 to implement both programs and phase them into a "Housing First" model. The City awarded funding to Abode to implement its "Housing First" model through its Tenant Based Rental Assistance Program. During the planning period, Abode assisted 63 households in securing permanent housing. Under the Housing First Model, a person who is homeless is moved into permanent housing as quickly as possible and provided with the necessary services that will enable them to maintain their housing indefinitely. The program relies on a variety of strategies to produce and acquire new affordable units, expand support services, and increase rental assistance.

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Program 3.3.3: Homelessness Prevention and Intervention	Provide homelessness prevention/intervention support services and rental assistance through Abode Services' AC Impact program.	Ongoing; monthly coordination with Alameda County	Ongoing. Abode through their AC Impact program is providing housing to 40 formerly chronically homeless persons. All clients have maintained their housing since entering the program. The city continues to fund case management services to ensure that the individuals remain on a road to self-sufficiency. Services focus on building independent living skills, money management and dealing with any behavioral issues.
Program 3.3.3: Homelessness Prevention and Intervention	Provide rental subsidies and related assistance to households experiencing domestic violence and risk of homelessness through Tri-Valley Haven.	Ongoing; through annual Housing & Human Services Grant allocation process	Ongoing. During the planning period, the City assisted 48 families and/or individuals at risk of homelessness and/or those currently homeless. The program provides assistance with ongoing rental subsidies.
Program 3.3.3: Homelessness Prevention and Intervention	Facilitate the coordination of the faith-based community and providers of homeless services, building upon the Mayor's Homeless Summit.	Ongoing; through City-hosted subcommittee meetings	Ongoing. The City coordinates with faith-based communities to provide services such as warming centers, shower and laundry services, safe parking, and hotel relief vouchers.
Program 3.3.3: Homelessness Prevention and Intervention	Support the efforts of the Homeless Street Outreach (HSO) Team to proactively connect homeless individuals to resources.	Ongoing; monthly oversight and coordination	Ongoing. CityServe provides case management to homeless or at risk Livermore residents. Abode Services and Bay Area Community Health provide a Street Medical Team to provide medical and mental health services to unsheltered Livermore residents.
Program 4.1.1: Minor Home Repair Program	Continue to provide rehabilitation grants to lower income households and occupants of mobile homes to cover the cost of minor repairs such as plumbing, weather stripping, electrical work, and accessibility improvements.	Ongoing; through identification of applicants through Neighborhood Preservation contacts and requests for assistance	Ongoing. During the planning period, the City worked with Habitat for Humanity to assist at least 19 homeowners with grants and loans to cover code violations, health and safety repair items, and general maintenance issues.
Program 4.1.1: Minor Home Repair Program	Continue to advertise the program through the City's website, newsletter, targeted mailings, and brochures distributed at public counters and to local agencies.	Ongoing	Ongoing.
Program 4.1.2: Owner-Occupied Housing Rehabilitation Loan Program	Provide assistance to lower income households in the form of deferred payment loans for major repairs (roof, furnace, electrical, plumbing), or for installation of wheelchair ramps, support rail systems, or security/safety devices in housing occupied by elderly and disabled.	2015 through 2022	Ongoing. During the planning period, the City and Habitat for Humanity provided at least 15 low-income residents assistance with home repairs.
Program 4.1.2: Owner-Occupied Housing Rehabilitation Loan Program	Continue to advertise the program through the City's website, newsletter, targeted mailings, and brochures distributed at public counters and to local agencies.	Update information annually or as needed	Ongoing
Program 4.1.2: Owner-Occupied Housing Rehabilitation Loan Program	Collaborate with nonprofit agencies such as GRID Alternatives to assist with energy-related improvements.	Ongoing; as projects are proposed	No households in Livermore participated in the GRID Alternatives program during the planning period.
Program 4.1.2: Owner-Occupied Housing Rehabilitation Loan Program	Develop a Healthy Homes Initiative that provides outreach and education to help people maintain their homes.	2015-2016	Ongoing. Funding is currently unavailable and the City is currently assessing the need for housing rehabilitation services in Livermore.
Program 4.1.3: Historic Preservation Tax Credits (Mills Act)	Investigate the feasibility of participation in the Mills Act Property Tax Abatement Program to encourage the restoration and maintenance of historic properties.	Underway	Ongoing.
Program 4.1.4: Neighborhood Improvement	Continue to upgrade the quality of the living environment of older neighborhoods through improvements to infrastructure and public facilities.	Ongoing	Ongoing. The City's CIP includes ongoing/annual improvements for street resurfacing, sidewalk repair, and ADA access ramps.
Program 4.1.4: Neighborhood Improvement	Continue funding the sidewalk repair program and ADA sidewalk curb cuts and access ramps to improve sidewalk-to-street access for Livermore's disabled citizens.	Ongoing	Ongoing. The City's CIP includes ongoing/annual improvements for street resurfacing, sidewalk repair, and ADA access ramps adjacent to City properties. In 2018 the City adopted a resolution discontinuing both the City subsidy of private sidewalk repairs and the practice of the City completing repairs on behalf of private property owners.
Program 4.1.4: Neighborhood Improvement	Pursue funding available for acquisition and rehabilitation of foreclosed, vacant, and/or blighted properties.	Annually	Ongoing. The City continues to work with non-profit housing agencies to identify prospective acquisition and rehabilitation opportunities that could rehabilitate blighted and distressed properties within the City and provide safe, clean and affordable rental housing opportunities.
Program 4.1.5: Neighborhood Preservation Program	Encourage low-income homeowners who need financial assistance to correct code violations to utilize the Housing Rehabilitation programs.	Ongoing	Ongoing. Neighborhood Preservation continues to refer homeowners to the local and County programs that provide assistance for needed home rehabilitation and repairs.
Program 4.1.5: Neighborhood Preservation Program	Continue to identify and provide assistance to rehabilitate units needing substantial renovation due to severe deterioration.	Ongoing	City staff sends out Requests for Proposals (RFPs) for partnerships as City-owned site development opportunities arise and as projects propose support from the City's Affordable Housing Fund. Staff also communicates with developers and housing services providers.
Program 4.1.5: Neighborhood Preservation Program	Continue the Housing Quality Inspections for multi-family complexes that have received CDBG and HOME funding.	Ongoing	Ongoing
Program 4.1.5: Neighborhood Preservation Program	Continue to promote Neighborhood Preservation programs and clean-up events through the City's website.	Ongoing	Ongoing. The City's website contains information on upcoming events related to neighborhood nuisance and cleanup, including clutter support groups.

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Program 4.1.5: Neighborhood Preservation Program	Use volunteer assistance clean-up teams specifically to assist frail elderly and disabled homeowners that have received code complaints for property upkeep.	Ongoing	Ongoing.
Program 4.2.1: Preservation of Subsidized Housing at-risk of Conversion to Market Rate	Monitor the at-risk status of affordable housing projects. Send a list of potentially at-risk housing projects to nonprofit developers to solicit participation in the City's efforts to preserve the units. Contact project owners of at-risk projects to discuss preservation options/incentives and facilitate collaboration with potentially interested non-profits; and notify tenants according to State and Federal requirements.	Annually	Ongoing
Program 4.2.1: Preservation of Subsidized Housing at-risk of Conversion to Market Rate	Communicate with tenants and respond to notices of intent filed by property owners in a timely manner.	Ongoing, as needed	Ongoing
Program 4.2.1: Preservation of Subsidized Housing at-risk of Conversion to Market Rate	Work to preserve at-risk housing units by providing financial incentives to landlords who in turn agree to continue to provide affordable units.	Ongoing	Ongoing
Program 4.2.1: Preservation of Subsidized Housing at-risk of Conversion to Market Rate	Pursue State funding available for the preservation of at-risk housing.	Annually	Ongoing
Program 4.2.2: Maintain Affordability of Housing Stock	Support the preservation of existing market rate housing that is affordable to lower income households through rehabilitation and rental assistance programs.	Ongoing	Ongoing. See Programs 3.3.2, 4.1.1, and 4.1.2 for more detail.
Program 5.1.1: Support Non-Profit Organizations Specializing in Fair Housing Services	Continue to provide financial assistance and administrative support to local non-profit organizations that specialize in reducing discriminatory housing practices through fair housing counseling, tenant/landlord mediation, education/outreach, and rental assistance.	Ongoing; through annual Housing & Human Services Grant allocation process	Ongoing. ECHO Housing was allocated funding from local housing in-lieu funds to provide services to assist residents with fair housing complaints, tenant landlord disputes, accessing and fair housing education. The City also contracted with Centro Legal de la Raza to provide legal services and conduct public outreach regarding tenant rights.
Program 5.1.1: Support Non-Profit Organizations Specializing in Fair Housing Services	Continue to refer complaints of discriminatory housing practices to LHA and ECHO Housing.	Ongoing	Ongoing. ECHO continued to complete property audits in Livermore and investigate fair housing cases.
Program 5.1.1: Support Non-Profit Organizations Specializing in Fair Housing Services	Continue to refer complaints and requests for housing for the disabled to partner organizations.	Ongoing	Ongoing. During the planning period, CRIL provided services to 518 disabled persons.
Program 5.1.1: Support Non-Profit Organizations Specializing in Fair Housing Services	Continue to assist in the distribution of fair housing brochures at public locations, such as city counters, public libraries, community/senior centers, and service providers. Continue to expand outreach and access to information for limited English-speaking residents.	Annually, or as needed	Ongoing. Housing staff partnered with the libraries and nonprofits to circulate outreach materials.
Program 5.1.1: Support Non-Profit Organizations Specializing in Fair Housing Services	Continue to provide financial support for the City's Fair Housing Audit conducted by ECHO and the dissemination of audit results and information on fair housing laws to landlords, rental housing organizations and the public.	Annually, through annual Housing & Human Services Grant allocation process	Ongoing. ECHO provides training to landlords who fail to comply with federal and state fair housing laws. ECHO also works with other nonprofit agencies such as East Bay Community Law Center, Bay Area Legal Aid and Centro Legal de la Raza to provide clients with appropriate legal services to stabilize their housing situation. ECHO collaborates with CRIL, an agency dedicated to serving individuals with disabilities, to provide CRIL clients with housing counseling. Lastly, ECHO holds various public Fair Housing education workshops to educate the public, landlords, tenants and community organizations.
Program 5.1.2: Reasonable Accommodation	Consistent with state and federal laws, continue to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures through the building permit and development review processes.	Ongoing	Ongoing. The Livermore Development Code outlines procedures to address reasonable accommodation (Chapter 9.06).
Program 5.1.2: Reasonable Accommodation	Continue to partner with ECHO to conduct fair housing tests for reasonable accommodations in multi-family rental properties. Provide regular training to landlords.	Ongoing	As described in Program 5.1.1, the City partners with ECHO to conduct a fair housing audit of 10 rental properties each year. ECHO provided the landlords of these properties with training and information regarding disability laws and tenant/landlord rights and responsibilities. In addition, ECHO offered free fair housing training to the owners and managers of rental properties in Livermore.

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Program 5.1.2: Reasonable Accommodation	Work with Livermore Housing Authority and partner organizations to identify landlords in need of assistance with making modifications for persons with disabilities within the Section 8 program.	Ongoing; as project opportunities occur	Ongoing
Program 6.1.1: Tri-Valley Affordable Housing Committee	Continue to participate in Tri-Valley Affordable Housing Committee to identify regional housing issues and to develop multi-jurisdictional approaches to solving affordable housing problems.	Ongoing,	Ongoing. Two Livermore City Councilmember are members of the Tri-Valley Affordable Housing Committee. The City also provides a staff liaison to the Committee, who regularly attends the quarterly meetings.
Program 6.1.2: Emergency, Transitional, and Supportive Housing Services	Continue to coordinate with other local jurisdictions to provide for the acquisition, rehabilitation, and operation of emergency housing for families. Support the Tri-Valley Haven in providing outreach, case management counseling, social services, and referrals to people with disabilities, survivors of domestic violence, and homeless or those at risk of being homeless.	Ongoing; through annual Housing & Human Services Grant allocation process	Ongoing. During the planning period, the City allocated \$176,000 from the Affordable Housing Fund and Social Opportunity Endowment fund to Tri-Valley Haven, which served 971 people.
Program 6.1.2: Emergency, Transitional, and Supportive Housing Services	Pursue opportunities to secure joint funding with neighboring and local jurisdictions to aid homeless and at-risk households.	Ongoing; as funding opportunities occur with the County and State.	Ongoing. The City was awarded \$581,000 from the State of California's Family Homelessness Challenge Grant program to re-house Livermore students and their families experiencing homelessness through bridge housing provided by the Livermore Housing Authority, along with supportive services and housing navigation. Livermore was one of ten communities across California to receive this competitive award. The State of California's No Place Like Home program awarded more than seven million dollars in capital funding and four and a half million dollars in operating resources for Pacific Avenue Senior Apartments which will provide 140 homes to low-income senior households. The funds will be used to build and set aside 24 units for seniors experiencing homelessness who need mental health services, as well as funding supportive services to help residents stabilize and age in place.
Program 6.1.2: Emergency, Transitional, and Supportive Housing Services	Assist in implementing the County-wide Homeless and Special Needs Housing Plan "Everyone Home".	Ongoing	Ongoing. The City represents the Tri-Valley and is a part of the Everyone Home. The City provides input on implementing the Everyone Home Coordinated Entry System (CES). The City works closely with the Tri-Valley Housing Resource Center (HRC) and Abode Services. The HRC offices are located in the City's Multi Service Center. In addition, the City provides funding for outreach and case management to support the CES.
Program 6.1.2: Emergency, Transitional, and Supportive Housing Services	Maintain membership in the HOPE Partnership, which oversees the HOPE Mobile Services Unit.	Ongoing; through annual Housing & Human Services Grant allocation process	Ongoing. The Hope Mobile Provides Services every Friday for the Unsheltered residents at Cornerstone Church. This is a partnership between Alameda County Health Care for the Homeless, Abode Services and Bay Area Community Health
Program 6.1.2: Emergency, Transitional, and Supportive Housing Services	Work with local and regional organizations such as Tri-Valley REACH to provide information on housing and services available for persons with disabilities, including developmental disabilities. Provide information through the City's website and at the Multi-service Center	Ongoing	Ongoing. Staff works with Tri-Valley REACH to expand housing opportunities for persons with physical and developmental disabilities. Staff released a Request for Proposals for local supportive shared housing providers to expand and/or rehabilitate their properties with funds granted through the State Permanent Local Housing Allocation (PLHA) Program.
Program 6.1.3: Regional Home Ownership Education and Counseling	Continue to cooperate with Tri-Valley cities to support locally accessible home ownership counseling and foreclosure intervention services through regional and local agencies such as the Eden Council for Hope and Opportunity Housing Opportunity Center (ECHO HOC)	Ongoing; through monthly services agreement with ECHO	ECHO Housing continues to provide education and counseling services to prepare households for homeownership. In 2022, ECHO offered First-time Homebuyer Education webinars and provided pre-purchase counseling sessions to Livermore residents.
Program 7.1.11: Green Building	Continue to enforce State Energy Code when reviewing construction plans submitted in order to obtain building permits.	Ongoing	The Building division continues to implement State Energy Code requirements as part of the plan check process to obtain building permits. This includes Part 11 - the California Green Building Standards Code ("CALGreen"), which was last updated in January 2023. The City adopted reach codes for all-electric buildings and EV charging in new construction.
Program 7.1.11: Green Building	Encourage developers to exceed the minimum green building point requirement by maintaining and regularly updating the Green Building Resource Center and the City's website, allowing Electronic Submittal for Solar PV Permit Applications to streamline the permitting process, and providing one-on-one consultation with certified or accredited staff to assist with project design and incorporating green building measures.	Annually and/or as needed, ongoing, as requested	Building Division staff are available to meet with project applicants to discuss green building measures over the counter at the Permit Center, or by appointment.

EXHIBIT A

Program 7.1.11: Green Building	As part of the Housing Implementation Program (HIP), require applicants to either: 1) provide a photovoltaic system(s) that generates a minimum of 10% of the total anticipated energy demand of the project, or 2) achieve Tier 2 California Green Building Code Energy Conservation Compliance for the entire project.	Ongoing	The City discontinued the HIP program.
Program 7.1.2: Climate Action Plan	Implement Climate Action Plan to reduce energy use and emissions associated with residential development.	Ongoing	Ongoing. The City adopted an update to the CAP in 2022. It also adopted reach codes for all-electric buildings and EV charging in new construction.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

180

Jurisdiction	Livermore	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the checklist here:
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

[illegible]

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e Income Pursuant to Government Code section 65400.2

ilding that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before ad
meet the requirements described in Government Code 65400.2(b

[illegible]

EXHIBIT A

Jurisdiction	Livermore	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Table G

Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

[illegible]

Jurisdiction	Livermore
Reporting Period	2022 (Jan. 1 - Dec. 31)

NOTE: This table is meant to contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

**ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation**

For Alameda County jurisdictions, please format the APN's as follows:999A-9999-999-99

Table H						
Locally Owned Surplus Sites						
Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	Street Address/Intersection	Existing Use	Number of Units	Surplus Designation	Parcel Size (in acres)	Notes
Summary Row: Start Data Entry Below						
099-0175-026-00	E Stanley Blvd	Vacant		Surplus Land	0.344	Development challenges include lack of safe public access, adjacent to railroad tracks and in/adjacent to Arroyo Mocho Channel
099-0175-025-00	E Stanley Blvd	Vacant		Surplus Land	0.843	"Development challenges include lack of safe public access, adjacent to railroad tracks and in/adjacent to Arroyo Mocho Channel"

Jurisdiction	Livermore	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

NOTE: SB 9 PROJECTS ONLY. This table only needs to be completed if there were lot splits applied for pursuant to Government Code 66411.7 OR units constructed pursuant to 65852.21.

Units entitled/permitted/constructed must also be reported in Table A2. Applications for these units must be reported in Table A.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

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Table I										
Units Constructed Pursuant to Government Code 65852.21 and Applications for Lot Splits Pursuant to Government Code 66411.7 (SB9)										
Project Identifier				Project Type	Date	Unit Constructed				Notes
1				2	3	4				
APN	Street Address	Project Name ⁺	Local Jurisdiction Tracking ID ⁺	Activity	Date	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Notes
Summary Row: Start Data Entry Below										

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

Student housing development for lower income students for which was granted a density bonus

[illegible]

PROGRESS REPORT

plementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915

[illegible]

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	01/31/2015 - 01/31/2023

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1		2									3
Income Level		RHNA Allocation by Income Level		2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)
													Total Remaining RHNA by Income Level
Very Low	Deed Restricted	839	-	-	-	52	34	42	-	44	24	-	196
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	643
Low	Deed Restricted	474	-	2	4	24	10	1	3	-	-	-	56
	Non-Deed Restricted		-	-	12	-	-	-	-	-	-	-	418
Moderate	Deed Restricted	496	-	-	-	-	8	2	-	-	-	-	-
	Non-Deed Restricted		-	14	395	15	18	36	40	60	61	-	649
Above Moderate		920	-	420	15	311	235	260	124	25	21	-	1,411
Total RHNA		2,729											
Total Units			-	436	426	402	305	341	167	129	106	-	2,312
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).													
		5		2015	2016	2017	2018	2019	2020	2021	2022	2023	6
		Extremely low-income Need											Total Units to Date
Extremely Low-Income Units*		420	-	-	-	-	-	-	-	-	24	-	24
													Total Units Remaining
													396

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle,

Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

EXHIBIT A

Jurisdiction	Livermore	
Reporting Year	2022	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT Local Early Action Planning (LEAP) Reporting (CCR Title 25 §6202)					
<i>Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Sections 50515.02 or 50515.03, as applicable.</i>					
Total Award Amount	\$ 300,000.00		Total award amount is auto-populated based on amounts entered in rows 15-26.		
Task	\$ Amount Awarded	\$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes
Housing Element Update	\$175,000.00	\$175,000.00	In Progress	Local General Fund	
Design Standards and Guidelines	\$100,000.00	\$100,000.00	Other (Please Specify in Notes)	Local General Fund	Starting 2023
Isabel Neighborhood Specific Plan	\$15,000.00	\$15,000.00	Completed	Local General Fund	
General Plan Update	\$10,000.00	\$10,000.00	In Progress	Local General Fund	

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	14
	Non-Deed Restricted	
Low	Deed Restricted	14
	Non-Deed Restricted	
Moderate	Deed Restricted	54
	Non-Deed Restricted	
Above Moderate		331
Total Units		413

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	24
	Non-Deed Restricted	
Low	Deed Restricted	
	Non-Deed Restricted	

Moderate	Deed Restricted	
	Non-Deed Restricted	61
Above Moderate		21
Total Units		106

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	
	Non-Deed Restricted	
Low	Deed Restricted	
	Non-Deed Restricted	
Moderate	Deed Restricted	
	Non-Deed Restricted	39
Above Moderate		30
Total Units		69



CITY COUNCIL STAFF REPORT

ITEM NO. 6.2

DATE: March 27, 2023

TO: Honorable Mayor and City Council

FROM: Paul Spence, Community Development Director

SUBJECT: Hearing to consider adoption of a resolution establishing an annual fee for a home occupation permit renewal, which is required when a resident is employed and works from their home, in the amount of \$50.00, consistent with Livermore Development Code Section 9.05.100.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution establishing an annual fee for home occupation permit renewal in the amount of \$50.

SUMMARY

In general, a home occupation is when a resident is employed and works from their home either for themselves or for a company. In December 2021, the City Council approved amendments to the Development Code relating to home occupations and home occupation permits. The amendments included allowing home occupations to see up to three clients at a time, allow one employee at a time in addition to the household member, and limited to hours of operation to 9:00 a.m. to 7:00 p.m. daily. The amendments also required annual renewal of home occupation permits. The current proposal is to therefore adopt a new renewal fee for home occupation permits of \$50.

DISCUSSION

After the December 2021 home occupation permit (HOP) amendments, the City Council recently adopted additional Code amendments on February 27, 2023, to 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. 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.

Following the adoption of the ordinance revisions in 2021, staff reviewed the permitting process for home occupations for both new permits and permit renewals. The application form for new home occupations has been updated to reflect the new ordinance requirements, and a new form for permit renewals has

been prepared. The annual renewal of home occupation permits will begin at the end of this year, with renewal fee due by December 31, 2023. Home occupation owners will be notified regarding the permit renewal a minimum of thirty days prior to the due date.

Based on the application procedures outlined in the ordinance, the estimated cost of a permit renewal is \$50. The fee amount assumes approximately half the staff time needed to review a new HOP permit, the fee for which is \$99.

ENVIRONMENTAL DETERMINATION

The proposed fees are not a “project” as defined in CEQA Guidelines Section 15378 since they have no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL AND ADMINISTRATIVE IMPACTS

The proposed annual permit renewal fee of \$50 is intended to cover reasonable staff costs associated with the home occupation permit renewal process. It is difficult to estimate the amount of revenue the permit renewal requirement may generate. The recent Code amendments described above exempt home occupations that do not see clients at the home or have an employee from obtaining a home occupation permit. As a result, the number of existing home occupation permits, and subsequent renewals will decrease.

COMMUNITY PILLAR

1: A Safe Community that Thrives

GOAL CATEGORY

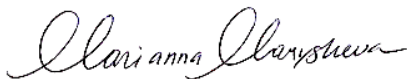
6: Provide efficient and effective permit processing services

ATTACHMENTS

1. Resolution

Prepared by: Susan Frost
Special Projects Coordinator

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 ADOPTING AN ANNUAL FEE FOR HOME OCCUPATION PERMIT RENEWAL

In 2021, the City Council approved amendments to the Development Code relating to home occupations and home occupation permits. Development Code Section 9.05.100.A was amended to require annual renewal of home occupation permits.

Based on the application procedures outlined in the ordinance, the estimated cost of a permit renewal is \$50.00. The fee amount assumes approximately half the staff time needed to review a new home occupation permit, the fee for which is \$99.00.

The proposed fee is not a "project" as defined in CEQA Guidelines Section 15378 since it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby adopts a fee for home occupation permit renewal in the amount of \$50.00.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Kimberly Cilley
Kimberly Cilley
Senior Assistant City Attorney



CITY COUNCIL STAFF REPORT

ITEM NO. 7.1

DATE: March 27, 2023
TO: Honorable Mayor and City Council
FROM: Christine Martin, Assistant City Manager
SUBJECT: Resolution approving the 2023 City of Livermore State and Federal Legislative Platform

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution approving the 2023 City of Livermore State and Federal Legislative Platform.

SUMMARY

The City of Livermore's State and Federal Legislative Platform allows the City to respond quickly in support of or opposition to legislative issues for the benefit of the Livermore community.

DISCUSSION

The City of Livermore State and Federal Legislative Platform (Platform) documents the City's position in several legislative categories. The proposed positions and categories are based on community priorities and values, and policy documents. The Platform provides a framework to respond quickly to legislative bills and communicate with legislators on issues affecting Livermore.

The City Council adopted its first state platform in 2013. In 2015, the City Council directed staff to also use the Platform as a guide for federal bill tracking and action. Annual updates to the Platform reflect adjustments based on changing City needs, interests and conditions at the regional, state and federal levels.

The 2023 Platform categories are:

- Community-Focused Governance
- Fiscal Stability
- Affordable Housing and Homelessness
- Planning and Sustainability
- Building Safety
- Infrastructure
- Job Creation and Economic Development

- Libraries
- Public Safety and Emergency Management
- Science, Technology, and Innovation
- Transportation and Parking
- Water

The proposed 2023 City of Livermore State and Federal Legislative Platform is included as Exhibit A to the Resolution for this report and once approved will be accessible on the City's website at www.LivermoreCA.gov/Legislation. Attachment 1 to this report is a redlined version of the updates made to this year's Platform.

Further, when appropriate, the City of Livermore joins its Tri-Valley neighbors to advocate for issues and funding at the regional, state and federal levels. The cities of Livermore, Dublin, Pleasanton, San Ramon, and the town of Danville developed a Tri-Valley Cities Legislative Framework. The Tri-Valley Framework overlaps many of the items in the City's Platform and provides another opportunity for advocacy progress and success. The 2023 Tri-Valley Cities Legislative Framework is included as Attachment 2 to this report.

FISCAL AND ADMINISTRATIVE IMPACTS

There are no fiscal or administrative impacts associated with City Council adoption of the 2023 City of Livermore State and Federal Legislative Platform.

COMMUNITY PILLAR

5: A City That Works

GOAL CATEGORY

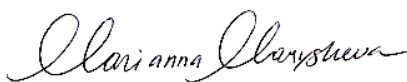
3: Oversee the City's legislative advocacy efforts

ATTACHMENTS

1. Draft 2023 Legislative Platform - Redlined
2. 2023 Tri Valley Cities Legislative Framework
3. Resolution
4. Exhibit A - Draft 2023 Legislative Platform

Prepared by: Stephanie Egidio
Assistant to the City Manager

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



City of Livermore
2023 State and Federal Legislative Platform

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(DRAFT)



The City of Livermore ("City") 2023 State and Federal Legislative Platform ("Platform") highlights the position of the City Council on important issues that align with community goals and policy documents such as the General Plan. City staff monitor bills introduced into the California Legislature and United States Congress. The Platform provides staff direction and allows the City, on the City Council's behalf, to respond quickly in support of or opposition to bills and other legislative or administrative actions in time-sensitive situations. The City Council delegates its authority to the mayor to sign support or opposition letters, consistent with the Platform. Additionally, the Platform enables staff to communicate on behalf of the City to state legislators and federal elected officials.

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The Platform is developed through review of City needs and issues, staff input, and review of League of California Cities priorities and strategies. City Council adopted the first Platform in 2013. At its April 13, 2015, meeting, City Council directed staff to use the Platform as a guide for federal bill tracking and action, too. Typically, the City Council reviews and updates the Platform annually.

The 2023 City of Livermore Platform categories are:

Deleted: 2022

- Community-Focused Governance
- Fiscal Stability
- Affordable Housing and Homelessness
- Planning and Sustainability
- Building Safety
- Infrastructure
- Job Creation and Economic Development
- Libraries
- Public Safety and Emergency Management
- Science, Technology, and Innovation
- Transportation and Parking
- Water

The State and Federal Legislative Platform evolves as City needs adjust, new issues arise, and conditions at the regional, state, and federal level change. Platform adjustments, whether due to federal policy changes or state policy reactions, may be considered at a future City Council meeting or at the next annual review in 2024.

Deleted: 2023

Once approved by the City Council, the 2023 State and Federal Legislative Platform will be posted on the City's website at www.LivermoreCA.gov/Legislation. Staff also provides the City Council with periodic updates on letters sent, bill progress, and legislative developments.

Deleted: 2022

When appropriate, the City of Livermore joins its Tri-Valley neighbors to advocate for issues and funding at the regional, state, and federal levels. The cities of Livermore, Dublin, Pleasanton, San Ramon, and the town of Danville develop a Tri-Valley Cities Legislative Framework. The Tri-Valley Framework overlaps many of the items in the City's Platform and provides another opportunity for advocacy progress and success.

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The Tri-Valley Cities Legislative Framework is available to view at www.LivermoreCA.gov/Legislation.

Community-Focused Governance

The City values its ability to create policies that best fit the needs of the Livermore community. It is important to advocate for state legislation that provides framework guidance and allows local implementation.

1. **Support** legislation that enhances or streamlines local governance and allows cities to address the needs of local constituents within a framework of regional cooperation.
2. **Monitor** legislation that affects the ability of City Council to effectively govern.
3. **Monitor** cannabis-related legislation.
4. **Oppose** legislation that would prohibit or limit local governments' ability to contract out for services.
5. **Support** legislation that updates both the Brown Act and Public Records Act regarding electronic records and activities that support local decision-making without significant fiscal impact and new regulations that require staff resources.
6. **Oppose** legislation that requires or expands state involvement in City financial audits, fiscal monitoring, general oversight, or assistance by the State Treasurer, State Controller, or other state agencies.
7. **Support** a wording change in the Communications Act of 1934 that removes the distinction between "capital" and "operating" funds in order to provide more local control for community television stations in the use of their public, educational and government (PEG) channel fees with no rise in taxes or a reduction in revenue to the cable industry.

Fiscal Stability

Fiscal stability and financial independence are necessary to provide desired services and programs for residents and local businesses. City Council policy decisions direct staff to ensure the City's long-term financial stability. Unexpected diversion of local funds by the state or federal government erodes the ability of a city to plan and budget for short-and-long term service needs.

1. **Oppose** legislation that imposes unfunded or inadequate state or federal mandates.
2. **Support** legislation that updates the tax structure to enhance local government revenues that have declined due to the expansion of e-commerce, increased

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consumption of services rather than durable goods, and innovations in technology.

3. **Monitor** legislation regarding new fees or other revenue-enhancements.
4. **Oppose** legislation that reduces or eliminates payments to cities for use of property and rights-of-way for telecommunications.
5. **Support** legislation that provides sustainable and secure public pensions and other post-retirement benefits to ensure responsive and affordable public services.
6. **Support** legislation that streamlines the Workers' Compensation system.
7. **Oppose** legislation that would remove the federal tax exemption for municipal bonds.

Affordable Housing and Homelessness

The availability of a suitable living environment is essential to quality-of-life. It is important to support adequate and affordable housing opportunities and housing-related service needs.

1. **Support** regional solutions that balance housing, transportation/transit, and jobs together. Building housing without adequate transportation infrastructure may exacerbate, not alleviate, the affordable housing crisis.
2. **Support** legislation that protects existing affordable housing stock, including rental apartments, deed-restricted units, and mobile homes, and promotes affordable housing that includes long-term affordability agreements.
3. **Support** legislation that ensures incentives and density bonus provisions are directly linked to the level and percentage of affordable units provided for each project.
4. **Support** legislation that enables cities to develop locally appropriate plans that meet state objectives in a manner that is compatible with existing community character.
5. **Support** legislation that facilitates accessory dwelling units and encourages development of "missing-middle" housing that is compatible with suburban community character.

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6. **Oppose** housing legislation that is not accompanied by funding that can support expanded transportation, transit, and infrastructure, including planning, and capital improvement programs and funding to support new school facilities.
7. **Oppose** housing legislation that results in a net loss of local funding.
8. **Support** housing legislation that promotes the development and enhancement of a diverse workforce, as long as the legislation does not create an unfunded mandate or conflict with local land use authority and financial stability.
9. **Oppose** housing legislation that unduly impacts local taxation capacity or diverts financial resources from essential local public services and infrastructure programs.
10. **Support** legislation that increases financial assistance to cities, non-profit organizations, and local partnerships to provide affordable, transitional, special needs, and emergency housing to the homeless, seniors, veterans, and people with special needs.
11. **Support** legislation that increases financial assistance to cities, non-profit organizations, and local partnerships to provide and promote self-empowerment for homeless individuals or families through counseling, job training, and other related services.
12. **Support** legislation that provides financial assistance, improved access to, and expansion of health care, mental health, and drug addiction services for low income and homeless individuals.

13. **Support** legislation that removes fair housing barriers and prevents displacement.

Planning and Sustainability

Land use planning coupled with environmental stewardship, such as mandatory reductions in greenhouse gases, emissions, solid waste generation, and energy consumption are vital to a community's quality of life.

1. **Oppose** legislation that diminishes cities' decision-making authority over land use decisions or zoning.
2. **Support** legislation preserving or enhancing the federal Community Development Block Grant (CDBG) program.
3. **Support** land use patterns that maintain safe residential neighborhoods, bolster economic prosperity, preserve open space, and enhance overall quality of life.

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4. **Oppose** state or federal efforts to further erode local government authority regarding the location or permit review of small cell wireless equipment, cellular towers, transmission sites, or other devices on public infrastructure or in the public right of way.
5. **Support** funding and incentives for smart growth and sustainable development.
6. **Support** CEQA-reform legislation that improves the cost-effective and timely delivery of projects and decreases the ability for spurious lawsuits.
7. **Support** legislation or grant opportunities for cities that provide funding for developing or enhancing alternative vehicle fueling stations.
8. **Support** rebate programs, tax credits, and other financial incentives that encourage property owners to invest in energy efficiency and renewable energy systems, greenhouse gas-reducing technology, and alternative vehicle fueling stations in parking areas.
9. **Monitor** state and federal legislation related to climate adaptation.
10. **Support** measures that increase funding to local governments for landfill diversion programs such as food recovery, composting, and recycling.
11. **Support** Extended Producer Responsibility (EPR) legislation to encourage manufacturers to design environmentally friendly products by holding producers responsible for the costs of managing their products at end of life.

Building Safety

The City prioritizes protection of public health, safety and welfare by proper building design and construction practices.

1. **Support** legislation that increases the safety of buildings, reduces potential hazards and protects against fire and structure collapse.
2. **Support** legislation for seismic earthquake retrofits to protect individuals and structures.
3. **Support** legislation that contributes to the quality and durability of construction methods and materials
4. **Monitor** legislation to restrict number of inspections needed to verify safety of the built environment and other components.

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5. **Support** measures to streamline photovoltaic and electrical vehicle charging permitting and installation.
6. **Support** legislation that contributes to the wellbeing of a community, preservation of life safety, and property maintenance.

Infrastructure

The condition of a city's infrastructure affects the community's quality-of-life. Sewer and water systems, sidewalks, and roads are subject to a wide number of regulations and must be maintained or replaced to ensure the health of the community.

1. **Support** state and federal legislation that would expand connectivity and access to digital resources.
2. **Oppose** legislation regarding infrastructure such as sidewalk repair that increases a city's unfunded infrastructure liability.
3. **Support** state and federal legislation that provides additional funding and/or preferred financing for local critical unmet infrastructure needs.
4. **Support** legislation that reduces or streamlines state and federal permitting requirements.
5. **Support** legislation that enhances the reliability of water transmission and storage through the Delta to the Tri-Valley.
6. **Support** legislation that provides new funding methods for flood control and stormwater management.
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1. **Support** legislation that advances or encourages innovation, entrepreneurship, start-ups, small business opportunities, and/or workforce development.
2. **Support** legislation that encourages the expansion of STEM (Science, Technology, Engineering, and Mathematics) programs in K-12, higher education, libraries, and community-based organizations.
3. **Support** legislation that encourages and supports the transfer of technology from the national laboratories.

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4. **Support** legislation that provides competitive grants, state partnerships, or other resources to encourage innovation and the science, technology, and innovation economies.
5. **Support** legislation that improves the abilities of the federal laboratories to update or expand their infrastructure.

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Transportation and Parking

Regional and local transportation play a key role in a community's economic vitality and quality-of-life.

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2. **Support** legislation that enhances the ability of local agencies to finance local transportation programs and facilities.
3. **Support** legislation that facilitates connectivity between major regional rail/transit systems.
4. **Support** legislation that provides incentives for rail and multimodal transit stations and transit-oriented development projects.
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Water

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1. **Oppose** legislation that imposes a state tax or fee on customers of a public water system for drinking water.
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TRI-VALLEY CITIES

Legislative Framework



TRI-VALLEY CITIES VALUES STATEMENT

The Tri-Valley Cities of Dublin, Livermore, Pleasanton, San Ramon, and the Town of Danville value regional leadership, innovation, collaboration, and problem solving to maintain and improve the quality of life for Tri-Valley residents, provide a vibrant climate for businesses, and enable continued opportunities for public and private investment within the region.

Each City and Town provides a unique perspective on how to meet the needs of their residents and businesses. The Cities and Town agree to respect the individuality of each community and are committed to open and honest communication with a goal of building consensus and a united approach to advocacy for solutions that will serve the residents and businesses of the Tri-Valley.

TRI-VALLEY CITIES LEGISLATIVE FRAMEWORK

The Tri-Valley Cities Legislative Framework seeks to inform all levels of governmental interaction (e.g., federal, state, regional, local) regarding legislation, policies, and programs that have a direct impact on the region. The TVC has defined Legislative Focus Areas which have an overarching objective to retain and promote local control and decision-making as it relates to the implementation of laws and regulations and to have the ability to integrate them in a manner that meets the unique needs of each community. The TVC will advocate together to achieve outcomes benefiting the region in each of these Focus Areas.

Transportation and Infrastructure

Residents of the Tri-Valley region are subject to some of the heaviest commutes in the Bay Area and are impacted by the heavy flow of traffic along the region's freeways, which often spills over onto the local surface streets as commuters pursue alternatives to their commute through the Tri-Valley. A key objective of the region is to reduce congestion on the region's freeways, and to increase mobility of goods and people through the Tri-Valley with continued financial investment in transportation infrastructure: developing alternative modes of transportation, modernization of transportation corridors, and creation, modernization, and expansion of rail systems. The TVC also seeks to partner on other significant non-transportation infrastructure projects, especially those with regional and multi-regional benefits.

Climate, Environment, Health, and Safety

The TVC seeks to work collaboratively with federal, state, and regional partners to address the new landscape of year-round wildfires, air quality, public safety power shutoffs, water quality (including PFAS/PFOS contaminants) and supply issues, as well as waste and recycling mandates. The TVC will advocate for increasing financial and technical support in these areas, as well as for investment in key infrastructure at all levels of government.



Economic Development

The Tri-Valley region is an innovation hub that spurs job growth, sustains a healthy economy, and provides a high quality of life for residents and business. Key objectives are developing a healthy workforce; and supporting innovation, capacity building, economic stimulus, and growth in the region.

Affordable Housing and Homelessness

The TVC supports balanced solutions which consider housing, jobs, and transportation together and seeks to support, promote, protect, and increase affordability in the region's housing stock. Key objectives are to work with federal, state, and regional partners to provide funding for affordable housing through a variety of programs and options and to work to address barriers to building housing at Very Low, Low, and Moderate income levels. TVC also remains committed to mitigating and eliminating homelessness, including working with partners at all levels of government to address the root causes of housing insecurity and homelessness.

Mental Health

The TVC recognizes that social services are vital to supporting residents and providing crucial safety net services in our region. While the TVC cities do not provide direct delivery of social services, the Cities seek to work together to support local non-profits and organizations that do provide these services, and advocate together for these vital resources and services from all levels of government. Mental health support is a growing need in our region, and the TVC seeks to advocate for the resources to meet the needs of all our residents.

Fiscal Sustainability

Fiscal Sustainability is an important role for all levels of government. The TVC seeks to advocate against the imposition of unfunded mandates and the removal of funding streams from local governments.

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA
A RESOLUTION ADOPTING THE 2023 STATE AND FEDERAL LEGISLATIVE
PLATFORM FOR THE CITY OF LIVERMORE

The proposed 2023 City of Livermore State and Federal Legislative Platform (“2023 Platform”) will allow the City of Livermore (“City”) to quickly respond in support of or in opposition to legislative issues by establishing positions that guide staff’s response to legislative bills and their communications with legislators. This is especially important when responding to time-sensitive situations affecting the Livermore community.

The City Council first adopted a formal legislative platform in 2013, and it has adopted an update each year since then. In 2015, the City Council expanded the platform to also provide a guide for federal bill tracking and action.

The 2023 Platform proposes City positions in several legislative categories. The proposed positions and categories align with community priorities, values, and policy documents. The 2023 Platform also reflects adjustments based on evolving City needs, interests, and conditions at the regional, state, and federal levels.

The 2023 Platform legislative categories are:

1. Community-Focused Governance
2. Fiscal Stability
3. Affordable Housing and Homelessness
4. Planning and Sustainability
5. Building Safety
6. Infrastructure
7. Job Creation and Economic Development
8. Libraries
9. Public Safety and Emergency Management
10. Science, Technology, and Innovation
11. Transportation and Parking
12. Water

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby adopts the 2023 City of Livermore State and Federal Legislative Platform, attached hereto as Exhibit A.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on March 27, 2023, by the following vote:

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

ATTEST:

APPROVED AS TO FORM:

Marie Weber
Deputy City Manager/City Clerk

/s/ Jason Alcala
Jason Alcala
City Attorney

Exhibit A – City of Livermore 2023 State and Federal Legislative Platform



City of Livermore 2023 State and Federal Legislative Platform

(DRAFT)



The City of Livermore (“City”) 2023 State and Federal Legislative Platform (“Platform”) highlights the position of the City Council on important issues that align with community goals and policy documents such as the General Plan. City staff monitor bills introduced into the California Legislature and United States Congress. The Platform provides staff direction and allows the City, on the City Council's behalf, to respond quickly in support of or opposition to bills and other legislative or administrative actions in time-sensitive situations. The City Council delegates its authority to the mayor to sign support or opposition letters, consistent with the Platform. Additionally, the Platform enables staff to communicate on behalf of the City to state legislators and federal elected officials.

The Platform is developed through review of City needs and issues, staff input, and review of League of California Cities priorities and strategies. City Council adopted the first Platform in 2013. At its April 13, 2015, meeting, City Council directed staff to use the Platform as a guide for federal bill tracking and action, too. Typically, the City Council reviews and updates the Platform annually.

The 2023 City of Livermore Platform categories are:

- Community-Focused Governance
- Fiscal Stability
- Affordable Housing and Homelessness
- Planning and Sustainability
- Building Safety
- Infrastructure
- Job Creation and Economic Development
- Libraries
- Public Safety and Emergency Management
- Science, Technology, and Innovation
- Transportation and Parking
- Water

The State and Federal Legislative Platform evolves as City needs adjust, new issues arise, and conditions at the regional, state, and federal level change. Platform adjustments, whether due to federal policy changes or state policy reactions, may be considered at a future City Council meeting or at the next annual review in 2024.

Once approved by the City Council, the 2023 State and Federal Legislative Platform will be posted on the City's website at www.LivermoreCA.gov/Legislation. Staff also provides the City Council with periodic updates on letters sent, bill progress, and legislative developments.

When appropriate, the City of Livermore joins its Tri-Valley neighbors to advocate for issues and funding at the regional, state, and federal levels. The cities of Livermore, Dublin, Pleasanton, San Ramon, and the town of Danville develop a Tri-Valley Cities Legislative Framework. The Tri-Valley Framework overlaps many of the items in the City's Platform and provides another opportunity for advocacy progress and success.

The Tri-Valley Cities Legislative Framework is available to view at www.LivermoreCA.gov/Legislation.

Community-Focused Governance

The City values its ability to create policies that best fit the needs of the Livermore community. It is important to advocate for state legislation that provides framework guidance and allows local implementation.

1. **Support** legislation that enhances or streamlines local governance and allows cities to address the needs of local constituents within a framework of regional cooperation.
2. **Monitor** legislation that affects the ability of City Council to effectively govern.
3. **Monitor** cannabis-related legislation.
4. **Oppose** legislation that would prohibit or limit local governments' ability to contract out for services.
5. **Support** legislation that updates both the Brown Act and Public Records Act regarding electronic records and activities that support local decision-making without significant fiscal impact and new regulations that require staff resources.
6. **Oppose** legislation that requires or expands state involvement in City financial audits, fiscal monitoring, general oversight, or assistance by the State Treasurer, State Controller, or other state agencies.
7. **Support** a wording change in the Communications Act of 1934 that removes the distinction between "capital" and "operating" funds in order to provide more local control for community television stations in the use of their public, educational and government (PEG) channel fees with no rise in taxes or a reduction in revenue to the cable industry.

Fiscal Stability

Fiscal stability and financial independence are necessary to provide desired services and programs for residents and local businesses. City Council policy decisions direct staff to ensure the City's long-term financial stability. Unexpected diversion of local funds by the state or federal government erodes the ability of a city to plan and budget for short-and-long term service needs.

1. **Oppose** legislation that imposes unfunded or inadequate state or federal mandates.
2. **Support** legislation that updates the tax structure to enhance local government revenues that have declined due to the expansion of e-commerce, increased

consumption of services rather than durable goods, and innovations in technology.

3. **Monitor** legislation regarding new fees or other revenue-enhancements.
4. **Oppose** legislation that reduces or eliminates payments to cities for use of property and rights-of-way for telecommunications.
5. **Support** legislation that provides sustainable and secure public pensions and other post-retirement benefits to ensure responsive and affordable public services.
6. **Support** legislation that streamlines the Workers' Compensation system.
7. **Oppose** legislation that would remove the federal tax exemption for municipal bonds.

Affordable Housing and Homelessness

The availability of a suitable living environment is essential to quality-of-life. It is important to support adequate and affordable housing opportunities and housing-related service needs.

1. **Support** regional solutions that balance housing, transportation/transit, and jobs together. Building housing without adequate transportation infrastructure may exacerbate, not alleviate, the affordable housing crisis.
2. **Support** legislation that protects existing affordable housing stock, including rental apartments, deed-restricted units, and mobile homes, and promotes affordable housing that includes long-term affordability agreements.
3. **Support** legislation that ensures incentives and density bonus provisions are directly linked to the level and percentage of affordable units provided for each project.
4. **Support** legislation that enables cities to develop locally appropriate plans that meet state objectives in a manner that is compatible with existing community character.
5. **Support** legislation that facilitates accessory dwelling units and encourages development of "missing-middle" housing that is compatible with suburban community character.

6. **Oppose** housing legislation that is not accompanied by funding that can support expanded transportation, transit, and infrastructure, including planning, and capital improvement programs and funding to support new school facilities.
7. **Oppose** housing legislation that results in a net loss of local funding.
8. **Support** housing legislation that promotes the development and enhancement of a diverse workforce, as long as the legislation does not create an unfunded mandate or conflict with local land use authority and financial stability.
9. **Oppose** housing legislation that unduly impacts local taxation capacity or diverts financial resources from essential local public services and infrastructure programs.
10. **Support** legislation that increases financial assistance to cities, non-profit organizations, and local partnerships to provide affordable, transitional, special needs, and emergency housing to the homeless, seniors, veterans, and people with special needs.
11. **Support** legislation that increases financial assistance to cities, non-profit organizations, and local partnerships to provide and promote self-empowerment for homeless individuals or families through counseling, job training, and other related services.
12. **Support** legislation that provides financial assistance, improved access to, and expansion of health care, mental health, and drug addiction services for low income and homeless individuals.
13. **Support** legislation that removes fair housing barriers and prevents displacement.

Planning and Sustainability

Land use planning coupled with environmental stewardship, such as mandatory reductions in greenhouse gases, emissions, solid waste generation, and energy consumption are vital to a community's quality of life.

1. **Oppose** legislation that diminishes cities' decision-making authority over land use decisions or zoning.
2. **Support** legislation preserving or enhancing the federal Community Development Block Grant (CDBG) program.
3. **Support** land use patterns that maintain safe residential neighborhoods, bolster economic prosperity, preserve open space, and enhance overall quality of life.

4. **Oppose** state or federal efforts to further erode local government authority regarding the location or permit review of small cell wireless equipment, cellular towers, transmission sites, or other devices on public infrastructure or in the public right of way.
5. **Support** funding and incentives for smart growth and sustainable development.
6. **Support** CEQA-reform legislation that improves the cost-effective and timely delivery of projects and decreases the ability for spurious lawsuits.
7. **Support** legislation or grant opportunities for cities that provide funding for developing or enhancing alternative vehicle fueling stations.
8. **Support** rebate programs, tax credits, and other financial incentives that encourage property owners to invest in energy efficiency and renewable energy systems, greenhouse gas-reducing technology, and alternative vehicle fueling stations in parking areas.
9. **Monitor** state and federal legislation related to climate adaptation.
10. **Support** measures that increase funding to local governments for landfill diversion programs such as food recovery, composting, and recycling.
11. **Support** Extended Producer Responsibility (EPR) legislation to encourage manufacturers to design environmentally friendly products by holding producers responsible for the costs of managing their products at end of life.

Building Safety

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CITY COUNCIL STAFF REPORT

ITEM NO. 10.1

DATE: March 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.

6.1	Hearing to consider the Housing Element Annual Progress Report, which tracks the City's progress towards implementing the Housing Element of the General Plan and meeting its Regional Housing Need Allocation (RHNA), pursuant to Government Code Section 65400. Material: PowerPoint Presentation
6.2	Hearing to consider adoption of a resolution establishing an annual fee for a home occupation permit renewal, which is required when a resident is employed and works from their home, in the amount of \$50.00, consistent with Livermore Development Code Section 9.05.100. Material: PowerPoint Presentation
7.1	Resolution approving the 2023 City of Livermore State and Federal Legislative Platform Material: PowerPoint Presentation
8.0	Council Committee Reports and Matters Initiated by City Manager, City Attorney, Staff, and Council Members Material: Council Reports

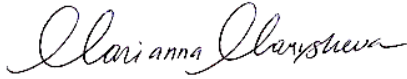
DISCUSSION

ATTACHMENTS

1. Supplemental Materials

Prepared by: Debbie Elam
Acting Assistant City Clerk

Approved by:



Marianna Marysheva
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



2022 Housing Element Annual Progress Report

City Council

March 27, 2023

Tricia Pontau, Senior Planner

1

Housing Element Annual Progress Report

- Tracks progress meeting the goals and objectives in the City's Housing Element
- 2022 was the eighth and final year implementing the 2015-2022 Housing Element
- Filing the report is required by State law and maintains the City's eligibility for grant programs
- Due to the State by April 1st

City of Livermore
2015 Housing
Element

Adopted
March 23, 2015

Prepared by Lisa Wise Consulting, Inc., PlaceWorks and
City of Livermore Community and Economic Development
Department

LIVERMORE
CALIFORNIA

2

APR Reporting Requirements

- Building permits issued by income level to demonstrate progress meeting RHNA
- Progress implementing housing programs
- Housing units proposed, approved, and constructed by income level
- Housing units developed pursuant to SB 35 and SB 9
- Sites rezoned to accommodate RHNA
- Surplus property central inventory
- Housing units constructed with a commercial development bonus
- Above moderate units converted to moderate units
- Lower income student housing units approved under a density bonus
- Status of projects that received LEAP funding



LIVERMORE
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3

Regional Housing Need Allocation (RHNA)

Income Category	Livermore's RHNA 2015 – 2022	4-person household in Alameda County (2022)	
		% of Median Household Income	Upper Threshold
Extremely Low		Less than 30%	\$46,300
Very Low	839	31-50%	\$71,400
Low	474	51-80%	\$109,600
Moderate	496	81%-120%	\$171,350
Above Moderate	920	120%+	
Total	2,729		

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RHNA Progress

Income Category	2015	2016	2017	2018	2019	2020	2021	2022	Total	RHNA 2015 – 2022	Remaining
Extremely/Very Low	0	0	52	34	42	0	44	24	196	839	643
Low	2	16	24	10	1	3	0	0	56	474	418
Moderate	14	395	15	26	38	40	60	61	649	496	0
Above Moderate	420	15	311	235	260	124	25	21	1,411	920	0
Total	436	426	402	305	341	167	129	106	2,312	2,729	1,061

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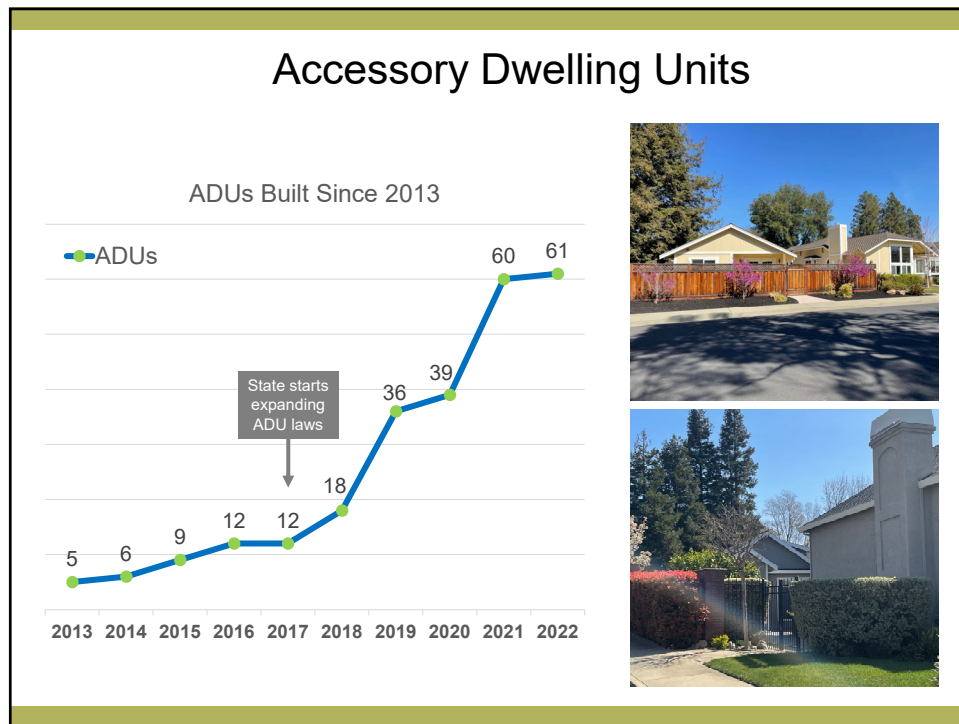
Housing Programs

- Implement inclusionary ordinance requiring 10-20% of units to be affordable
- Encourage accessory dwelling units
- Provide housing assistance to residents
- Leverage local housing trust funds to acquire, construct, and preserve new affordable units
- Help fund non-profits that provide supportive services
- Implement programs to reduce homelessness



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Downtown

Eden Housing

Entitled

- 130 lower income rental units
- Entitlement approved May 2021
- In 2022, an appellate court ruled in favor of the City in a lawsuit filed in opposition to the project
- Staff continues to work with Eden Housing to secure grant funding

Legacy

Under Construction

- 222 market-rate rental units
- 14,000 square feet retail space along First Street
- First Street streetscape improvements

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Housing with Special Services

Avance

Now Leasing



- 44 units for persons with developmental disabilities
- Very low-income units
- On-site resident services

Vineyard 2.0

Under Construction



- 24 units of permanent supportive housing (Housing Consortium of the East Bay)
- Supportive services center
- Groundbreaking ceremony in April 2022

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Senior Housing

Pacific Avenue Senior Housing

Entitled



- 140 low and very low-income senior housing units
- City approved entitlements in 2021
- In 2022, the State awarded more than \$7M in capital funding and \$4.5M in operating resources

Assisted Living at The Well

Building Permit Review



- 84 assisted living suites
- 44 memory care suites

10

Isabel Neighborhood Specific Plan

411 Units Entitled

Triad

Building Permit Review



- 112 for-sale condos
- Moderate and above-moderate units

Shea Portola

Building Permit Review



- 210 rental apartments and 89 for-sale condos
- Very-low, low, moderate, and above-moderate units

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2023-2031 Housing Element Update

- Approved by City Council on March 13, 2023
- Certified by HCD on March 24, 2023
- New RHNA allocations – 4,570 units

Income Level	Percent of Median Family Income	Income Range – 4-Person Household	Number of Units
Very Low	50% or less	≤ \$71,400	1,317
Low	51% to 80%	\$71,401 - \$109,600	758
Moderate	81% to 120%	\$109,601 - \$171,350	696
Above Moderate	More than 120%	> \$171,350	1,799
Total			4,570

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Recommendation

Staff recommends the City Council adopt a resolution accepting the 2022 Housing Element Annual Progress Report.





Home Occupation Permit Renewal Fee

City Council March 27, 2023

Presented by
Steve Riley, Principal Planner



1

Home Occupation Permit Renewal Fee

- Home occupations are when a resident is employed and works from home.
- Between 2021 and 2023, City Council approved several Development Code amendments to allow on-site clients, expand allowed uses and hours of operation, and add a requirement for annual renewal of home occupation permits.



2

Home Occupation Permit Renewal Fees

- Based on estimated staff time to review permits for annual renewal, staff recommends a renewal fee of \$50.
- For comparison, the initial fee for a new permit is \$99.



3

Staff Recommendation

Staff recommends the City Council adopt a resolution establishing an annual fee for home occupation permit renewal in the amount of \$50.



4



2023 City of Livermore State and Federal Legislative Platform

March 27, 2023

Presented by Stephanie Egidio, Assistant to the City Manager



1

Background

- Each year, the City Council adopts a Legislative Platform to guide legislative advocacy efforts for the upcoming year.
- The draft 2023 Platform is substantially similar to the 2022 Platform.
- The Platform documents the City's position in several legislative categories and allows the City to respond quickly to legislative issues.



2

City Platform and Tri-Valley Cities Framework

City of Livermore Platform Categories

- Community-Focused Governance
- Fiscal Stability
- Affordable Housing and Homelessness
- Planning and Sustainability
- Water
- Building Safety
- Infrastructure
- Job Creation and Economic Development
- Libraries
- Public Safety and Emergency Management
- Science, Technology, and Innovation
- Transportation and Parking

Tri-Valley Cities Framework Focus Areas

- Fiscal Sustainability
- Affordable Housing and Homelessness
- Mental Health
- Climate, Environment, Health and Safety
- Economic Development
- Transportation and Infrastructure



3

Staff Recommendation

- Adopt a Resolution approving the 2023 City of Livermore State and Federal Legislative Platform with the following changes:
 - **Affordable Housing and Homelessness**
 - 6. **Oppose Monitor** housing legislation that is not accompanied by funding that can support expanded transportation, transit, and infrastructure, including planning, and capital improvement programs and funding to support new school facilities.
 - **Planning and Sustainability**
 - 1. **Oppose Monitor** legislation that diminishes cities' decision-making authority over land use decisions or zoning.
 - **Transportation and Parking**
 - 5. **Oppose Monitor** legislation mandating "one-size-fits-all" parking space requirements for future housing, entertainment, or retail developments or impinging on how parking spaces can be used.



4

Item 8.0 City Council Reports

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	3/15/2023	Chamber of Commerce	Mixer at the Olivina Olive Oil facility	Networked with established busiensses and welcomed new one
Mayor Marchand	3/15/2023	Livermore Lab Foundation	Fundraiser	Attended the LLF/ALS Cure project event at the Bankhead
Mayor Marchand	3/16/2023	TV30	Community outreach	Recorded the Mayor's report about things going on in Livermre.
Mayor Marchand	3/16/2023	Chamber of Commerce	Ribbon cutting	Presented a Certificate of Welcome to BWIT Services, a new business in Livermore.
Mayor Marchand	3/16/2023	Tri-Valley Nonprofit Alliance	One year anniversary celebration of the opening of CommonPoint	Presented a certificate of congratulations.
Mayor Marchand	3/17/2023	Alameda County	Retirement for Sheriff Ahern	Presented a proclamation from the Council recognizing his 43 years of service in law enforcement.
Mayor Marchand	3/18/2023	Korean Cultural Festival	Cultural Arts Festival	Delivered a speech and presented a certificate to the organizers.
Mayor Marchand	3/18/2023	Scott Cao Cultural Heritage Foundation	First Anniversary Celebration	Presented a certificate of congratulations.
Mayor Marchand	3/19/2023	Chamber of Commerce	Meeting/Summit	Welcomed a delegation from Henen Province, China at Clos de Mayo Winery in Livermore.
Mayor Marchand	3/20/2023	CPUC	Meeting with Government affairs representative.	Conferred about how the CPUC could help the City with issues around power, utilities and infrastructure.
Mayor Marchand	3/20/2023	Save Soil Day	presentation	Presented a proclamation.
Mayor Marchand	3/20/2023	Young men's service league	Presentation	Recognized the YMSL President's Gold Volunteer Service Award
Mayor Marchand	3/23/2023	Alameda County Transportation Commission	Meeting	Received the final report on the Equity and Inclusion poll.
Mayor Marchand	3/23/2023	Las Positas College	Program honoring women veterans	Gave a speech at the HERStory program at LPC..
Mayor Marchand	3/24/2023	Livermore High School Symphonic Band and Chamber Orchestra	Recognition	Presented certificates of congratulations on their upcoming performance at Carnegie Hall.
Mayor Marchand	3/24/2023	ABCNorcal	Graduation	Gave speech and presented certificates to graduates of the apprentice and journey level programs.
Mayor Marchand	3/25/2023	International Rotary Students	presentation	Provided a history and fact presentation about Livermore and the system of government.

Item 8.0 City Council Reports

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
Council Member Barrientos	3/21/2023	Livermore PD	Annual report to the city by LPD of military weapons. ordinance a list of 14 Items listed by law that must be reported if on hand. Our PD only has 7 on the list	Informative LPD has no drones
Council Member Barrientos	3/23/2023	League of California Cities	Political panel	Senator Glaizer and two other assemblymen attended. They were asked about their goals. A Q & A followed. Affordable housing was the main topic. Very little support coming from the State due to shrinking budget

Item 8.0
City Council Reports

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)
Council Member Carling	3/22/2023	StopWaste	Board meeting