



CITY COUNCIL

REVISED AGENDA

MONDAY, NOVEMBER 10, 2025

REGULAR MEETING – 7:00 PM

CLOSED SESSION - 6:40 PM

***Item 1.2 has been removed from the agenda and the Closed Session start time has been updated.**

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

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

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

TV29:
Comcast TV Channel 29
tv29live.org

John P Marchand, Mayor
Evan Branning, Vice Mayor
Ben Barrientos, Council Member
Steven Dunbar, Council Member
Kristie Wang, Council Member

1. **CLOSED SESSION - 6:40 PM**

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

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

1.1 Public Employee Performance Evaluation. City Attorney Goal Setting for 2025-2026 Review, pursuant to Government Code section 54957.

1.2 ~~Conference with Legal Counsel—Existing Litigation. To meet with legal counsel pursuant to Government Code section 54956.9(d)(1) to discuss litigation that has been formally initiated. One Case.~~

~~Lee v. City of Livermore, Alameda County Superior Court Case No. 24CV075859-~~

2. **CALL TO ORDER**

ROLL CALL

Council Member Ben Barrientos

Council Member Steven Dunbar

Council Member Kristie Wang

Vice Mayor Evan Branning

Mayor John Marchand

PLEDGE OF ALLEGIANCE

REPORT OF ACTION TAKEN IN CLOSED SESSION

3. **PROCLAMATIONS AND PRESENTATIONS**

3.1 Livermore Human Services Commission Annual Update presented by Chair Elizabeth McWhorter.

Recommendation:

Staff recommends the City Council receive the Livermore Human Services Commission annual update.

Staff Report

3.2 Livermore Downtown Inc. annual update presented by Kara Klotchman, Executive Director.

Recommendation:

Staff recommends the City Council receive the annual update from Livermore Downtown Inc.

Staff Report

4. **ADVISORY BODY APPOINTMENTS - NONE**

5. 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.
- 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.
- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene before the meeting adjourns.

6. 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 found at the entrance of the Council Chambers. A speaker is limited to a single comment with a maximum of three minutes for the entire Consent Calendar. If Consent Calendar items are pulled for discussion by the City Council, a speaker will be allowed one comment per item on the items pulled for discussion and a separate comment for the remaining Consent Calendar.

6.1 Approval of draft minutes - October 27, 2025 Regular Meeting

Recommendation:

Staff recommends the City Council approve the draft minutes.

Staff Report

Attachments:

[1. DRAFT 2025-10-27](#)

6.2 Resolution authorizing the City Manager to execute the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center at 2324 Second Street.

Recommendation:

Staff recommends the City Council approve the resolution authorizing the City Manager to sign, on behalf of the City of Livermore, the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center with bar at 2324 Second Street.

Staff Report

Attachments:

- [1. Location Map](#)
- [2. Proposed Architecture](#)
- [3. Resolution](#)
- [4. Exhibit A - Second Amendment to Agreement](#)

6.3 Resolution authorizing the display of the Prisoner of War / Missing in Action (POW-MIA) flag for the week of November 11-16, 2025.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing the display of the Prisoner of War / Missing in Action (POW-MIA) flag on the flagpole at the Civic Center Campus for the week of November 11-16, 2025.

Staff Report**Attachments:**

[1. Resolution](#)

7. PUBLIC HEARINGS - NONE**8. MATTERS FOR CONSIDERATION - NONE****9. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, AND COUNCIL MEMBERS****10. ADJOURNMENT**

To a Regular City Council meeting on Monday, November 24, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chamber, 1016 S. Livermore Avenue.

11. SUPPLEMENTAL MATERIALS

11.1 Supplemental materials received prior to the meeting.

Staff Report**Attachments:**

[1. Supplemental Materials](#)

11.2 Supplemental materials received at the meeting.

Staff Report**Attachments:**

[1. Item Received at the Meeting](#)

12. 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. 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.

Other Agenda Items are also open for public input including Advisory Body Appointments, Consent Calendar, or Matters for Consideration items. These comments are also subject to the 3-minute limit. Public comment is not accepted on Proclamations and Presentations.

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 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. 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>

If you would like to deliver written materials to the City Council as part of your public comment, please provide 10 copies to the City Clerk with your speaker card.

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: November 10, 2025
TO: Honorable Mayor and City Council
FROM: Brent Smith, Community Development Director
SUBJECT: Livermore Human Services Commission Annual Update presented by Chair Elizabeth McWhorter.

RECOMMENDED ACTION

Staff recommends the City Council receive the Livermore Human Services Commission annual update.

DECISION TYPE

Not Applicable

SUMMARY

DISCUSSION

ATTACHMENTS

Prepared by: Josh Thurman
Human Services Programs Manager

Approved by:

A handwritten signature in blue ink, reading "Marianna A. Burch".

Marianna A. Burch
City Manager

Fiscal Review by:

A handwritten signature in blue ink, reading "Tina Olson".

Tina Olson
Administrative Services Director



CITY COUNCIL STAFF REPORT

ITEM NO. 3.2

DATE: November 10, 2025

TO: Honorable Mayor and City Council

FROM: Brandon Cardwell, Innovation and Economic Development Director

SUBJECT: Livermore Downtown Inc. annual update presented by Kara Klotchman, Executive Director.

RECOMMENDED ACTION

Staff recommends the City Council receive the annual update from Livermore Downtown Inc.

DECISION TYPE

Not Applicable

SUMMARY

DISCUSSION

ATTACHMENTS

Prepared by: Theresa de la Vega
Management Analyst II

Approved by:

A handwritten signature in blue ink, reading "Marianna A. Burch".

Marianna A. Burch
City Manager

Fiscal Review by:

A handwritten signature in blue ink, reading "Tina Olson".

Tina Olson
Administrative Services Director



CITY COUNCIL STAFF REPORT

ITEM NO. 6.1

DATE: November 10, 2025
TO: Honorable Mayor and City Council
FROM: Marianna A. Burch, City Manager
SUBJECT: Approval of draft minutes - October 27, 2025 Regular Meeting

RECOMMENDED ACTION

Staff recommends the City Council approve the draft minutes.

DECISION TYPE

Administrative

SUMMARY

DISCUSSION

ATTACHMENTS

1. DRAFT 2025-10-27

Prepared by: Debbie Elam
City Clerk

Approved by:

A handwritten signature in blue ink, reading "Marianna A. Burch".

Marianna A. Burch
City Manager

Fiscal Review by:

A handwritten signature in blue ink, reading "Tina Olson".

Tina Olson
Administrative Services Director

DRAFT MINUTES



CITY COUNCIL
OCTOBER 27, 2025

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.

ROLL CALL – Present: Mayor John Marchand, Vice Mayor Evan Branning, Council Members Ben Barrientos, Steven Dunbar, and Kristie Wang.

PLEDGE OF ALLEGIANCE

3. **PROCLAMATIONS AND PRESENTATIONS**

3.1 **Alameda County Mosquito Abatement District update presented by Ryan Clausnitzer, General Manager and Dr. Maya Manoharan, Livermore Trustee**

Ryan Clausnitzer, General Manager and Dr. Maya Manoharan, Livermore Trustee gave a brief presentation.

3.2 **Proclamation declaring October 2025 as Domestic Violence Awareness Month, presented to Christine Dillman, Tri-Valley Haven Director**

Mayor Marchand presented the proclamation to Christine Dillman, Tri-Valley Haven Director.

Mayor Marchand announced that item 7.1 would be continued to the November 24, 2025, City Council meeting.

3.3 **Airport Commission Annual Update to City Council presented by Chair Darin Bishop and Benedict Stuth, Airport Manager**

Chair Darin Bishop and Benedict Stuth, Airport Manager gave a brief presentation.

4. **ADVISORY BODY APPOINTMENTS - NONE**

5. **OPEN FORUM**

Mayor Marchand opened the public comment period.

Sherri Souza provided a comment.

Bill Aboumrad provided a comment.

Sandi Gomes provided a comment.

Donna Cabanne provided a comment.

Shirley Lewandowski provided a comment.

Karl D. Wente provided a comment.

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

6. CONSENT CALENDAR

Mayor Marchand requested a presentation on Item 6.4

Andy Ross, Principal Planner, presented the item.

Mayor Marchand opened the public comment period.

Item 6.4 Sherri Souza provided a comment.

Item 6.4 Lori Souza provided a comment.

Item 6.3 Alan Marling provided a comment.

Item 6.4 Karl D. Wente provided a comment.

Item 6.4 Mark Clarin provided a comment.

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

Mayor Marchand re-ordered the agenda and moved Item 6.6 from the Consent Calendar for separate discussion and action after Item 8.1

ON THE MOTION OF VICE MAYOR BRANNING, SECONDED BY COUNCIL MEMBER BARRIENTOS, AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL APPROVED CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 6.6.

6.1 Approval of draft minutes October 13, 2025 Regular Meeting

6.2 Resolution 2025-173 awarding a construction contract with BuildCorp, Inc., in an amount not-to-exceed \$617,951, for Street Lighting Project TC201923.

6.3 Resolution 2025-174 authorizing execution of an agreement with the Alameda County Transportation Commission administered 2026 Comprehensive Investment Plan that provides \$825,000 in funding for the Stanley Boulevard at Isabel Avenue Connector Ramp Crossing Improvements Project TC202133

6.4 Resolutions 2025-175 and 2025-176 authorizing execution of a cooperation agreement with Alameda County to reimburse the City with County funding in an amount not-to-exceed \$700,000 for project management and engineering services for the South Livermore Valley Sewer Extension Project WW202313; and authorizing, subject to Alameda County approving the cooperation agreement, a supplemental appropriation of \$700,000 in Alameda County funding to the CIP Wastewater Fund 621 in the FY 2025-26 budget and execution of an agreement with Carollo Engineers, Inc., in an amount not-to-exceed \$629,000 and a term ending December 31, 2026, to provide engineering analysis and prepare a basis of design report for the South Livermore Valley Sewer Extension Project WW202313.

6.5 Resolution 2025-177 accepting the FY 2024-25 Year-End Budget Report, allocating the General Fund Surplus for various purposes, allocating surplus member contributions to Livermore/Pleasanton Fire Department (LPFD), appropriating additional budget to those funds that ended FY 2024-25 with expenditures in excess of budget, and appropriating additional budget in FY 2025-26

ITEM 6.6 WAS MOVED BY THE MAYOR TO BE HEARD AFTER ITEM 8.1

7. PUBLIC HEARINGS

7.1 Hearing to consider a request to approve a Planned Development (PD) 25-001, Subdivision (SUB) 20-004, and Site Plan Design Review (SPDR) 21-001 to allow a two-story, attached, 13-unit multi-family, townhome-style development located at 3541 East Avenue.

Not heard – Continued to November 24, 2025.

8. MATTERS FOR CONSIDERATION

8.1 Resolution approving an amendment to the City Manager's employment contract.

Recommendation: The Evaluation Subcommittee recommended the City Council adopt a resolution approving an amendment to the City Manager's employment contract.

Tina Olson, Administrative Services Director, 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 COUNCIL MEMBER DUNBAR, SECONDED BY COUNCIL MEMBER WANG AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL ADOPTED THE FOLLOWING RESOLUTION:

Resolution 2025-178 approving an amendment to the City Manager's employment contract.

6.6 Resolution 2025-179 approving the City of Livermore Salary Plan to reflect salary increases to Executive Management (excluding Police Chief) and the City Manager effective November 17, 2025, and minimum wage increases effective December 29, 2025.

ON THE MOTION OF VICE MAYOR BRANNING, SECONDED BY COUNCIL MEMBER WANG AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL ADOPTED THE RESOLUTION.

9. 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.

Tri-Valley Water Liaison Committee Council Member Dunbar noted his attendance at the Committee meeting of October 20, 2025.

City of Livermore Mayor Marchand noted his attendance at the City's Trunk or Treat event on October 22, 2025.

Council Member Dunbar noted a recent motorcycle fatality; urged residents to practice safe driving particularly on Halloween.

City Council directed staff to conduct outreach, review, and provide recommendations for next steps related to the City's temporary sign ordinance.

City Council directed staff to review and recommend possible remedies regarding illegal food vendors within City limits.

City Council directed staff to return to Council with an item to consider flying the Prisoner of War (POW) Veteran's flag during the Veteran's Day holiday week.

City Council directed staff to return to Council with an update to the City Council compensation.

10. ADJOURNMENT – at 8:22 pm to a Regular City Council Meeting on Monday, November 10, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chamber, 1016 S. Livermore Avenue.

APPROVED:

JOHN P. MARCHAND, MAYOR

ATTEST:

DEBORAH L. ELAM, CITY CLERK



CITY COUNCIL STAFF REPORT

ITEM NO. 6.2

DATE: November 10, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing the City Manager to execute the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center at 2324 Second Street.

RECOMMENDED ACTION

Staff recommends the City Council approve the resolution authorizing the City Manager to sign, on behalf of the City of Livermore, the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center with bar at 2324 Second Street.

DECISION TYPE

Administrative

SUMMARY

On July 12, 2021, the City Council authorized execution of a Purchase and Sale Agreement (Agreement) with Mr. Michael Messinger for the City-owned property at 2324 Second Street (readdressed in 2024 as 180 South Livermore Avenue) and formerly known as the Southwestern Bell Company (SBC) building (Attachment 1). The Agreement set forth conditions for the buyer to design and convert the vacant, underutilized building into a revitalized restaurant space that preserves its historic character and reflects the goals of the City's Downtown Specific Plan.

On September 20, 2022, the Planning Commission approved a project review of the application for Downtown Design Review (DDR) 22-001 for the preservation of the historic portion of the building and for the architecture of the newer additions of the building for the proposed restaurant. As of this hearing date, the construction is in process, and in August 2025, the owner of the property submitted an application for a change in use from a restaurant with bar to an event center.

The change in use requires an amendment to the Agreement which currently states that the initial use

(12 months) of the building must be as a restaurant with bar. The change in use also requires a Conditional Use Permit (CUP), which will be reviewed by the Planning Commission at a future date. The Agreement amendment must precede the CUP that is required for the event center. According to the applicant, the proposed architecture that was approved in 2022 will remain the same (Attachment 2).

DISCUSSION

BACKGROUND

On July 12, 2021, City Council approved a Purchase and Sale Agreement (Agreement) which set forth the scope, timeline, and conditions for the buyer to design, purchase, and convert the property into a restaurant use that would preserve the historic character of the building and support the development goals of the Downtown Specific Plan (Specific Plan).

The historic SBC building was constructed in 1928 to house a telephone repeater station. A large addition on the western portion of the building was constructed in 1967. The property continuously housed telephone operations from the time of its construction in 1928 until the City purchased the property in 2004. The City leased the property to various innovation-based tenants in the subsequent years.

On September 20, 2022, the Planning Commission approved Mr. Messinger's application for a Downtown Design Review to remodel the non-historic addition to the original building. City and state historic standards require non-historic building elements to be clearly distinguishable from the original, so the newer portion of the building will be updated to a more modern design that is still consistent with the Specific Plan. The 2022 approved design includes a raised patio deck along Second Street and Livermore Avenue, new windows and entry doors, elevator access to all building levels, construction of a rooftop patio for dining, and landscaping and lighting enhancements that create synergies with the neighboring uses. The building was going to be a restaurant, but the owner has more recently proposed the use to be an event center instead of a restaurant.

STAFF ANALYSIS

The Specific Plan does not specifically call out event centers as a permitted use, however the Specific Plan allows the Planning Commission to approve another use for the district if it finds that the use meets the purpose and intent of the Specific Plan. City staff found that the proposed use as an event center is similar to other permitted uses, which include public halls, meeting facilities, and community centers as well as restaurants and entertainment establishments. The proposed event center use would still direct investment towards the Downtown, provide a meeting venue that is undersupplied in the City and Tri-Valley, and avoid over-saturation of restaurant uses in the Downtown, so there is ample evidence to support a determination that the use meets the intent of the Specific Plan.

The proposed amendment would not eliminate a possible restaurant use but instead would allow the flexibility of an event center use in addition to a restaurant use (Attachment 3). Should the operator ultimately choose to revert to a restaurant in the future, the proposed amendment to the Agreement would allow for that change. For these reasons, staff recommends City Council approve an amendment to the Agreement.

ENVIRONMENTAL DETERMINATION

Amending a Purchase and Sale Agreement does not constitute a project for the purposes of the California Environmental Quality Act (CEQA) per CEQA section 21065, and therefore no environmental review under CEQA is required. A separate environmental review will be required for the event center Conditional Use Permit.

FISCAL AND ADMINISTRATIVE IMPACTS

The change in use will not have fiscal and administrative impacts other than the staff time to prepare this amendment. Previously, it was determined that the proposed restaurant use would provide an increased property and sales tax benefit to the City on a parcel that was producing little to no tax revenue. The proposed event center use is also expected to increase both sales and property tax compared to the previous uses of the building.

COMMUNITY PILLAR

2: Economy that Prospers

GOAL

2: Lead efforts, in collaboration with other City departments and outside partners, to maintain and enhance the diversity and resilience of Livermore's economy.

ATTACHMENTS

1. Location Map
2. Proposed Architecture
3. Resolution
4. Exhibit A - Second Amendment to Agreement

Prepared by: Jennifer Ackerman
Associate Planner

Approved by:

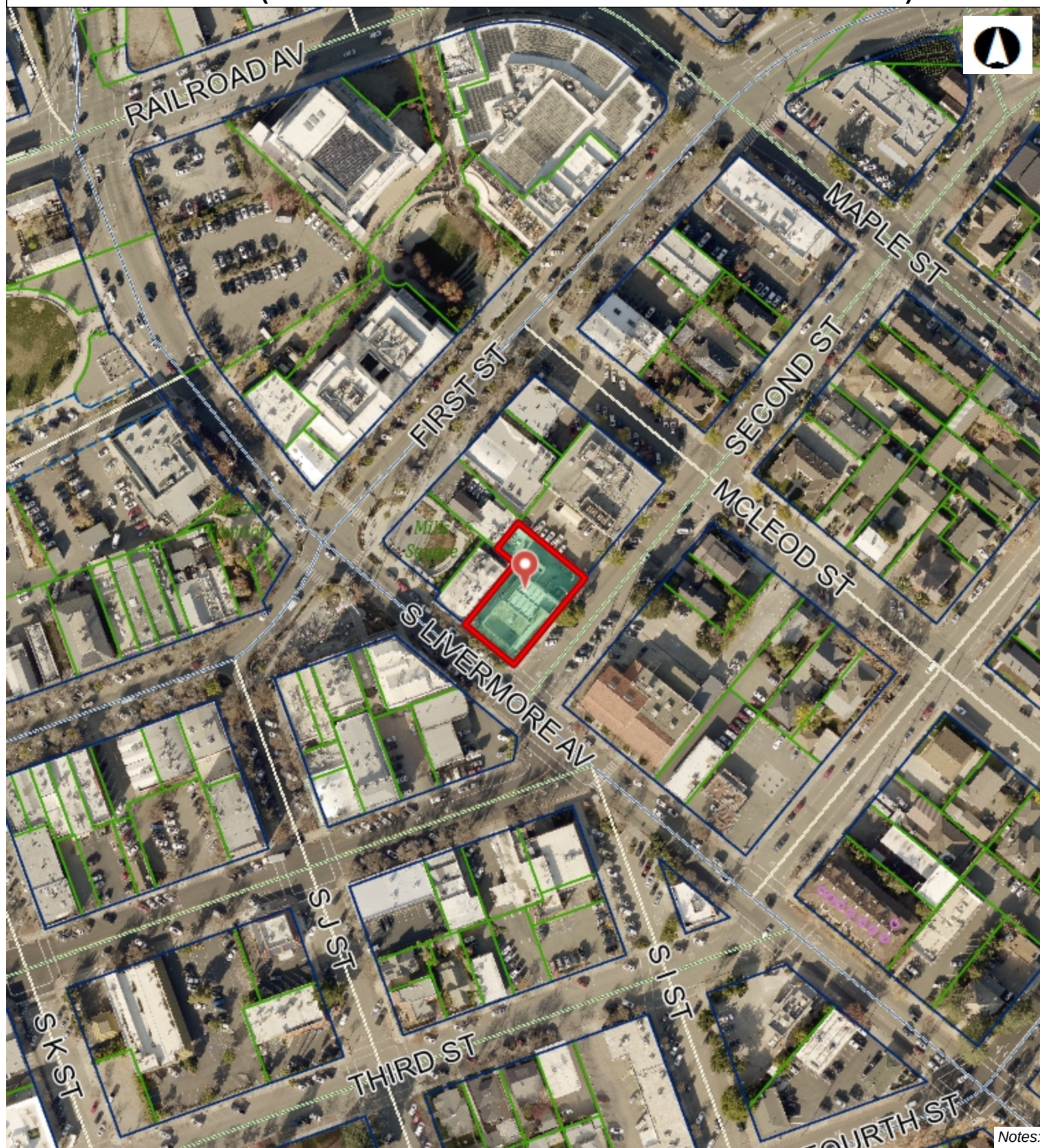


Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



Notes:

Location Map

333.3 0 166.67 333.3 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403
Livermore IT, GIS Services

Scale: 1: 2,000

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 not responsible for errors.

PROPOSED ARCHITECTURE APPROVED IN 2022

2324 Second Street (readdressed as 180 South Livermore Avenue)
APN 097-0110-013-00



IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND
AMENDMENT TO THE PURCHASE AND SALE AGREEMENT WITH
MICHAEL MESSINGER**

On March 22, 2011, the former Redevelopment Agency ("Agency") adopted Resolution No. RA-2011-05, transferring 2324 Second Street (APN 097-0110-013-00) ("Property") from the Agency to the City of Livermore ("City").

On March 28, 2011, the Agency adopted Resolution No. RA-2011-07, ratifying the action to transfer the Property from the Agency to the City. The Agency transferred the Property to the City with the expectation that the Property would be utilized or disposed of for the highest and best use that would contribute to downtown revitalization efforts.

On July 25, 2011, the City Council authorized a solicitation for Letters of Interest to purchase and redevelop the Property into a use that meets the goals of the Downtown Specific Plan and enhances the City's vibrant downtown.

On November 14, 2011, City Council authorized execution of a Negotiating Rights Agreement with Michael Messinger ("Buyer"), the developer selected through the competitive process. The former Redevelopment Agency was dissolved by the State on February 1, 2012, and negotiations were suspended due to the uncertainty surrounding former Agency assets.

On May 5, 2012, the Oversight Board for the Livermore Successor Agency approved the City's plan to retain the Property for a proposed disposition to the selected Buyer. This was incorporated into the Livermore Successor Agency's Long Range Property Management Plan, which was subsequently approved by the State Department of Finance.

On November 23, 2020, City Council authorized City and Buyer to enter into a Negotiating Rights Agreement to negotiate a purchase and sale agreement for the Property, and City Council made the findings necessary to comply with Government Code section 37420 et seq., to initiate property disposition, and made the following findings:

1. The proposed sale is beneficial to the public interest, health, safety, convenience and welfare by enabling development that conforms to the Downtown Specific Plan and enhances the economic vitality of the downtown;
2. The proposed sale is for the public benefit because it will recapture the City's investment and provide an additional economic generator for the City; and,
3. The proposed sale is necessary and proper pursuant to Government Code sections 37421, 37350, and 37651.

On July 12, 2021, City Council of the City of Livermore approved a Purchase and Sale Agreement with Buyer that identified a timeline and development plan to facilitate the City's desired use for the Property, and adopted Resolution 2121-125 making the following findings pursuant to Government Code 54220:

1. The Property to be sold was included in the Long-Range Property Management Plan. The City entered into a binding Exclusive Negotiating Rights Agreement with the Buyer prior to December 31, 2020, and the Property will be disposed of prior to December 31, 2022.

2. The sale is therefore exempt from the new disposition requirements of Government Code section 54222, pursuant to Government Code section 54234(b).

On November 1, 2021, the State of California Department of Housing and Community Development approved the City's determination of the exemption pursuant to Government Code section 54222, pursuant to Government Code section 54234(b), and confirmed its prior determination on August 2, 2021, that the Property is subject to the Surplus Lands Act prior to December 31, 2019.

On July 24, 2022, the City Council authorized a First Amendment to the Purchase and Sale Agreement to update and revise the Schedule of Development and take final actions to facilitate the Property disposition.

The City and Buyer now wish to enter into a Second Amendment to the Purchase and Sale Agreement to amend the initial use of the property from restaurant with bar to restaurant with bar or event center.

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

The City Manager is authorized to sign, on behalf of the City, the Second Amendment to the Purchase and Sale Agreement with Buyer, in the form and substance as Exhibit A attached hereto

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on November 10, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED AS TO FORM:

Deborah L. Elam
City Clerk

/s/ Christine Crawl
Christine Crawl
Special Counsel

Exhibit A – Second Amendment to the Purchase and Sale Agreement with Michael
Messinger

SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT

(2324 Second Street)

This Second Amendment to Purchase and Sale Agreement (the "Second Amendment") is made and entered into as of _____, 2025 by and between the City of Livermore ("City"), a municipal corporation, and Michael Messinger ("Buyer"), an individual.

RECITALS

A. City and Buyer entered into a Purchase and Sale Agreement dated July 13, 2021 (the "Original Agreement"), pursuant to which City and Buyer established the terms of sale for the property located at 2324 Second Street, Livermore, California (the "Property").

B. On August 3, 2022, City and Buyer entered into a First Amendment to the Original Agreement, modifying the conditions precedent to Close of Escrow and updating the Schedule of Performance.

C. Buyer has made substantial progress towards the goals and deliverables described in the Scope of Development attached to the Original Agreement as Exhibit C.

D. Now, in accordance with Section V(I), *Amendments*, of the Original Agreement, the parties desire to amend the Original Agreement to modify the initial use of the Property. All terms not otherwise defined in this Second Amendment shall have the meanings given to them in the Original Agreement.

AGREEMENT

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

1. The Original Agreement is amended as follows:

A. Section E of the Recitals to the Original Agreement is amended to read as follows:

Buyer now desires to purchase the Property to be developed and operated as a restaurant with bar or event center (the "Initial Use") and in any event shall thereafter be used and operated in accordance with the Scope of Development described in Attachment C, which is hereby incorporated through this reference, and the Seller desires to sell the Property to Buyer on the terms and conditions contained in this Agreement.

- B. Section III, *Use of Property*, of Attachment C, *Scope of Development*, to the Original Agreement is amended to read as follows:

The Buyer shall cause the space to be used as permitted or conditionally permitted for the Property's applicable designation under the City's Downtown Specific Plan, with an initial use as a restaurant with bar or as an event center.

2. Except as modified by this Second Amendment, the Original Agreement shall remain in full force and effect.
3. This Second Amendment may be executed in counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one document.

(Signatures on next page.)

IN WITNESS WEHREOF, and in recognition of the mutual consideration provided therefore, the parties have executed this Second Amendment effective on the date first written above.

BUYER:

MICHAEL MESSINGER, an individual

By: 
Michael Messinger

CITY:

CITY OF LIVERMORE, a California municipal corporation

By: _____
Marianna A. Burch
City Manager

APPROVED AS TO FORM:

Deputy/Assistant/Senior Assistant/City Attorney



CITY COUNCIL STAFF REPORT

ITEM NO. 6.3

DATE: November 10, 2025

TO: Honorable Mayor and City Council

FROM: Marianna A. Burch, City Manager

SUBJECT: Resolution authorizing the display of the Prisoner of War / Missing in Action (POW-MIA) flag for the week of November 11-16, 2025.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the display of the Prisoner of War / Missing in Action (POW-MIA) flag on the flagpole at the Civic Center Campus for the week of November 11-16, 2025.

DECISION TYPE

Administrative

SUMMARY

At the request of Mayor Marchand, consistent with the Commemorative Flag Display policy this agenda item provides a resolution for Council consideration which would authorize the display of the Prisoner of War / Missing in Action (POW-MIA) flag at the Civic Center Campus for the week of November 11-16, 2025.

DISCUSSION

On September 23, 2019, Council adopted a Commemorative Flag Display policy. The policy allows a Council Member to request display of a commemorative flag at the Civic Center Campus, on the City of Livermore flagpole, beneath the City of the Livermore flag. Once a request has been made by a Council Member, the Council will consider the request at a duly noticed public meeting.

The City's policy is constructed to allow the display of commemorative flags as a form of government expression. Such flags may be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no more than thirty-one consecutive days.

At the request of Mayor Marchand, consistent with the Commemorative Flag Display policy this agenda

item provides a resolution for Council consideration which would authorize the display of the Prisoner of War / Missing in Action (POW-MIA) flag at the Civic Center Campus for the week of November 11-16, 2025.

FISCAL AND ADMINSTRATIVE IMPACTS

There are no fiscal or administrative impacts associated with flying the POW-MIA flag for the week of November 11-16, 2025.

COMMUNITY PILLAR

5: A City That Works

GOAL

1: Engage effectively with the Mayor and City Council

ATTACHMENTS

1. Resolution

Prepared by: Debbie Elam
City Clerk

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING THE DISPLAY OF THE PRISONER OF
WAR / MISSING IN ACTION (POW-MIA) FLAG FOR THE WEEK OF
NOVEMBER 11-16, 2025

On September 23, 2019, the City Council adopted a commemorative flag display policy.

Consistent with the commemorative flag display policy, Mayor Marchand requested display of the POW-MIA flag at the civic center campus for the week of November 11-16, 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore, that staff is directed to display the POW-MIA flag at the civic center campus for the week of November 11-16, 2025.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on November 10, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED AS TO FORM:

Deborah L. Elam
City Clerk

/s/ Kimberly D. Cilley

Kimberly D. Cilley
City Attorney



CITY COUNCIL STAFF REPORT

ITEM NO. 11.1

DATE: November 10, 2025
TO: Honorable Mayor and City Council
FROM: Marianna A. Burch, City Manager
SUBJECT: Supplemental materials received prior to the meeting.

RECOMMENDED ACTION

DECISION TYPE

Not Applicable

SUMMARY

These materials were posted online and made available to the public at the same time that they were distributed to the City Council.

3.1	Livermore Human Services Commission Annual Update presented by Chair Elizabeth McWhorter. Materials: PowerPoint Presentation
3.2	Livermore Downtown Inc. annual update presented by Kara Klotchman, Executive Director. Material: PowerPoint Presentation
6.2	Resolution authorizing the City Manager to execute the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center at 2324 Second Street. Material: PowerPoint Presentation
9.0	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: Ashley Zieba
Assistant City Clerk

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



Human Services Commission

Annual Update

November 10, 2025

Presented by Chairperson Elizabeth McWhorter



1



Duties and Responsibilities

1. Serve as the primary advisory body to the City Council on social conditions in the community, particularly for those residents who are of low and moderate income
2. Advise the City Council of social needs within the community that will affect the delivery of human services and unaddressed needs
3. Advise the City Council regarding expenditure of funding from the US Department of Housing and Urban Development (HUD). This will include but is not limited to entitlements received within the Community Development Block Grant (CDBG) Program and the HOME Investment Partnership Program (HOME)



2



Challenges and Opportunities

CDBG & HOME Funding

- Unpredictability of CDBG & HOME funding to Local Government
- No indication of future HUD allocation formula reduction
- Only 15% of the annual allocation can be used for Public Services

Funding and Community Engagement Opportunities

- Engage our federal, state, and county partners to advocate for additional resources
- Continue public outreach to determine Human Services priorities and goals



3

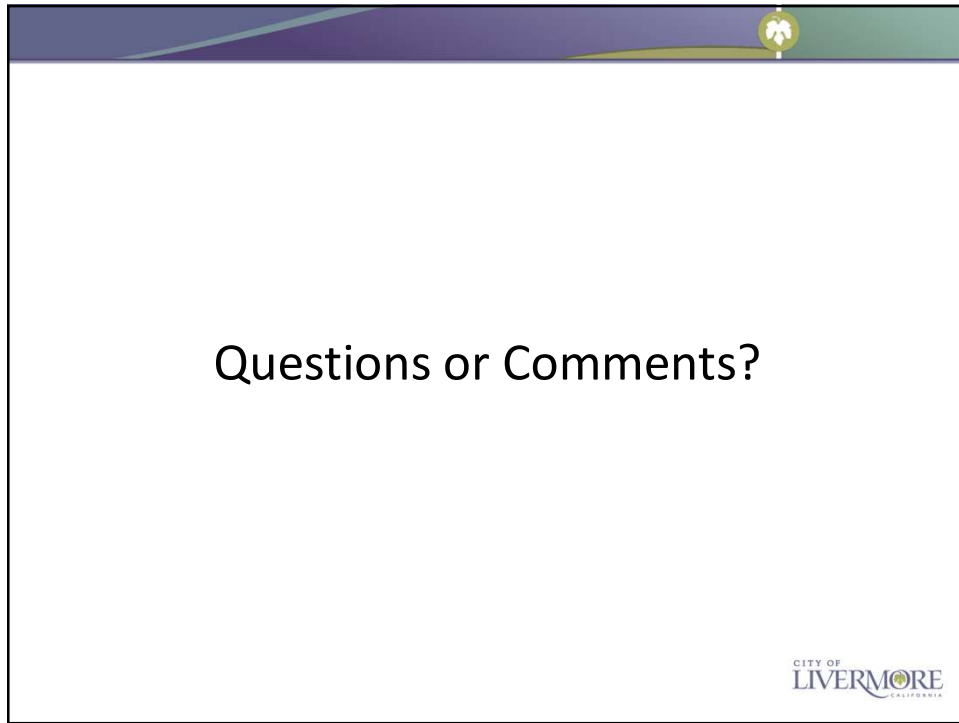


Human Services Commission Highlights

- Implemented a 2-year grant process (FY 2025-27)
- Released a new joint Tri-Valley grant application
- 29 organizations presented 40 grant applicants at the joint Tri-Valley Commission meeting in February 2025
- Reviewed and scored 31 grant applications from 24 organizations
- Recommended funding for 14 applications from 9 organizations
- Approved the HUD mandated Consolidated Plan for FY 2025-2029



4





1



LIVERMORE DOWNTOWN INC. (LDI) IS A 501(C)3 NON-PROFIT, DEDICATED TO THE ECONOMIC HEALTH AND VITALITY OF DOWNTOWN LIVERMORE. LDI IS A CERTIFIED AND ACCREDITED NATIONAL MAIN STREET PROGRAM THAT FOLLOWS THE MAIN STREET FOUR POINT APPROACH: ECONOMIC VITALITY, DESIGN, ORGANIZATION AND PROMOTION.

Projects & Services	Committees
Free Merchant Training	Budget Committee
Business Communications	Events Committee
The Lot on First St. (pop-ups & Mural)	Livermore Downtown Partners Committee
Business Feedback Surveys	Homeless Impacts and Solutions
Regular Business Meetings	Downtown Public Art Oversight
Monthly Construction Meetings	Responsible Hospitality Training
Visit Livermore Valley Video	Development Construction Marketing & Outreach
Holiday Spirit Plan	Restaurant Committee
Free Corkage Plan	Livermore Downtown Inc, Wine Growers Association & Alameda County Grant Project

2

Events

Year-Round Farmers Market
Livermore Half Marathon
Street Fest
Summer Farmers Market
Thirsty Thursdays
Family Nights at the Market
Witches Night Out
Kidz Town Halloween Hay Day
Earlier Than the Bird
Holiday Village
Holiday Sights & Sounds Parade

➔ 11 Total Events

➔ 300,000 Additional
Foot-Traffic Directly
Related to Events

➔ 1,500 Volunteer Hours



Social

➔ 38,600 Combined
Instagram & Facebook
Followers

➔ 8,000 Newsletter
Subscribers -
50% Open Rate

Marketing & Media

➔ 10+ Media
Collaborations

3

Future Focus 2025/2026

Livermore Downtown Inc. (LDI) is currently in an exciting period of transition and growth. The new Executive Director joined the organization in mid-March, and the previously vacant part-time assistant position was filled at the end of October. With a strengthened team in place, LDI is now focused on maintaining our signature events and services while launching a variety of new initiatives.

Looking ahead, LDI is setting its sights on a strong and vibrant 2025–2026. Key priorities include:



4



LIVERMORE DOWNTOWN
CALIFORNIA
Where Brilliance Thrives!

KARA KLOTCHMAN
EXECUTIVE DIRECTOR

BARBARA BENOTTO
BOARD PRESIDENT

☎ 925-583-5242
✉ executivedirector@livermoredowntown.com

THANK YOU

LIVERMORE
CALIFORNIA

City of Livermore
Mayor Marchand
Vice Mayor Evan Branning
Council Members
Ben Barrientos
Steven Dunbar
Kristie Wang
City Manager Marianna Burch
City Staff

Heritage Estates
Team Martial Arts
Caratti Jewelers
Jolli Faces
Joya
Marcel Orthodontics
Maroon Bear
Uptown Girls Boutique & Salon
A Cut Above Catering
Legacy at Livermore
Denise Faenzi-Williams
TAG Real Estate
Fremont Bank
Leaf Home
Home Depot
Ava Community Energy
San Joaquin Regional Rail Commission
Livermore Vine publication
Livermore Sanitation
US Foods
Hoge Fenton
Wheels Bus (LAVTA)
Alameda County
Alameda County Supervisor David Haubert
Bay Home & Window
Renewal by Anderson



Second Amendment to Purchase and Sale Agreement with Michael Messinger

2324 Second Street (SBC Building)

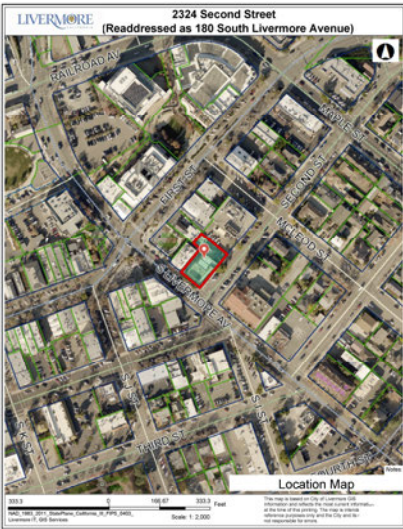
City Council, November 10, 2025
Jennifer Ackerman, Associate Planner



1



Location Map





2

Rendering of the Approved Building Architecture



CITY OF
LIVERMORE
CALIFORNIA

3

Current and Proposed Language

- The current language states that the initial use (12 months) of the property shall be as a restaurant.
- The proposed language states that the Initial use of the property shall be as a **restaurant with bar or event center**
- The Blanco Event Center will be considered by the Planning Commission as a separate and subsequent Conditional Use Permit this coming winter.

CITY OF
LIVERMORE
CALIFORNIA

4

Changing from restaurant with bar to event center

Downtown Livermore is enjoying a large quantity of existing and proposed restaurants. The applicant expressed concern with filling a large 250-seat restaurant on a nightly basis. The need for an up-scale event center in the Downtown inspired the change in use.



5

Recommendation

Staff recommends the City Council adopt the resolution authorizing the City Manager to sign, on behalf of the City Council, the Second Amendment to the Purchase and Sale Agreement with Mr. Michael Messinger to amend the initial use of the property from a restaurant with bar to a restaurant with bar or event center



6

Item 9.0
Council Reports

Council Member	Date of Meeting or Event	Committee or Organization (Please spell out acronyms)	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Mayor Marchand	10/28/2025	Kindness Flower Project	Recognition	Presented a certificate of recognition to Molly Fisher for the project which donates bouquets of flowers to people who need them.
Mayor Marchand	10/28/2025	Livermore Chamber of Commerce	Ribbon-cutting	Welcomed "Aces Up" Entertainment to the Chamber.
Mayor Marchand	10/28/2025	R.I.S.E. (Reaching and Inspiring Small Business Entrepreneurs)	Industry support event	Event focused on supporting the local hospitality industry.
Mayor Marchand	10/30/2025	City of Livermore	TV30 Mayor's Report	Provided an update on City activities.
Mayor Marchand	10/30/2025	Livermore Chamber of Commerce	Ribbon-cutting	Welcomed "Nurse Next Door"
Mayor Marchand	11/4/2025	Livermore-Pleasanton Fire Department	Tour	Toured the Pleasanton training facility, saw demonstrations and toured Fire Station#6 with State Senator McNerney.
Mayor Marchand	11/5/2025	Livermore Chamber of Commerce	Business Alliance meeting	Provided an update on City activities and heard a presentation from CalSavers retirement savings program.
Mayor Marchand	11/5/2025	Livermore Chamber of Commerce	Ribbon-cutting	Welcomed yarn shop, Stitch and Revel.
Mayor Marchand	11/6/2025	Tri-Valley Nonprofit Alliance	Power of Giving event. Recognition and awards presentation.	The event highlighted the work of local nonprofit organizations and the people who work with them.
Mayor Marchand	11/7/2025	San Joaquin Regional Rail Commission	Commission meeting	Received operations and quarterly performance update. Ridership continues to trend upward.
Mayor Marchand	11/9/2025	City of Livermore	Veterans Day Parade	Participated in the parade along with volunteers from the Altamont Cruisers.
Mayor Marchand	11/10/2025	Alameda County Transportation Commission	Planning, Policy and Legislation committee	Approved the 2026 legislative program, reviewed the Mobility Needs Assessment, and received an update on Plan Bay Area 2050+

Council Member	Date of Meeting or Event	Committee or Organization - (Please spell out acronyms)	Meeting or Event Type (ex. board meeting or ribbon cutting)
Vice Mayor Branning	10/31/2025	CalCities	New Board Member Orientation
Vice Mayor Branning	11/1/2025	Rooms of Hope	Beard Growing Competition Kick-Off
Vice Mayor Branning	11/3/2025	Livermore Amador Valley Transit Authority	Board Meeting
Vice Mayor Branning	11/7/2025	Livermore Pleasanton Fire Department	Fire Ops 101
Vice Mayor Branning	11/9/2025	City of Pleasanton	Tri-Valley Veteran's Day Parade

Item 9.0
Council Reports

Council Member	Date of Meeting or Event	Committee or Organization - (Please spell out acronyms)	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Council Member Dunbar	11/7/2025	Livermore Pleasanton Fire Department / Firefighters / Local 1974	Fire Ops 101	Interactive Firefighter experience / demo
Council Member Dunbar	11/9/2025	City of Pleasanton	Veteran's Day Parade	

Item 9.0
Council Reports

Council Member	Date of Meeting or Event	Committee or Organization - (Please spell out acronyms)	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Council Member Wang	10/28/2025	Livermore Amador Valley Transit Authority (LAVTA)	Finance & Administration Committee meeting	Discussed draft of FY25 Annual Comprehensive Financial Report (ACFR); received Treasurer's Report and Legislative Update
Council Member Wang	10/28/2025	JTM Hospitality	R.I.S.E. Presents Friki Tiki Industry Night	Very cool event highlighting local hospitality businesses
Council Member Wang	11/2/2025	Open California Innovators Society (OCIS)	Civic innovation workshop	Three students training other Tri-Valley students on civic engagement
Council Member Wang	11/3/2025	Livermore Amador Valley Transit Authority (LAVTA)	Monthly Board meeting	Discussed FY26 fare increase proposal, Route 501 service reduction, draft FY25 ACFR, and Strategic Plan
Council Member Wang	11/5/2025	Stitch & Revel	Ribbon cutting	Very well attended opening of fiber arts store
Council Member Wang	11/5/2025	Vice Mayor Evan Branning	Celebration of downtown	Very well attended; so much fun!
Council Member Wang	11/5/2025	Tri-Valley Rainbow Night	Monthly LGBTQ+ mixer	Nice group of community members!
Council Member Wang	11/6/2025	Tri-Valley Nonprofit Alliance (TVNPA)	2025 Power of Giving Celebration	Inspiring night celebrating our nonprofits and their leadership
Council Member Wang	11/7/2025	Livermore-Pleasanton Fire Department (LPFD) and LP Firefighters Local 1974	Fire Ops 101	Six-hour training in firefighting operations
Council Member Wang	11/9/2025	Cities of Livermore, Pleasanton, and Dublin	Annual Tri-Valley Veteran's Day Parade	Mayors, councilmembers, and first responders from Livermore, Pleasanton, and Dublin join parade in downtown Pleasanton in honor of our veterans



CITY COUNCIL STAFF REPORT

ITEM NO. 11.2

DATE: November 10, 2025
TO: Honorable Mayor and City Council
FROM: Marianna Marysheva, City Manager
SUBJECT: Supplemental materials received at the meeting.

RECOMMENDED ACTION

DECISION TYPE

SUMMARY

DISCUSSION

ATTACHMENTS

[1. Item Received at the Meeting](#)

Prepared by: Ashley Zieba
Assistant City Clerk

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

November 10th, 2025

Good evening City Council members:

The city's consultant, Geosyntec, conducted testing this summer at the airport (LVK) for possible PFAS contamination. Their report to the Regional Water Quality Control Board (RWB) confirms that elevated PFAS levels are present at LVK in the soil and shallow groundwater. (Geosyntec October 13th, 2025) In view of their findings, Geosyntec suggested several recommendations.

The RWB responded to the Geosyntec recommendations in a letter to the City Manager dated October 27th. In its' response, the RWB states it does "NOT concur that PFAS detected in Site soil and groundwater are necessarily within the range of background concentrations in the area." (RWB letter 10/27/2025). Furthermore, the RWB is asking for corrections to numerous errors in the report and ordered further PFAS investigations at LVK that must be detailed in a work plan due to the RWB by February 2, 2026. If additional investigations do not provide adequate upgradient data, additional upgradient stamp-out sampling may be needed as part of the investigations. (RWB letter 10/27/2025)

Please address the following questions tonight :

1) How will elevated PFAS findings affect hangar development plans in the south hangar area, especially South Hangar S-1?

2) Because the City is the **only financially liable entity**, (RWB letter October 27, 2025), will airport development be postponed until the required Water Board Investigations are finalized?

3) Under matters for consideration, will you agendize the Geosyntec report and subsequent Water Board correspondence for a City Council meeting in December?

We learned LVK is NOT selling Swift 100 UL for piston-engine aircraft as stated at the last City Council meeting. In fact, Swift 100 UL has NOT received FAA approval. Swift 100 UL is only being sold at 5 flight schools on a trial basis. On the other hand, GAMI 100 UL is approved and certified by the FAA for piston engine aircraft.

4) Will you direct the Fixed Based Operator to start selling GAMI 100 UL for piston engine aircraft at LVK as soon as possible?

Instead of discussing noise issues, the Airport Commission will review summarized data and the public will need to check the city's website for the details. This is a concerning procedure; **reducing** the opportunities for the public to address ongoing and increasing airport noise does not resolve the problem. This is not the transparency that residents want from city commissions.

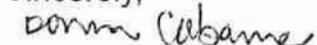
Noise from **jet aircraft** continues to be a major concern. The noise and the public concern is not diminishing; saying airports will always have noise is not a solution. If voluntary noise abatement methods have not worked, the city needs to consider other ways to reduce the jet aircraft noise that disturbs residents' quality of life.

5) The hyperlink for the public to access and track noise issues at LVK was NOT working as of Nov. 3rd (Airport Commission staff 11/3/2025)

Has the hyperlink been fixed?

Increasing transparency with the taxpayers about the levels of PFAS contamination at LVK and discussing ongoing RWB correspondence and investigations at LVK at **city council meetings** will improve public relations with residents and make a safer airport for all Tri-Valley residents.

Sincerely,



Donna Cabanne

Livermore resident, member of the Center for Biological Diversity, member of Sierra Club, member of UnleadLVK

(Shirley Lewandowski – 11-10-25 Livermore CC meeting)

At the last Council meeting, the Airport Commission Chair mentioned intending to be one of the first airports to purchase Swift's new unleaded avgas, UL100R.

I ask the Council to be cautious before allowing this Swift avgas to be purchased until you understand what you are buying. Do you know what is in it?

It has a component called ETBE which stands for Ethyl Tert-Butyl Ether, its chemical formula is C₆H₁₄O. There is 25% ETBE in this Swift fuel.

In April of this year, the International Agency for Research on Cancer for the World Health Organization, stated ETBE was classified as a possible carcinogen to humans (Group 2B) on the basis of sufficient evidence for cancer in experimental animals.

The mechanistic evidence in experimental systems was strong for ETBE. It showed consistent and coherent evidence that ETBE alters cell proliferation, cell death, or nutrient supply in the lab rats. Rats exposed to lifelong inhalation of EBTE has produced increased incidence of liver tumors in male rats.

Inhalation of ETBE fumes should be controlled as the main concerns with ETBE are acute and chronic toxicity, such as irritation and potential effects on liver and kidneys.

Occupational exposure should be minimized as ETBE is a volatile organic compound and can cause headaches, dizziness, or respiratory irritation. So, airport employees involved in refueling 15 or 20 airplanes each day will have a very large exposure to the fumes from Swift UL100R.

Periodic nausea and dizziness in the cockpit from fuel leakage at O-rings in fuel selector valves or electric boost pumps is absolutely inevitable.

The aging while in fuel storage will cause “peroxide formation” and will likely result in substantial degradation of the Octane rating for ETBE based fuels in the storage tanks. This creates a significant risk of engine failure due to detonation of the degraded ETBE.

Avgas can sometimes sit in the storage tanks at the airports for 6 months to a year, or more. Especially in remote areas. That creates a real hazard for degradation of the octane and a resulting risk for detonation in the aircraft engines.

So please consider whether Swift’s UL100R should be purchased given these potential hazards to the health and safety of the airport employees and the potential of being a carcinogen to humans.

Last point, this STC certified Swift fuel has only been approved in one type of airframe with two models among thousands of airframes out there.

Thank you.

International Agency for Research on Cancer



IARC MONOGRAPHS ON THE IDENTIFICATION OF CARCINOGENIC HAZARDS TO HUMANS

21 March 2025

Volume 138: Automotive gasoline and some oxygenated gasoline additives

We are pleased to announce that the results of the recent *IARC Monographs* evaluation of the carcinogenicity of automotive gasoline and some oxygenated gasoline additives have now been published in *The Lancet Oncology*. This summary article presents the conclusions of *IARC Monographs* Meeting 138.

Automotive gasoline, methyl *tert*-butyl ether (MTBE), ethyl *tert*-butyl ether (ETBE), *tert*-butyl alcohol (TBA), diisopropyl ether (DIPE), and *tert*-amyl methyl ether (TAME) were accorded high priority by the Advisory Group to Recommend Priorities for the *IARC Monographs* during 2020–2024. Gasoline and MTBE were previously evaluated by the *IARC Monographs* in Volumes 45 and 73, respectively. ETBE, TBA, DIPE, and TAME were evaluated for the first time.

Automotive gasoline is a commercial product and a complex mixture primarily used as a fuel in internal combustion engines. Although the composition of gasoline has changed over time, the typical components are volatile, petroleum-derived hydrocarbons that are blended with various additives. Occupational and general population exposure occurs primarily through the inhalation of gasoline vapour. Occupational exposure is expected during the production and transport of gasoline and during car refuelling. Service station attendants are exposed to higher levels of gasoline than is the general

population. The present evaluation did not include marine or aviation gasoline, gasoline engine exhaust, or diesel fuel or engine exhaust.

MTBE, ETBE, TBA, TAME, and DIPE are volatile compounds used as oxygenated additives in gasoline to increase combustion efficiency, and more commonly since the elimination of lead. All except TAME are chemicals with a high production volume. MTBE and ETBE have been used most widely, including historically in the USA and currently at the highest concentrations in some countries in Europe and Asia. These chemicals have been detected in groundwater contaminated by leaking underground storage tanks and in air polluted by gasoline evaporation and traffic emissions. Workers may be exposed during the production of these chemicals and via gasoline vapour containing these additives. Occupational exposure has been measured among ship and railroad tanker workers, gasoline pump repairers and inspectors, service station attendants, and automobile mechanics. The general population is mainly exposed via gasoline vapours at service stations, in air pollution, or via water and soil contaminated by gasoline spills.

The Working Group evaluated automotive gasoline as *carcinogenic to humans* (Group 1) on the basis of *sufficient* evidence for cancer in humans and the combination of *sufficient* evidence for cancer in experimental animals and *strong* mechanistic evidence in exposed humans. Automotive gasoline causes cancer of the urinary bladder and acute myeloid leukaemia in adults. The evidence was *limited* for a causal association between automotive gasoline and acute lymphoblastic leukaemia in children, and non-Hodgkin lymphoma (including chronic lymphocytic leukaemia), multiple myeloma, myelodysplastic syndromes, and cancers of the stomach and kidney in adults.

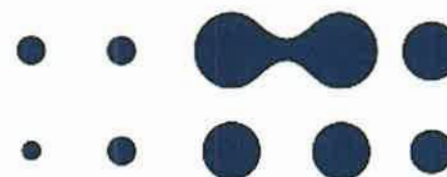
MTBE and ETBE were both classified as *possibly carcinogenic to humans* (Group 2B) on the basis of *sufficient* evidence for cancer in experimental animals. The mechanistic evidence in experimental systems was *limited* for MTBE and *strong* for ETBE. TBA, DIPE, and TAME were each evaluated as *not classifiable as to its carcinogenicity to humans* (Group 3). For all the oxygenated gasoline additives, the evidence regarding cancer in humans was *inadequate*.

The full scientific assessment will be published as Volume 138 of the *IARC Monographs*. Turner MC, Godderis L, Guénel P, Hopf N, Quintanilla-Vega B, Soares-Lima SC, et al. Carcinogenicity of

International Agency
for Research on Cancer



World Health
Organization



and coherent evidence for the key characteristics of carcinogens showing that automotive gasoline is genotoxic, induces oxidative stress, and induces chronic inflammation in exposed humans, mainly service station attendants.

Methyl tert-butyl ether (MTBE): The Group 2B evaluation for MTBE is based on *sufficient* evidence for cancer in experimental animals. Treatment with MTBE caused an increase in the incidence of malignant neoplasms and a combination of benign and malignant neoplasms in both sexes of two species (mouse and rat) in three studies conducted under GLP.

Ethyl tert-butyl ether (ETBE): The Group 2B evaluation for ETBE is based on *sufficient* evidence for cancer in experimental animals and on *strong* mechanistic evidence in experimental systems. The *sufficient* evidence for cancer in experimental animals is based on an increase in the incidence of benign and malignant neoplasms in both sexes of a single species (rat) in two studies carried out under GLP. The mechanistic evidence is *strong* because there is consistent and coherent evidence that ETBE alters cell proliferation, cell death, or nutrient supply in experimental systems.

International Agency
for Research on Cancer



World Health
Organization

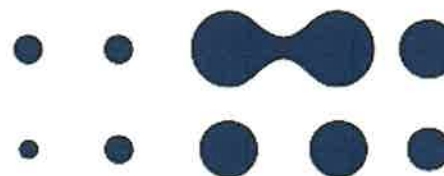


Table 1. Summary of classifications in *IARC Monographs Volume 138*

Agent	Evidence stream			Overall evaluation
	Cancer in humans	Cancer in experimental animals	Mechanistic evidence	
Automotive gasoline	Sufficient (bladder cancer and acute myeloid leukaemia, AML)	Sufficient	Strong in exposed humans and in experimental systems	Group 1
Methyl <i>tert</i> -butyl ether (MTBE)	Inadequate	Sufficient	Limited	Group 2B
Ethyl <i>tert</i> -butyl ether (ETBE)	Inadequate	Sufficient	Strong in experimental systems	Group 2B
<i>tert</i> -Butyl alcohol (TBA)	Inadequate	Limited	Limited	Group 3
Diisopropyl ether (DIPE)	Inadequate	Limited	Inadequate	Group 3
<i>tert</i> -Amyl methyl ether (TAME)	Inadequate	Inadequate	Inadequate	Group 3

- ETBE is an "oxygenate" -

Table 9 MTBE and other oxygenate ban dates, maximum allowable limits, and citation.

State/County/City	Ban Dates		de minimis Levels (vol%)						Citations
	Enacted	Effective	MTBE	ETBE	TAME	DIPE	TBA	Others	
Arizona	05/11/04	01/01/05	0.3	*	*	*	*	*	Arizona (2004)
California	03/14/03	12/31/03	0.60	**	**	**	**	**	California Air Resources Board (2003b)
		07/01/04	0.30	**	**	**	**	**	
		12/31/05	0.15						
		07/01/07	0.05						
Chicago	12/13/00	12/13/00	none						City of Chicago (2000)
Colorado	09/01/00	04/30/02	none						Colorado (2000)
Connecticut	06/18/03	01/01/04	0.5						Connecticut (2003)
El Dorado County, California	03/28/00	4/28/00	none						El Dorado County (2000)
Illinois	07/24/01	07/24/04	0.5						Illinois (2001)
Indiana	07/01/02	07/23/04	0.5						Indiana (2002)
Iowa	07/01/00	12/31/00	0.5						Iowa (2000)
Kansas	07/01/01	07/01/04	0.5						Kansas (2004)
Kentucky	07/15/02	01/01/06	0.5						Kentucky (2002)
Maine	07/30/05	01/01/07	0.5						Maine (2005)
Michigan	06/26/00	06/01/03	✱						Michigan (2000)
Minnesota	04/20/00	07/01/00	0.33	0.33	0.33				Minnesota (2000)
		07/01/05	none	none	none				
Missouri	08/28/02	07/01/05	0.5						Missouri (2002)
Nebraska	04/11/00	07/13/00	1.0						Nebraska (2000)
New Hampshire	05/27/04	01/01/07●	0.5	▲	▲	▲	0.5	0.5	New Hampshire (2004)
New Jersey	08/18/05	01/01/09	0.5						New Jersey (2005)
New York	05/24/00	01/01/04	0.5						New York (2000)
North Carolina	06/21/05	01/01/08	0.5						North Carolina (2005)
North Dakota	03/31/05	08/01/05	0.5						North Dakota (2005)
Ohio	08/28/02	07/01/05	0.5						Ohio (2002)
Rhode Island	07/06/05	06/01/07	0.5	0.5	0.5	0.5	■	■	Rhode Island (2005)
South Dakota	02/16/00	07/01/00	2.0						South Dakota (2000)
	02/28/01	07/01/01	0.5						
Vermont	05/23/05	01/01/07	0.5	0.5	0.5	0.5			Vermont (2005)
Washington	05/09/01	01/01/04	0.6						Washington (2001)
Washoe County, Nevada	10/25/00	12/31/03 10/1-1/31	0.30						Washoe County District Board of Health (2005)
	Revised 09/22/05	09/22/05 Yr round	0.30						
Wisconsin	08/11/03	08/01/04	0.5						Wisconsin (2003)

*Sum of diisopropylether (DIPE), ethyl *tert*-butylether (ETBE), isobutanol, isopropanol, methanol, n-butanol, n-propanol, *sec*-butanol, *tert*-amylmethylether (TAME), *tert*-butanol, *tert*-pentanol (*tert*-amylalcohol) not to exceed 0.1% by volume, starting 01/01/2006

**Sum of methanol, isopropanol, n-propanol, n-butanol, isobutanol, *sec*-butanol, *tert*-butanol *tert*-pentanol (*tert*-amylalcohol), ethyl *tert*-butylether (ETBE), diisopropylether (DIPE), *tert*-amylmethylether (TAME) not to exceed 0.10 weight % oxygen, starting 12/31/2003, sum of same not to exceed 0.06 weight % oxygen, starting 07/01/2004

◆"...within 12 months after the Department of Transportation has certified that the State of Montana has produced 40 million gallons of denatured ethanol and has maintained that level of production on an annualized basis for at least 3 months...ensure that all gasoline sold to consumers may not contain more than trace amounts of the additive methyl tertiary butyl ether." Montana Code Annotated 2005 82-15-121

●"...shall take effect on the later of 01/01/07 or 6 months after federal approval" to opt out of the Federal Reformulated Gasoline Program (see paragraph II, Section 1 of Act 175-4)

▲"No person...shall sell...any neat gasoline ethers or gasoline containing MTBE, other gasoline ethers or tertiary butyl alcohol (TBA) in quantities greater than ½ of 1% by volume"

■ Other ether oxygenates not greater than 0.5%: methanol, isopropanol, n-propanol, n-butanol, *sec*-butanol, *tert*-butanol, *tert*-pentanol (*tert* amylalcohol) isobutanol