

TYPE OF FEE	CITY CODE AND RESOLUTION	WHEN PAYABLE	AMOUNT OF FEE		
City Storm Drainage	Title 13.44.020,050,100 Ord. 1923 Reso. 2010-177	With Building Permit	\$0.54/SF Impervious Surface		
County Storm Drainage Building Zone 7	ACFC & WCD Co. Ord. 0-2010-001 Reso. R-2001-4	With Building Permit	\$1.00/SF Impervious Surface		
County Storm Drainage Public Improvements e.g. streets, sidewalks, trails, etc.	ACFC & WCD Co. Ord. 0-2010-001 Reso. R-2001-4	With filing of Final Map or approval of Improvement Plans	\$1.00/SF Impervious Surface		
County Storm Drainage - Capital Improvements	ACFC & WCD Co. Ord. 0-2010-001 Reso. R-2001-4	With award of contract	\$1.00/SF Impervious Surface		
Sanitary Sewer Connection	Title 13.28.050 Ord. 1740 Reso. 2010-177	With Building Permit	See Attached Exhibit "A"		
Park Land Dedication	Title18.32.020 Ord. 1744 Reso. 2004-259	Concurrently with, or before the filing of the first parcel or final map	The City may approve a credit against the Park Facilities Fee for park land dedication made under LMC 18.32.020. The credit may not exceed the value of the dedication requirement. See LMC 12.60.070 for credit details N/A for Non-Residential		
Park Facilities Fee	Title 12.60 Ord. 1743 Reso. 2005-152	With Building Permit	See Attached Exhibit "B"		
City Water Connection (1)	Title 13.20.020 Ord. 1507 Reso. 2010-177	With Building Permit	5/8" 3/4" 1" 1-1/2" 2"	\$5,340 \$8,009 \$13,349 \$26,698 \$42,717	
			Price per User for Meter Size, FOR LARGER METERS, INQUIRE		
Alameda County Water Connection Zone 7	Ord. FC 72-1 as amended by FC-96-1792 and updated 10-20-10	With Building Permit See Zone 7 Attachment	5/8" 3/4" 1"	\$34,530 \$51,795 \$86,325	
			Price per User for Meter Size, FOR LARGER METERS, INQUIRE		
In-Lieu Low Income Housing Fee (Residential) For Sale & Neighborhood Plan Areas	Title 3.26 Reso. 2021-181 Ord. 1988 and 1989	With Building Permit	\$39.94/SF for all residential housing developments 10 units or less. Projects more than 10 units are subject to must-build requirement of ordinance. Rental projects 10 units or less are exempt from In-Lieu. Effective 7/28/21, on-site requirement applies for 11+unit projects.		
Low Income Housing Impact Fee (Commercial and Industrial)	Title 3.26 Reso. 99-18 Ord. 1549	With Building Permit	Commercial Retail Commercial Discount/Service Retail Office Commercial Hotels/Motels Industrial Manufacturing Warehouse/Storage Business/Commercial Park Industrial, High Intensity Industrial, Low Intensity	Unit KSF KSF KSF Room KSF KSF KSF KSF KSF	KSF Fee per Unit \$1,935 \$1,457 \$1,243 \$949 \$597 \$173 \$1,234 \$612 \$387

(1) Areas within the California Water Service Area do not pay a City water connection fee. Areas within the Greenville/Vasco Assessment District or within Triad Park do not pay a City water connection fee. The fee for a single family residential unit is the 5/8 inch meter fee.

(2) All projects within the Downtown Specific Plan are subject to both City Wide General Plan & Downtown Specific Plan cost recovery. Any project that paid planning entitlement fees prior to July 27, 2008 is not subject to this fee, regardless of when they pull building permits.

NOTE: Subject to adjustment each year per Construction Cost Index

NOTE: No impact fees can be charged for ADUs less than 750 square feet. Impact fees allowed for ADUs 750 square feet or larger but shall be charged proportionately in relation to square footage of the primary dwelling.

TYPE OF FEE	CITY CODE AND RESOLUTION	WHEN PAYABLE	AMOUNT OF FEE	
Traffic Impact Fee NOTE: If special Assessment District exists, special calculations are required	For info regarding the appropriate development categories see Section 12.30 of the City of Livermore Municipal Code Reso 2005-151 Ord. 1742	With Building Permit	See Attached Exhibit "C"	
Tri-Valley Transportation Development (TVTD) Fee 				

(1) Areas within the California Water Service Area do not pay a City water connection fee. Areas within the Greenville/Vasco Assessment District or within Triad Park do not pay a City water connection fee. The fee for a single family residential unit is the 5/8 inch meter fee.

(2) All projects within the Downtown Specific Plan are subject to both City Wide General Plan & Downtown Specific Plan cost recovery. Any project that paid planning entitlement fees prior to July 27, 2008 is not subject to this fee, regardless of when they pull building permits.

NOTE: Subject to adjustment each year per Construction Cost Index

NOTE: No impact fees can be charged for ADUs less than 750 square feet. Impact fees allowed for ADUs 750 square feet or larger but shall be charged proportionately in relation to square footage of the primary dwelling.

EXHIBIT A Wastewater Connection Fee Schedule (fees Calculated from base year)				
User Classification	Avg Daily Wastewater Flow Factor Gallons Per Day/Unit	Unit ¹	Cost Per GPD	Cost Per Unit
<i>Residential (BOD & SS = 285 mg/L)</i>				
Single-family residential	180	House	\$44.26	\$7,966.31
<i>Multi-family residential</i>				
Studio	95	Residential Unit	\$44.26	\$4,204.44
One Bedroom	107	Residential Unit	\$44.26	\$4,735.53
Two Bedroom	138	Residential Unit	\$44.26	\$6,107.50
Three Bedroom	157	Residential Unit	\$44.26	\$6,948.39
Four Bedroom	180	Residential Unit	\$44.26	\$7,966.31
<i>Commercial (BOD & SS = 285 mg/L unless otherwise shown)</i>				
Auto repair shops/Auto dealers	0.11	Square Foot of Bldg	\$44.26	\$4.87
Assembly Facilities ²	0.15	Square Foot of Bldg	\$44.26	\$6.64
Eating drinking facilities w/o cooking	0.35	Square Foot of Bldg	\$44.26	\$15.49
Gas Stations	0.47	Square Foot of Bldg	\$44.26	\$20.80
General Use	0.04	Square Foot of Bldg	\$44.26	\$1.77
Gyms, Health Clubs	0.30	Square Foot of Bldg	\$44.26	\$13.28
Hotels, Motels (excluding dining facilities)	0.15	Square Foot of Bldg	\$44.26	\$6.64
Markets	0.19	Square Foot of Bldg	\$44.26	\$8.41
Mixed Use ³	0.10	Square Foot of Bldg	\$44.26	\$4.43
Medical/Dental Office/ Clinic	0.22	Square Foot of Bldg	\$44.26	\$9.74
Restaurants (1,000 mg/L BOD, 600 mg/L SS)	0.55	Square Foot of Bldg	\$65.22	\$35.87
Warehouse/Distribution	0.01	Square Foot of Bldg	\$44.26	\$0.44
<i>Industrial/Other (Other Wastewater Customers Not Listed Above)</i>				
Calculate Case-by-Case Based on Actual Flows/Strengths and Following Rates				
Connection Fee = (F x "Flow") + (B x "BOD") + (S x "SS")				
F = Flow cost \$/gpd \$34.28				
B = BOD cost \$/lb-day \$2,981.54				
S = SS cost \$/lb-day \$1,213.68				
discharge				
flow, in				
"BOD" = The				
"SS" = The				

Governing Municipal Code Section: 13.28.050

Index Used: ENR 20- City Construction Cost Index

	Base Year (A)	Previous Fee Update (B)	Current Fee Update (C)	% Change Previous Update to Current Update (D) =(C/B)-1
Indices:				
Index Date	May-10	Jun-22	Jun-23	
Index Value	8,761.47	13,110.50	13,229.57	0.91%

Discussion:

The base year unit fees for Flow, BOD, and SS were determined in the March 2010 Wastewater, Water, Storm Drain Connection Fee Study for Expansion of Sanitary Sewer, Water Reclamation Plant, and Wastewater Disposal Facilities prepared for the City of Livermore by Craig R. Lawson Utility Management Consultant.

Notes:

1. Building square footage means the square footage sum of the floor area at each floor level included with the surrounding principal outside faces of exterior walls of a building or portions thereof, including mezzanines and lobbies. It does not include floor area devoted to vehicle parking, necessary interior driveways and ramps. The gross floor area of a building or portions thereof that doesn't have surrounding exterior walls shall include the usable area under the horizontal projection of the roof or floor above.

2. Theaters can alternately estimate daily flow based on 2 gallons per seat (\$87.72 per seat)

3. Mixed Use applies to parcels with Mixed Use zoning in the Downtown Core District and in the INSP.

4. This value is based by formula on BOD

6. Adjustments. The city council may, by resolution, adjust the fee schedule, including the flow factors, from time to time. Once the fee is established, it shall automatically be increased annually based upon the Engineering News Record (ENR) 20- City construction Cost Index. In calculating the adjustment, the rate (in each use category, including the flow, BOD and SS costs) for the base year is multiplied by the index for the then-current year, divided by the base year index.

EXHIBIT B Park Facilities Fee Schedule	
LAND USE	TOTAL FEE
<u>Residential (per dwelling unit)</u>	
Single Family (& 4 bedroom multi-family)	\$25,065
Multi-Family 3 bedrooms	\$21,809
Multi-Family 2 bedrooms	\$19,220
Multi-Family 1 bedroom	\$14,872
Multi-Family Studio	\$13,288
Senior Housing	\$4,265
<u>Non-Residential (per 1,000 sq ft)</u>	
Commercial	\$3,178
Office	\$4,544
Industrial	\$2,113
Warehouse	\$1,587

Source - Park Facilities Fee Study (2004) Table 8; MuniFinancial

<u>EXHIBIT C</u> Traffic Impact Fees Schedule		
<u>Land Uses</u>	<u>Units of Use</u>	<u>Fee Rates</u>
<u>Citywide Except Downtown</u>		
Residential		
Single-Family	d.u.	\$11,869
Multi-Family		
Studio	d.u.	\$5,531
1 Bedroom	d.u.	\$6,193
2 Bedroom	d.u.	\$8,002
3 or more Bedroom	d.u.	\$9,358
Senior Housing	d.u.	\$3,642
Commercial	K s.f.	\$32,235
Office	K s.f.	\$20,636
Industrial	K s.f.	\$12,812
Warehouse	K s.f.	\$6,473
Hotel/Motel	per/room	\$9,306
<u>Downtown Specific Plan</u>		
Multi-Family		
Studio	d.u.	\$3,395
1 Bedroom	d.u.	\$3,802
2 Bedroom	d.u.	\$4,913
3 or more Bedroom	d.u.	\$5,745
Commercial	K s.f.	\$14,595
<u>Other</u>	Average Peak Hour Trip	\$14,883

Exhibit "D"

**LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
SUMMARY OF SCHOOL MITIGATION PROGRAM**

Livermore Valley Joint Unified School District
Resolution: 008 - 22/23 - Fee Effective October 8, 2022

<u>INDUSTRIAL/WAREHOUSE/MANUFACTURING</u>	\$0.78/sq.ft.
<u>OFFICE</u>	\$0.78/sq.ft.
<u>RESEARCH & DEVELOPMENT</u>	\$0.78/sq.ft.
<u>HOSPITALS</u>	\$0.78/sq.ft.
<u>RETAIL & SERVICES</u>	\$0.624/sq.ft.
<u>HOTEL/MOTEL:</u>	\$0.316/sq.ft.
<u>SELF STORAGE</u>	\$0.06/sq.ft.
<u>RESIDENTIAL:</u>	\$4.79/sq.ft. (Includes single family home, multi-family home, manufactured home, and mobile home)
<u>SENIOR HOUSING</u>	\$0.78/sq.ft. (Includes manufactured home or mobile home located in a mobile home park, subdivision, cooperative or condominium for mobile homes limited to 55 and older residents.)
<u>RESIDENTIAL ADDITIONS</u>	\$4.79/sq.st. (501 sq.ft. or more) (Residential additions 500 sq.ft. or less and senior housing projects are exempt)

* Additions are cumulative over time to a limit of 500 sf before fees are assessed. Once assessed, fees are paid on the entire added square footage.

** The fee owed is based upon the fee amount in effect at the time the fee is paid.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
685 East Jack London Blvd, Livermore, Ca 94551 |

FACILITIES PLANNING AND CONSTRUCTION
Jan Shipley, Construction Supervisor (925) 606-3390
Facilities Fax Number (925) 606-3327

EXHIBIT E		
Social and Human Service Facility Fee Schedule		
Land Uses	Units of Use	Fee Rates
Residential Uses		
Single-Family Detached	d.u.	\$1,677
Single-Family Attached	d.u.	\$1,415
Multi-Family	d.u.	\$1,298
Mobile Home	d.u.	\$996
Secondary Unit	d.u.	\$996
Non-Residential Uses		
Commercial		
Office	K s.f.	\$7
Retail	K s.f.	\$5
Service	K s.f.	\$5
Industrial		
Manufacturing/R&D	K s.f.	\$3
Warehousing	K s.f.	\$2
Office	K s.f.	\$6
Construction/Repair/Wholesale	K s.f.	\$3
Other Non-Residential	K s.f.	\$5

December 13, 2023

Andrew Hall
City of Livermore
101 W. Jack London Blvd.
Livermore, CA 94550

Subject: 2024 Municipal and Industrial (M&I) Water Connection Fee Increase

Dear Andrew Hall,

This letter is to inform you that on October 18, 2023, the Zone 7 Board of Directors voted to increase the basic connection fee for the Zone 7 and Dougherty Valley service areas. Within Alameda County, the basic fee (5/8-inch size displacement type meter) will increase to **\$34,530** from \$33,730, and within Contra Costa County (Dougherty Valley) the basic fee (5/8-inch size displacement type meter) will increase to **\$33,130** from \$32,360, **all effective January 1, 2024**. A new water service connection fee schedule is enclosed. Please distribute revised fee schedule to appropriate staff.

If there are any questions, please contact me at jli@zone7water.com or at (925) 454-5017. Thank you for your help in this matter.

Sincerely yours,

Junming Li
Junior Engineer

Enclosure

Cc: Paul Spence, City of Livermore, Community Development Director
Franc Moufarrej, City of Livermore, Building Official
Valerie Pryor, Zone 7, General Manager
Osborn Solitei, Zone 7, Assistant General Manager
Jarnail Chahal, Zone 7, Acting Assistant General Manager
JaVia Green, Zone 7, Financial Analyst
Elizabeth Foss, Zone 7, Financial Analyst
Ken Minn, Zone 7, Groundwater Resources Manager

WATER CONNECTION FEE INFORMATION SHEET

New fee schedule effective January 1, 2024

I. GENERAL BACKGROUND

- A. The Water Connection Charge Ordinance No. FC 72-1 as amended for Zone 7 was established January 18, 1972. The ordinance is applicable over the Zone 7 area that includes Livermore, Pleasanton, Dublin, Sunol, and surrounding communities. The Ordinance requires a one-time water connection fee for all new water services from a water system that is directly connected to the Zone 7 water supply system. This fee is used for funding the costs of expanding the Zone 7 water treatment and distribution system to serve new development.
- B. The amount charged for a water connection is determined by the size of the meter to be installed. The meter sizes and corresponding water connection fees are listed below.

II. PROCEDURES FOR PAYMENT OF WATER CONNECTION FEES IN LIVERMORE, PLEASANTON, & DUBLIN

The water connection fees are collected by the Building Departments of the Cities of Livermore and Pleasanton, and by the Dublin San Ramon Services District, which are agents for Zone 7. For that area within the California Water service area which is located outside of the Livermore city limits, connection fees will be paid at the Zone 7 office in Livermore.

III. WATER CONNECTION FEE SCHEDULE - FEES ARE REVIEWED AND SUBJECT TO PERIODIC MODIFICATION

Meter Size	Meter Brand/Type	Fee Factor	Connection Fee
5/8" & 1" FS	DISPLACEMENT TYPE	10	\$34,530
3/4"	DISPLACEMENT TYPE	15	\$51,795
1"	DISPLACEMENT TYPE	25	\$86,325
3/4" Short Diehl	ULTRASONIC METER (Pleasanton only)	30	\$103,590
3/4" Long Diehl	ULTRASONIC METER (Pleasanton only)	30	\$103,590
1" Diehl	ULTRASONIC METER (Pleasanton only)	55	\$189,915
1" Kamstrup	ULTRASONIC METER (Livermore only)	55	\$189,915
1 1/2"	DISPLACEMENT TYPE	50	\$172,650
	KAMSTRUP ULTRASONIC (Pleasanton only)	120	\$414,360
	OMNI C2	160	\$552,480
	OMNI T2	160	\$552,480

2"	OMNI WITH 50 GPM RESTRICTION	50	\$172,650
	DISPLACEMENT TYPE	80	\$276,240
	OMNI WITH 80 GPM RESTRICTION	80	\$276,240
	Mueller MVR	115	\$397,095
	OMNI WITH 120 GPM RESTRICTION	120	\$414,360
	SENSUS SR/SRII	160	\$552,480
	KAMSTRUP SHORT ULTRASONIC (Pleasanton only)	160	\$552,480
	KAMSTRUP LONG ULTRASONIC (Pleasanton only)	160	\$552,480
	OMNI C2	160	\$552,480
	OMNI T2	200	\$690,600
	evoQ4 MAGNETIC (Pleasanton only)	220	\$759,660

Note - Connection fees for meters 3-inch and larger and for meters with fee factors other than those listed above, will be determined by Zone 7, using the fee factor for Maximum Rate for Continuous Operation, as defined by AWWA. These fees are based on the Maximum Continuous Flow Rate through a 5/8" meter and are proportional based on flow ratings for the various sized meters. Flow ratings for displacement type meters are defined by AWWA C700 for Cold-Water Meter -- Displacement Type, Bronze Case. Flow ratings for turbine type meters are defined by AWWA C701 for Cold Water Meters -- Turbine Type, For Customer Service. Any changes to meter capacities will affect the above connection fees.

IV. EXEMPTIONS

No fee will be collected for SEPARATE private fire service connections. See Section VI of the Ordinance (copy available upon request).

V. PARTIAL EXEMPTIONS

A partial exemption sometimes applies for domestic fire sprinkling systems up to 1" meter size. See Section VI of the Ordinance (copy available upon request).

VI. FOR FURTHER INFORMATION

Contact Junming Li at (925) 454-5017, or jli@zone7water.com.

Zone 7 M&I Connection Fee Rate Schedule

Effective January 1, 2024

Meter Size	Meter Brand/Type	Recommended Maximum Rate for Continuous Use (gpm)	Connection Fee Amount
5/8" & 1" FS*	DISPLACEMENT TYPE	10	\$34,530
3/4"	DISPLACEMENT TYPE	15	\$51,795
1"	DISPLACEMENT TYPE	25	\$86,325
3/4" Short Diehl	ULTRASONIC METER (Pleasanton only)	30	\$103,590
3/4" Long Diehl	ULTRASONIC METER (Pleasanton only)	30	\$103,590
1" Diehl	ULTRASONIC METER (Pleasanton only)	55	\$189,915
1" Kamstrup	ULTRASONIC METER (Livermore only)	55	\$189,915
1 1/2"	DISPLACEMENT TYPE	50	\$172,650
	KAMSTRUP ULTRASONIC (Pleasanton only)	120	\$414,360
	OMNI C2	160	\$552,480
	OMNI T2	160	\$552,480
2"	OMNI WITH 50 GPM RESTRICTION	50	\$172,650
	DISPLACEMENT TYPE	80	\$276,240
	OMNI WITH 80 GPM RESTRICTION	80	\$276,240
	Mueller MVR	115	\$397,095
	OMNI WITH 120 GPM RESTRICTION	120	\$414,360
	SENSUS SR/SRII	160	\$552,480
	KAMSTRUP SHORT ULTRASONIC (Pleasanton only)	160	\$552,480
	KAMSTRUP LONG ULTRASONIC (Pleasanton only)	160	\$552,480
	OMNI C2	160	\$552,480
	OMNI T2	200	\$690,600
	evoQ4 MAGNETIC (Pleasanton only)	220	\$759,660
3" to 10"			**

* Per Fee Ordinance Section VI, combined domestic and fire service connections are subject to the connection charge based on the meter size for the combined system, except the basic charge shall be collected for combined systems, up to a maximum one-inch (1") meter size, for single family and duplex housing units with fire sprinkler systems approved by the appropriate fire department and installed in accordance with applicable building requirements. Contact the Zone 7 office with any additional questions.

** Connection fees for meter sizes 3-inches and above will be determined by using the fee factor for maximum rate for continuous use.

Fees for meters other than those listed above will be determined based upon the AWWA maximum continuous flow rating for the brand, type, and size of meter.

These fees are based on the Maximum Continuous Flow Rate through a 5/8" meter as defined by AWWA C700 for Cold-Water Meter -- Displacement Type, Bronze Case.
Any changes to meter capacities will affect the above connection fees.

Currently, the Diehl, Kamstrup, & evoQ4 meters are only available in Pleasanton and/or Livermore as indicated in the table.

RESOLUTION NO. 044-19/20

TO UPDATE STATUTORY DEVELOPER FEES IMPOSED ON NEW RESIDENTIAL
AND COMMERCIAL/INDUSTRIAL DEVELOPMENT PROJECTS PURSUANT TO
EDUCATION CODE SECTION 17620

WHEREAS, the School Board ("Board") of the Livermore Valley Joint Unified District ("District") provides for the educational needs for TK-12 students within the City of Livermore and a portion of the unincorporated counties of Alameda and Contra Costa (collectively, "Counties"); and

WHEREAS, The State Allocation Board has taken action pursuant to Government Code Section 65995(b)(3), which authorizes Districts to increase Statutory Developer Fees to \$4.08 per square foot for assessable space of residential development and \$0.66 per square foot of chargeable covered and enclosed space for all categories of commercial/industrial development, as long as such Statutory Developer Fees are properly justified by the District pursuant to law; and

WHEREAS, new residential and commercial/industrial development continues to generate additional students for the District's schools and the District is required to provide school facilities ("School Facilities") to accommodate those students; and

WHEREAS, overcrowded schools within the District would have an impact on the District's ability to provide an adequate quality education and negatively impacts the educational opportunities for the District's students; and

WHEREAS, the District does not have sufficient funds available for the construction or reconstruction of the School Facilities, including acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential and commercial/industrial development; and

WHEREAS, the Board of the District has received and considered two studies entitled "Residential Development School Fee Justification Study for Livermore Valley Joint Unified District" and "Commercial/Industrial Development School Fee Justification Study for Livermore Valley Joint Unified District" ("Studies"), which Studies include information, documentation, and analysis of the School Facilities needs of the District, including (a) the purpose of the Statutory Developer Fees; (b) the use to which the Statutory Developer Fees are to be put; (c) the nexus (roughly proportional and reasonable relationship) between the residential and commercial/industrial development; and (1) the use for Statutory Developer Fees; (2) the need for School Facilities; (3) the cost of School Facilities; and the amount of Statutory Developer Fees from new residential and commercial/industrial development; (d) a determination of the impact of the increased number of employees anticipated to result from the commercial/industrial development (by category) upon the cost of providing School Facilities within the District; (e) an evaluation and projection of the number of students that will be generated by new residential development; (f) the new School Facilities that will be required to serve such students; and (g) the cost of such School Facilities; and

WHEREAS, said Studies pertaining to the Statutory Developer Fees and to the capital facilities needs of the District were made available to the public as required by law before the Board considered at a regularly scheduled public meeting the Statutory Developer Fees; and

WHEREAS, all required notices of the proposed Statutory Developer Fees have been given; and

WHEREAS, a Public Hearing was held at a regularly scheduled meeting of the Board of the District relating to the proposed Statutory Developer Fees; and

WHEREAS, Education Code Section 17621 provides that the adoption, increase or imposition of any fee, charge, dedication, or other requirement, pursuant to Education Code Section 17620 shall not be subject to Division 13 (commencing with Section 21000) of the Public Resources Code.

NOW, THEREFORE, THE SCHOOL BOARD OF THE LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the Board accepts and adopts the Studies.

Section 2. That the Board finds that the purpose of the Statutory Developer Fees imposed upon new residential development is to fund the additional School Facilities required to serve the students generated by the new residential development upon which the Statutory Developer Fees are imposed.

Section 3. That the Board finds that the Statutory Developer Fees imposed on new residential development will be used only to finance those School Facilities described in the Study and related documents and that these School Facilities are required to serve the students generated by the new residential development within the District; and that the use of the Statutory Developer Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms, and technology, and acquiring and installing additional portable classrooms and related School Facilities, with the specific location of new schools, remodeling of existing School Facilities, and additional portables to be determined based on the residence of the students being generated by such new residential development, as well as any required central administrative and support facilities, within the District.

Section 4. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory Developer Fees and the new residential development within the District because the Statutory Developer Fees imposed on new residential development by this Resolution, will be used to fund School Facilities which will be used to serve the students generated by such new residential development.

Section 5. That the Board finds that there is a roughly proportional, reasonable relationship between the new residential development upon which the Statutory Developer Fees are imposed, and the need for additional School Facilities in the District because new students will be generated from new residential development within the District and there is not sufficient capacity in the existing School Facilities to accommodate all additional students.

Section 6. That the Board finds that the amount of the Statutory Developer Fees levied on new residential development as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential development within the District.

Section 7. That the Board finds that the purpose of the Statutory Developer Fees imposed on new commercial/industrial development is to fund the additional School Facilities required to serve the students generated by the new commercial/industrial development upon which the Statutory Developer Fees are imposed.

Section 8. That the Board finds that the Statutory Developer Fees imposed on new commercial/industrial development (by category) will be used only to finance those School Facilities described in the Studies and related documents and that these School Facilities are required to serve the students generated by such new commercial/industrial development; and that the use of the Statutory Developer Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms and technology, and acquiring and installing additional portable classrooms and related facilities, with the specific location of new schools, remodeling of existing School Facilities, and additional portables to be determined based on the residence of the students being generated by such new commercial/industrial development, as well as any required central administrative and support facilities within the District.

Section 9. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory Developer Fees and new commercial/industrial development by category within the District because the Statutory Developer Fees imposed on commercial/industrial development by this Resolution will be used to fund School Facilities which will be used to serve the students generated by such new commercial/industrial development.

Section 10. That the Board finds that there is a roughly proportional, reasonable relationship between the new commercial/industrial development by category, upon which the Statutory Developer Fees are imposed, and the need for additional School Facilities in the District because new students will be generated from new commercial/industrial development within the District and the District does not have sufficient student capacity in the existing School Facilities to accommodate these anticipated students.

Section 11. That the Board finds that the amount of the Statutory Developer Fees levied on new commercial/industrial development by category as set forth in this Resolution is roughly proportional and reasonably related to and does not exceed the cost of providing the School Facilities required to serve the students generated by such new commercial/industrial development within the District.

Section 12. That the Board finds that a separate account has been established for the deposit of Statutory Developer Fees imposed on residential and commercial/industrial development and that said account has at all times since been separately maintained, except for temporary investments, from other funds of the District.

Section 13. That the Board finds that the funds of the account, described in Section 12, consisting of the proceeds of Statutory Developer Fees have been imposed for the purposes of constructing and reconstructing those School Facilities necessitated by new residential and commercial/industrial development, and thus, these funds may be expended for those purposes. The Statutory Developer Fees may also be expended by the District for the costs of performing any study or otherwise making the findings and determinations required under subdivisions (a), (b), and (d) of Section 66001 of the Government Code. In addition, the District may also retain, as appropriate, an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for reimbursement of the administrative costs incurred by the District in collecting the Statutory Developer Fees.

Section 14. That the Board hereby increases the Statutory Developer Fees as a condition of approval of new residential development projects and imposes the Statutory Developer Fees on such development projects in the following amounts:

- A. \$4.08 per square foot of assessable space for new single family detached residential development and new multifamily attached residential development, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625, and including residential construction other than new construction where such construction results in an increase of assessable space, as defined in Government Code Section 65995, in excess of 500 square feet. However, these amounts shall not be imposed on any development project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in Subdivision J of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.
- B. \$0.66 per square foot of assessable space for new residential development used exclusively for the housing of senior citizens, as described in Section 51.3 of the Civil Code or as described in subdivision J of Section 1569 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

Section 15. That this Board hereby increases the Statutory Developer Fees as a condition of approval of new commercial/industrial development projects and levies the Statutory Developer Fees on such development projects in the following amounts per square foot of chargeable covered and enclosed space for the following categories of commercial/industrial development:

Retail and Services	\$0.624
Office	\$0.66
Research and Development	\$0.66
Industrial/Warehouse/Manufacturing	\$0.66
Hospitals	\$0.66
Hotel/Motel	\$0.316
Self-Storage	\$0.018

Section 16. That the proceeds of the Statutory Developer Fees established pursuant to this Resolution shall continue to be deposited into that account identified in Section 12 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the Statutory Developer Fees are to be collected, including accomplishing any study, findings or determinations required by subdivisions (a), (b) and (d) of Section 66001 of the Government Code or retaining an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for

reimbursement of the administrative costs incurred by the District in collecting the Statutory Developer Fees or in financing the described Study or in defending the imposition of Statutory Developer Fees.

Section 17. That the Superintendent, or her designee, is directed to cause a copy of this Resolution to be delivered to the building official of the Cities and Counties within the District's boundaries and the Office of Statewide Health Planning and Development ("OSHDP") along with a copy of all the supporting documentation referenced herein and a map of the District clearly indicating the boundaries thereof, advising the Cities, Counties, and OSHDP that new residential and commercial/industrial development is subject to the Statutory Developer Fees readopted pursuant to this Resolution and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential development project, mobile home, or manufactured home subject to the Statutory Developer Fees absent a certification from this District of compliance of such project with the requirements of the Statutory Developer Fees, nor that any building permit be issued for any non-residential development absent a certification from this District of compliance with the requirements of the applicable Statutory Developer Fees.

Section 18. That the Board hereby establishes a process that permits the party against whom the commercial/industrial Statutory Developer Fees are imposed, the opportunity for a hearing to appeal that imposition of Statutory Developer Fees for commercial/industrial development as required by Education Code Section 17621(e)(2). The appeal process is as follows:

- A. Within ten (10) calendar days of being notified, in writing, (by personal delivery or deposit in the U.S. Mail) of the commercial/industrial Statutory Developer Fees to be imposed or paying the commercial/industrial Statutory Developer Fees, pursuant to Education Code Section 17620, a party shall file a written request for a hearing regarding the imposition of commercial/industrial Statutory Developer Fees. The party shall state in the written request the grounds for opposing the imposition of commercial/industrial Statutory Developer Fees and said written request shall be served by personal delivery or certified or registered mail to the Superintendent of the District.
- B. The possible grounds for that appeal include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the commercial/industrial Statutory Developer Fees are to be imposed, or that the employee generation or pupil generation factors utilized under the applicable category are inaccurate as applied to the project.
- C. Within ten (10) calendar days of receipt of the written request for a hearing regarding the imposition of commercial/industrial Statutory Developer Fees, the Superintendent of the District, or her designee, shall give notice in writing of the date, place and time of the hearing to the party appealing the imposition of commercial/industrial Statutory Developer Fees. The Superintendent, or her designee, shall schedule and conduct said hearing within thirty (30) calendar days of receipt of the written request. The Superintendent, or her designee, shall render a written decision within ten (10) days following the hearing on the party's appeal and serve it by certified or registered mail to the last known address of the party.

- D. The party against whom the commercial/industrial Statutory Developer Fees are imposed may appeal the Superintendent's, or her designee's, decision to the Board of the District.
- E. The party appealing the Superintendent's, or her designee's decision, shall state in the written appeal the grounds for opposing the imposition of the commercial/industrial Statutory Developer Fees and said written appeal shall be served by personal delivery or certified or registered mail to the Superintendent of the District.
- F. The possible grounds for that appeal to the Board of the District include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the commercial/industrial Statutory Developer Fees are to be imposed, or that the employee generation or pupil generation factors utilized under the applicable category are inaccurate as applied to the project.
- G. Within ten (10) calendar days of receipt of the written request for a hearing regarding the imposition of commercial/industrial Statutory Developer Fees, the Superintendent of the District, or her designee, shall give notice in writing of the date, place and time of the hearing to the party appealing the imposition of commercial/industrial Statutory Developer Fees. The Board of the District shall schedule and conduct said hearing at the next regular meeting of the Board, provided that the party is given notice at least five (5) working days prior to the regular meeting of the Board. The Board shall render a written decision within ten (10) days following the hearing on the party's appeal and serve the decision by certified or registered mail to the last known address of the party.
- H. The party appealing the imposition of the commercial/industrial Statutory Developer Fees shall bear the burden of establishing that the commercial/industrial Statutory Developer Fees are improper.

Section 19. That the Superintendent is authorized to cause a certificate of compliance to be issued for each development project, mobile home and manufactured home for which there is compliance with the requirement for payment of the Statutory Developer Fees in the amount specified by this Resolution. In the event a certificate of compliance is issued for the payment of Statutory Developer Fees for a development project, mobile home or manufactured home and it is later determined that the statement or other representation made by an authorized party concerning the development project as to square footage is untrue, then such certificate shall automatically terminate, and the appropriate City shall be so notified.

Section 20. That no statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee previously imposed by the District on any residential or nonresidential development.

Section 21. That the District's Statutory Developer Fees will become effective sixty (60) days from the date of this Resolution unless a separate resolution increasing the fees immediately on an urgency basis is adopted by the Board.

APPROVED AND ADOPTED by roll call vote this 17th day of March 2020.

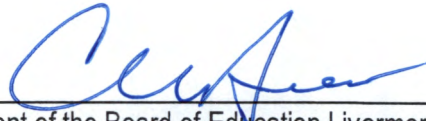
AYES: Bueno ✓ Prusso ✓ Rogge ✓ Wenzel ✓ White ✓

NOES: Bueno _____ Prusso _____ Rogge _____ Wenzel _____ White _____

ABSTENTIONS: Bueno _____ Prusso _____ Rogge _____ Wenzel _____ White _____

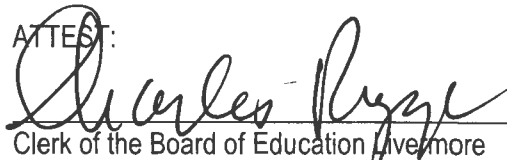
ABSENT: Bueno _____ Prusso _____ Rogge _____ Wenzel _____ White _____

BY:



President of the Board of Education Livermore
Valley Joint Unified School District of Alameda
County and Contra Costa County, State of California

ATTEST:



Clerk of the Board of Education Livermore
Valley Joint Unified School District of Alameda
County and Contra Costa County, State of California

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To: Tri-Valley Transportation Council

From: TVTC Finance Committee
By: Technical Advisory Committee (TAC)

Date: April 19, 2021

Subject: ADOPT the Tri-Valley Transportation Development Fee
Construction Cost Index Annual Adjustment

BACKGROUND

The Joint Exercise of Powers Agreement (JEPA) for the Tri-Valley Transportation Development Fee (TVTDF) specifies that the TVTDF amounts are to be adjusted automatically as of July 1 of each year to reflect changes in regional construction costs. JEPA Section 3(D)(I) requires the TVTC adopt the adjustment by a simple majority.

DISCUSSION

The amount of the adjustment is based on the change in the "Construction Cost Index" (CCI) for the San Francisco Bay Area, as reported annually in the Engineering News Record (ENR). The December 2020 ENR CCI for the San Francisco Bay Area is **+3.2%**.

RECOMMENDATION

The TVTC Finance Committee recommends the TVTC adopt the Tri-Valley Transportation Development Fee Construction Cost Index Annual Adjustment and notify each TVTC member agency to collect the TVTDF rates as listed below starting **July 1, 2021**:

Single Family Residential	\$5,057.00/Dwelling Unit (DU)
Multi-Family Residential	\$3,484.00/DU
Office	\$8.59/sq. ft. Gross Floor Area
Retail	\$3.74/sq. ft. Gross Floor Area
Industrial	\$5.00/sq. ft. Gross Floor Area
Other	\$5,620.00/average am/pm peak hour trip
ADU/SDU	\$0
Affordable Housing	\$0

TRI-VALLEY TRANSPORTATION COUNCIL

TVTDF Historical Fee Rates

	2019	2020	2021
Single Family Residential (per DU)	\$4,650.56	\$4,901.00	\$5,057.00
Multi-Family Residential (per DU)	\$3,203.48	\$3,376.00	\$3,484.00
Office (per SF Gross Floor Area)	\$7.90	\$8.33	\$8.59
Retail (per SF Gross Floor Area)	\$3.41	\$3.63	\$3.74
Industrial (per SF Gross Floor Area)	\$4.60	\$4.85	\$5.00
Other (average am/pm peak hour trip)	\$5,167.00	\$5,446.00	\$5,620.00
Affordable Housing *	\$0.00	\$0.00	\$0.00
ADU/SDU**	\$0.00	\$0.00	\$0.00

*Pursuant to Resolution 2015-01 Adjusting the Tri-Valley Transportation Development Fee Schedule

**Pursuant to Resolution 2019-03 – Resetting the Accessory Dwelling Unit/Secondary Dwelling Unit Fee in the Tri-Valley Transportation Development Fee Program