



CITY COUNCIL STAFF REPORT

ITEM NO. 6.1

DATE: July 14, 2025

TO: Honorable Mayor and City Council

FROM: Carl Brown, Public Works Director

SUBJECT: Public Hearing to consider protests related to the non-payment of solid waste, recycling, and organics handling services provided by Livermore Sanitation for collection on the County Assessor tax roll.

RECOMMENDED ACTION

Staff recommends the City Council hold a Public Hearing to:

1. Consider protests related to the non-payment of solid waste, recycling, and organics services;
2. Adopt a resolution overruling protests;
3. Confirm the Fiscal Year 2023-2024 assessments if applicable;
4. Direct staff to forward a finalized copy of the assessment report to the County Tax Assessor; and
5. Authorize the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution.

SUMMARY

Currently, Livermore Sanitation, Inc. (LSI) has approximately 29,000 accounts. Of those, 22 are owner-occupied residences which are more than 12 months behind on payment. These debts are from unpaid charges from Fiscal Year 2023-2024 (7/2023 - 6/2024). Despite repeated notifications from LSI, and four notices from the City of Livermore, the accounts continue to be significantly overdue. As provided for in Government Code section 25831 and Livermore Municipal Code section 8.08.160, LSI may assign to the City all of LSI's rights to collect these delinquent accounts for the City to pursue collections.

Therefore, staff recommends that the City Council consider protests and adopt a resolution confirming the Fiscal Year 2023-2024 assessments, and directing staff to forward a finalized copy of the assessment report to the County Tax Assessor listed in Exhibit A.

DISCUSSION

Per Livermore Municipal Code 8.08.030, all properties are required to subscribe to solid waste, recycling, and organics services provided by Livermore Sanitation, Inc. (LSI). Additionally, the Municipal Code states that property owners are responsible to pay for solid waste, recycling, and organics service at

rates approved by the City Council.

Due to the possibility of waste accumulation and vermin infestation, LSI is not permitted to discontinue providing service for non-payment. Continual service also helps preserve property values and quality of life by reducing illegal dumping and blighted neighborhoods.

LSI has two billing cycles; residential accounts are billed quarterly, and commercial accounts are billed monthly. According to the Third Amended and Restated Agreement between the City of Livermore and LSI for Solid Waste, Recyclable Materials, and Compostable Materials Services (Franchise Agreement), if LSI does not receive payment after 30 days from the date of the invoice, a notice is sent to the account holder. If an account lapses to 60 days past due, a second notice, if applicable, is sent to the account holder. Concurrently, residential service is reduced to one 20-gallon garbage cart with no recycling or organics service. Commercial service is reduced to one 32-gallon garbage cart with no recycling or organics service. Collection calls to the account holder are documented and invoices including the outstanding amount are continued.

In addition to LSI's collection efforts, the City of Livermore sends four notices to affected account holders advising of intent to assess their property. This year, the first notice was mailed on April 7, 2025. The second notice was mailed on April 25, 2025. The third notice was mailed on May 16, 2025. The fourth notice was mailed on June 20, 2025. All letters advised the account holder of the scheduled Public Hearing on July 14, 2025.

In previous years, both owner-occupied and tenant-occupied properties were the subject of assessments. This year, LSI opted to only assess owner-occupied accounts, listed in Exhibit A. For future assessments, LSI will either continue with this approach or begin sending past-due notices to both tenant-occupied and owner-occupied accounts.

Upon confirmation by the City Council, City staff will send the final assessment list to a consultant to verify addresses and then send the information to be placed on the County tax roll at a cost of approximately \$500. All assessments are cleared in five years, or once a property is sold by the owner or Alameda County, and past due funds are paid to LSI.

As of the writing of this report, of the approximately 29,000 LSI accounts, 22 accounts are more than 12 months past due. These debts are unpaid charges from Fiscal Year 2023-2024 (7/2023 - 6/2024). There are 2 accounts scheduled for assessments this year that have been assessed in prior years. All 22 accounts are residential accounts that are more than 12 months past due.

The amount and number of accounts eligible for assessment may decrease after publication of this report since account holders may settle their account until 7:00 pm on the evening of the July 14, 2025 Public Hearing. This payment cutoff date is necessary in order for this assessment to be included in the Fiscal Year 2025-2026 County Tax Assessor's billing.

If confirmed by the City Council, all outstanding debt that is more than 12 months overdue will be assigned by LSI to the City, for the City to pursue collections as provided for in Government Code section 25831 and Livermore Municipal Code section 8.08.160.

Staff recommends that the City Council consider protests and adopt a resolution confirming the Fiscal Year 2023-2024 assessments, directing staff to forward a finalized copy of the assessment report to the

County Tax Assessor.

FISCAL AND ADMINISTRATIVE IMPACTS

The net value of the assessments is approximately \$18,465 which represents debts that are at least 12 months old. This will be the amount remitted to the City and passed through to LSI when received. In addition to administrative fees necessary to recover the cost of processing these assessments, the General Fund also receives an 11% franchise fee.

COMMUNITY PILLAR

3: Environmental Stewardship

GOAL

2: Manage the City's solid waste contract and develop and implement the City's recycling program ensuring compliance with state and local regulations

ATTACHMENTS

- 1. Resolution
- 2. Exhibit A - Property Assessment - Solid Waste and Recycling

Prepared by: Anna Zamboanga
Recycling Specialist

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director