



## CITY COUNCIL SPECIAL AND REGULAR MEETING AGENDA NOVEMBER 7, 2023

**SPECIAL MEETING: 6:00 P.M. – 7:00 P.M**  
**REGULAR MEETING: 7:00 P.M.**

**WE ENCOURAGE ALL MEMBERS OF THE PUBLIC TO PARTICIPATE IN THE MEETING VIA TELECONFERENCE BY CALLING (520) 525-8911. ANY MEMBER OF THE PUBLIC PARTICIPATING VIA TELECONFERENCE WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.**

**ADDITIONALLY, THE REGULAR MEETING WILL BE STREAMED ON YOUTUBE LIVE**  
[https://www.youtube.com/channel/UCB\\_ZmQZIHlH-ECEPZ2VwZg](https://www.youtube.com/channel/UCB_ZmQZIHlH-ECEPZ2VwZg)

Notice is hereby given that the City Council will hold a Special and Regular Meeting on November 7, 2023, at the City Council Chambers, 663 Main Street, Livingston, California. Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the Deputy City Clerk at least 24 hours prior to this meeting at (209) 394-8041, Ext. 121. Any writings or documents pertaining to an Open Session item provided to a majority of the members of the legislative body less than 72 hours prior to the meeting shall be made available for public inspection by email if requested. Public comments can be submitted via email at [citycouncil@livingstoncity.com](mailto:citycouncil@livingstoncity.com). Comments must be received by 2:00 p.m. on the day of the City Council meeting in order for them to be distributed to the Council prior to consideration of the matter. You will need to provide: Meeting date, item number, name, email and comment (please limit to 300 words or 3 minutes). Please include: PUBLIC COMMENT in the subject for the email. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt by 4:00 p.m., please call the City Clerk's Office at (209) 394-8041, Ext. 121 (Note: This technology is not a guaranteed method).

## **SPECIAL MEETING**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance.
4. Moment of Silence – First Responders and Military Members.
5. Citizen Comments

### **CLOSED SESSION**

*A “Closed” or “Executive” Session of the City Council or the Successor Agency to the Redevelopment Agency of the City of Livingston may be held in accordance with state law which may include, but is not limited to, the following types of items: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators, conference with legal counsel regarding pending litigation. The Closed Session will be held in the City Council Chambers located at 663 Main Street, Livingston, California. **Any public comment on Closed Session items will be taken before the Closed Session.** Any required announcements or discussion of Closed Session items or actions following the Closed Session will be made in the City Council Chambers, 633 Main Street, Livingston, California.*

6. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Gov. Code section 54956.9) Name of Case: Animal Legal Defense Fund v. Foster Poultry Farms, Merced County Superior Court Case No. 20CV-02493
7. Conference with Legal Counsel regarding commencing litigation.  
Pursuant to Government Code Section 54956.9.  
Case: One (1).
8. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to Gov. Code, § 54956.9(d)(2):  
One Matter

## **REGULAR MEETING**

### **CALL TO ORDER**

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

**Next Resolution No.: 2023-76**  
**Next Ordinance No.: 652**

Closed Session Announcements.

Changes to the Agenda.

## **CITIZEN COMMENTS**

*This section of the agenda allows members of the public to address the City Council on any item NOT on the agenda. Members of the public, when recognized by the Mayor, should come forward to the lectern, and identify themselves. Comments are normally limited to three (3) minutes. In accordance with State Open Meeting Laws, no action will be taken by the City Council this evening.*

## **AWARD, PRESENTATIONS, PROCLAMATIONS**

1. Presentation by Mayor Moran: Proclamation Recognizing Sikh American Awareness & Appreciation Month.
2. Presentation by Dean Perry, Doug Walker, Mackenzie Darkow, and Connor Secrest from Trane Technologies: Trane Energy Services Company Project Updates.

## **ANNOUNCEMENTS AND REPORTS**

Supervisor Rodrigo Espinoza Announcements and Reports.

City Staff Announcements and Reports.

- Public Works Director Anthony Chavarria – Public Works Department Updates.

City Manager Announcements and Reports.

City Council Members' Announcements and Reports.

Mayor's Announcements and Reports.

### **Jatinder Mann**

- City Council Alternate Liaison - Parks, Recreation and Arts Commission – **Jatinder Mann**
- Merced Integrated Regional Water Management Plan (MIRWMA) – **Jatinder Mann, Representative and Jason Roth, Alternate Representative.**
- Central Valley Division League of California Cities – **Maria Soto, Representative and Jatinder Mann, Alternate.**

### **Jason Roth**

- City Council Liaison - Livingston Planning Commission – **Jason Roth**
- Special City Selection Committee of the San Joaquin Valley Air Pollution Control Board – **Jason Roth, Representative and Gurpal Samra, Alternative.**
- Merced Integrated Regional Water Management Plan (MIRWMA) – **Jatinder Mann, Representative and Jason Roth, Alternate Representative.**

**Maria Soto**

- Merced County Local Agency Formation Commission (LAFCO) – **Maria Soto, Representative.**
- Central Valley Division League of California Cities – **Maria Soto, Representative and Jason Roth, Alternate.**
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**Gurpal Samra**

- Merced County Mosquito Abatement District Board of Directors – **Gurpal Samra, Representative and Jason Roth, Alternate.**

**Jose Moran**

- Merced County Association of Governments (MCAG) Governing Board – **Jose Moran, Representative and Gurpal Samra, Alternate.**
- City Council Liaison - Parks, Recreation and Arts Commission – **Jose Moran.**
- Utility Stakeholders Committee – **Jose Moran and Gurpal Samra.**

**CONSENT AGENDA**

*Items on the Consent Calendar are considered routine or non-controversial and will be enacted by one vote, unless separate action is requested by a member of the public, the City Manager or City Council Member. There will be no separate discussion of these items unless members of the public, City Council or City Manager request that specific items be removed. Public comment on consent agenda items shall be limited to three (3) minutes per-person regardless of the number of items contained within the consent agenda.*

3. RATIFY CHECK WARRANTS  
Ratify Warrant Register Dated October 23, 2023.
4. City Treasurer’s Investment Report for the Month Ending September 30, 2023.
5. Consideration of a Resolution Accepting the Proposal and Awarding a Contract to St. Francis Electric for the Traffic Signal Maintenance Services and Authorizing the Interim City Manager to Execute the Agreement. Staff Recommendation: Approve Resolution.
6. Consideration of a Resolution Authorizing Approval of Purchase of One (1) New Portable Diesel Generator (20Kw Prime Power/ 25 KVA Diesel Powered (Doosan D18) Tailer Mounted, Sounded Attenuated, Tier 4T from PAC Machine Company, in the Amount of \$33,602.22 and Authorizing the Interim City Manager to Execute All Required Documents. Staff Recommendation: Approve Resolution.

**PUBLIC HEARINGS**

7. Consideration of an Ordinance of the City Council of the City of Livingston Amending Chapter 7, of Title 1, Establishing Section 1-7-6 City Clerk Responsibilities and Section 1-7-7 Deputy City Clerk Responsibilities. Staff Recommendation: Waive the First Reading of the Ordinance by Title Only, Open the Public Hearing, Close the Public Hearing and Approve the Ordinance as Presented.

## **DISCUSSION AND POTENTIAL ACTION ITEMS**

8. Consideration of a Resolution Approving a Second Amendment to a Professional Service Agreement with Mintier Harnish Planning Consultants for the Preparation of a General Plan Update and Accompanying Environmental Impact Report; Also Amending the Fiscal Year Budget and Approving a Supplemental Budget Adjustment to Fund the Update. Staff Recommendation: Approve Resolution.

## **COUNCIL DIRECTION ON FUTURE AGENDA ITEMS**

## **ADJOURNMENT**