



## CITY COUNCIL SPECIAL AND REGULAR MEETING AGENDA JANUARY 16, 2024

**SPECIAL MEETING: 6:30 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 Regular Meeting on January 16, 2024, 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 emailed 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. Liability Claims (Gov. Code, § 54956.95)  
Claimant: Girish Saini  
Agency claimed against: City of Livingston

## **REGULAR MEETING**

### **CALL TO ORDER**

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

Closed Session Announcements.

Changes to the Agenda.

**Next Resolution No.: 2024-01**  
**Next Ordinance No.: 653**

## 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.*

## ANNOUNCEMENTS AND REPORTS

Supervisor Rodrigo Espinoza Announcements and Reports.

City Staff Announcements and Reports.

- Jacquelyne Benoit, Recreation Superintendent – Recreation Department Update.

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.**

### **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.*

1. Consideration of a Resolution Accepting Completion for the 2023 Slurry Seals Project, Authorizing the City Clerk to File a Notice of Completion with Merced County, and Authorizing the Interim City Manager to Make Final Payment of Retention Monies to Pavement Coatings Co. Staff Recommendation: Approve Resolution.
2. Consideration of a Resolution to Accept BID and Award a Contract to TBS Contractors for the I Street Waterline Replacement Project and Authorizing the Interim City Manager to Execute the Agreement. Staff Recommendation: Approve Resolution.
3. Consideration of a Resolution 1) Awarding a Purchase Order to PAC Machine Company for Replacement of One 25 HP Submersible Pump at the Arakelian Storm Pump Station; and 2) Approve a Supplemental Appropriation for the Sewer Enterprise Fund in the Amount of \$31,786.25; and 3) Authorize the Interim City Manager to Execute and Issue the Purchase Order to PAC Machine Company in the Amount Not to Exceed \$31,786.25. Staff Recommendation: Approve Resolution.

**PUBLIC HEARINGS**

4. Consideration of a Resolution Annexing of Territory to a Community Facilities District, Authorizing the Levy of Special Tax, and Submitting Levy of Tax to Qualified Electors, City of Livingston Community Facilities District No. 2017-1 (Public Services) Annexation No. 3 and Resolution Declaring Results of a Special Annexation Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien, City of Livingston Community Facilities District No. 2017-1 (Public Services) Annexation No. 3. Open the Public Hearing, Close the Public Hearing and Approve the Resolutions as Presented.
5. Consideration of an Interim Urgency Ordinance Establishing a Forty-Five (45) day Moratorium on the Issuance of any New Permit for Any New Developments, Projects, Additional, and/or construction Requiring the Use of City Supplied Potable Water. Waive the Reading of the Interim Urgency Ordinance and Adopt Ordinance by Title Only, Open the Public Hearing, Close the Public Hearing and Approve the Ordinance as Presented.

**DISCUSSION AND POTENTIAL ACTION ITEMS**

6. Discussion and Direction Regarding Resident Concerns about Council Member Maria Soto's Residency.
7. Selection of Committee Members for the 4<sup>th</sup> of July Standing Committee.
8. Discussion and Adoption of the Merced County Association of Governments (MCAG) 2024 One Priorities for the City of Livingston.

**COUNCIL DIRECTION ON FUTURE AGENDA ITEMS**

**ADJOURNMENT**