



**CITY COUNCIL SPECIAL AND REGULAR MEETING
AGENDA
MARCH 19, 2024**

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

Notice is hereby given that the City Council will hold a Special and Regular Meeting on March 19, 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. 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 – Potential Litigation
Paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code
Number of Cases: One Matter
7. Conference with Legal Counsel – Existing Litigation
Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code
Name of Case: Jose Ramirez v. City of Livingston, et al., Superior Court of the State of California, County of Merced, Case No. 22CV-0082
8. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Attorney
Pursuant to Government Code Section 54957

CALL TO ORDER

Next Resolution No.: 2024-12
Next Ordinance No.: 653

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

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.

ANNOUNCEMENTS AND REPORTS

Supervisor Rodrigo Espinoza Announcements and Reports.

City Staff Announcements and Reports.

City Manager Announcements and Reports.

- Christopher Lopez, Interim City Manager- Fiscal Year 2024/2025 Budget Update.

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.**

RECEIVE AND FILE

1. Annual Comprehensive Financial Report for Fiscal Year 2021-2022 and Presentation by James Butera, CPA, Senior Manager.

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.

2. RATIFY CHECK WARRANTS
Ratify Warrant Register Dated March 14, 2024.
3. Consideration of a Resolution Authoring the Interim City Manager to Execute a Professional Service Agreement Between the City of Livingston and Andrea Caro, Circus Royal Spectacular as a Circus Entertainment and Concessions Provider. Staff Recommendation: Approve Resolution.
4. Consideration of a Resolution Approving A Professional Service Agreement with Lance, Soll & Lunghard (LSL), LLP Consulting. Staff Recommendation: Approve Resolution.

DISCUSSION AND POTENTIAL ACTION ITEMS

5. Consideration of a Resolution Approving a Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Waste Collection Services Between the City of Livingston and Gilton Solid Waste Management, Inc. Staff Recommendation: Approve Resolution.
6. Discussion and Direction Regarding Whether to Commence the Process for Establishing Term Limits for City Council Members.
7. Discussion and Direction Regarding the Consideration of Allowing One Planning Commissioner to be Outside City Limits, but Within the Livingston Union School District.
8. Consideration and Direction to Prepare a Request for Proposals Regarding the Selection of a Firm or Recruiter to Conduct the Recruitment of a Permanent City Manager. Staff Recommendation: Direct Ms. Cruz, Human Resources Coordinator, and the City Attorney's Office to Prepare a Request for Proposals Regarding the Selection of a Firm or Recruiter to Conduct the Recruitment of a Permanent City Manager.
9. Discussion and Direction Regarding the Fireworks Ordinance and Possibly Changing the Administrative Penalty Fees.
10. Discussion and Direction Regarding the 4th of July Standing Committee Recommendation Including the Following: Overall Budget and the Schedule of Events for the 4th of July Event.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS

ADJOURNMENT