



**CITY COUNCIL SPECIAL AND REGULAR MEETING
AGENDA
MAY 21, 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_ZmQZIHlHh-ECEPZ2VwZg

Notice is hereby given that the City Council will hold a Special and Regular Meeting on May 21, 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 email 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 Labor Negotiator
(Government Code Section 54957.6)
Labor Negotiator: Christopher Lopez, Interim City Manager
Employee Organizations:
OE3- Clerical Bargaining Unit
OE3 - Police Supervisory Employees Association.
OE3 - Management/Confidential Bargaining Unit
OE3 - Livingston Police Officer Association
AFSCME- Public Works and Park Unit
7. Threat to public services or facilities, pursuant to
Government Code section 54957.
Consultation with: City Attorney

REGULAR MEETING

CALL TO ORDER

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

**Next Resolution No.: 2024-25
Next Ordinance No.: 654**

Closed Session Announcement.

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.

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. RATIFY CHECK WARRANTS
Ratify Warrant Register Dated May 15, 2024.
2. Consideration of a Resolution Authorizing Approval of Purchase of One (1) New Utility Truck (2024 Chevrolet Silverado 2500HD 2WD REG Cab) from American Chevrolet, in the Amount of \$63,499.36 and Authorizing the Interim City Manager to Execute all Required Documents. Staff Recommendation: Approve Resolution.
3. Consideration of a Resolution Approving American Elite Electric Inc. to Replace the Existing Damaged Decorative Light Pole on Main Street and D Street and Authorizing the Interim City Manager to Execute All Required Documents. Staff Recommendation: Approve Resolution.
4. Consideration of a Resolution Initiating Proceedings and Ordering the Preliminary Engineer’s Report for the Annual Levy of Assessments for Fiscal Year 2024/2025 for the Livingston Benefit Assessment Districts, Approving the Engineer’s Report, Declaring the City’s Intention to Levy Annual Assessments Within Such Districts and Appointing a Time and Place for a Public Hearing. Staff Recommendation: Approve Resolution.
5. Consideration of a Resolution Initiating Proceedings and Ordering the Preliminary Engineer’s Report for the Annual Levy of Assessments for Fiscal Year 2024/2025 for the Citywide Consolidated Landscape Maintenance Assessment District No. 1, Approving the Engineer’s Report, Declaring the City’s Intention to Levy Annual Assessments for the District, and Appointing a Time and Place for a Public Hearing. Staff Recommendation: Approve Resolution.
6. Consideration of an Ordinance of the City Council of the City of Livingston Repealing and Replacing a Portion of Chapter 4 of Title 7 of the Livingston Municipal Code Pertaining to Fireworks. Staff Recommendation: Waive the Second Reading of the Ordinance by Title Only, Open the Public Comment, Close the Public Comments and Adopt the Ordinance as Presented.
7. Consideration of a Resolution Approving a Memorandum of Understanding (MOU) Between Merced County and the City of Livingston for FEMA Grant Application and Authorize the City Manager to Execute Grant Related Documents. Staff Recommendation: Approve Resolution.

8. Ratification of the Agreement for Issuance of Building Permits, Notice to Proceed, and Deferment of Building, Service Connection and Development Impact Fee for Tierrasanta Villas Apartments Project. Staff Recommendation: Approve Ratification by Minute Order.

PUBLIC HEARINGS

9. Consideration of an Ordinance of the City Council of the City of Livingston Repealing and Replacing a Portion of Chapter 2 of Title 2 of the Livingston Municipal Code Pertaining to the Planning Commission. 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

10. Discussion and Direction on Removing the Refuse Rate Increase Effective April 1, 2024.
11. Discussion and Direction on Refuse, Water, and Wastewater Rate Study Including the Development of a Request for Proposal (RFP).
12. Discussion and Direction Regarding a Street Naming Plan or Process.
13. Update on the 4th of July Event.
14. Consider and Discuss the City of Livingston City Council's Options for Filling the City Council Seat Vacated by Council Member Jatinder Mann, and Take Action Related to Filling the Vacancy.
15. Discussion and Direction Regarding Notices of the Proposed Increased Solid Waste Fees and Rates for a Majority Protest Process in Accordance with Proposition 218 and Adoption of Guidelines for the Submission and Tabulation of Protests.
16. Discussion on Fiscal Year 2024/2025 Budget.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS

ADJOURNMENT