



**CITY COUNCIL SPECIAL AND REGULAR MEETING  
AGENDA  
JULY 2, 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](https://www.youtube.com/channel/UCB_ZmQZIHlHh-ECEPZ2VwZg)

Notice is hereby given that the City Council will hold a Special and Regular Meeting on July 2, 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](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 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. 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
8. Conference with Legal Counsel – Pending Litigation  
Paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code  
Number of Cases: One Matter  
Name of Case: NEW NATIONAL OPIOID SETTLEMENT NOTICE - Kroger Co. –  
RefNum CL-789627

# REGULAR MEETING

## CALL TO ORDER

Next Resolution No.: 2024-40  
Next Ordinance No.: 656

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

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.

### Robert Wallis

- City Council Alternate Liaison - Parks, Recreation and Arts Commission – **Vacant**
- Merced Integrated Regional Water Management Plan (MIRWMA) – **Vacant, Representative and Jason Roth, Alternate Representative.**
- Central Valley Division League of California Cities – **Maria Soto, Representative and Vacant, 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) – **Vacant, 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. City Treasurer’s Investment Report for the Month Ending May 30, 2024.
2. Consideration of a Resolution Accepting the Grand Deed for the Street Right of Way and Public Utility Easement Dedicated by Amba National Limited Company for APN 023-060-001 and Authorize the Interim City Manager to Execute a Certificate of Acceptance for Recording of the Grant Deed. Staff Recommendation: Approve Resolution.
3. Consideration of a Resolution Accepting BID and Award a Contract to TBS Contractors for the East Avenue Pump Station Project and Authorizing the Interim City Manager to Execute the Agreement. Staff Recommendation: Approve Resolution.
4. Consideration of a Resolution Authorizing Approval of Purchase of One (1) New Utility Tractor and Loader (2022 John Deere 5075E Utility Tractor and John Deere 520M Loader) from BELKORP AG, LLC, in the Amount of \$48,940.79 and Authorizing the Interim City Manager to Execute all Required Documents. Staff Recommendation: Approve Resolution.

**DISCUSSION AND POTENTIAL ACTION ITEMS**

5. Consideration of Resolution Submitting Questions at the General Election Regarding the Changing of the Positions of City Clerk and City Treasure from Elective to Appointive Positions and Requesting County to Add it to the Ballot at the Consolidated Statewide Election; Receive Direction from the Council on Council Argument In Favor Of. Staff Recommendation: Approve Resolution and Give Direction on Council Argument In Favor Of.

6. Consideration of a Resolution Submitting to the Voters at the General Municipal Election to be Consolidated with the Statewide General Election Held on Tuesday, November 5, 2024, A Measure to Change the Term of the Mayor to Four Years and Limit Consecutive Terms of Councilmembers to Two Terms; Receive Direction from Council on Council Argument In Favor Of. Staff Recommendation: Approve Resolution and Give Direction on Council Argument In Favor Of.

**COUNCIL DIRECTION ON FUTURE AGENDA ITEMS**

**ADJOURNMENT**