



CITY COUNCIL REGULAR MEETING AGENDA FEBRUARY 2, 2021

CLOSED SESSION: 6:00 P.M. – 7:00 P.M.
OPEN SESSION: 7:00 P.M.

NOTICE: IN ORDER TO MINIMIZE THE SPREAD OF THE COVID-19 VIRUS, THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20, WHICH SUSPENDED CERTAIN REQUIREMENTS OF THE BROWN ACT.

WE ENCOURAGE ALL MEMBERS OF THE PUBLIC TO PARTICIPATE IN THE MEETING VIA TELECONFERENCE BY CALLING (605) 468-8002, ACCESS CODE NUMBER 156811#. ANY MEMBER OF THE PUBLIC PARTICIPATING VIA TELECONFERENCE WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

ADDITIONALLY, THE MEETING WILL BE STREAMED ON YOUTUBE LIVE
https://www.youtube.com/channel/UCB_ZmQZIHlH-ECEPZ2VwZq

IF YOU CHOOSE TO ATTEND THE COUNCIL MEETING IN PERSON, YOU WILL BE REQUIRED TO MAINTAIN APPROPRIATE SOCIAL DISTANCING, INCLUDING, MAINTAINING A SIX-FOOT DISTANCE BETWEEN YOURSELF AND OTHER INDIVIDUALS, AND WEAR A FACE COVERING. PLEASE NOTE, SEATING IS LIMITED.

PURSUANT TO STATE ORDER, ALL MEMBERS OF THE PUBLIC ARE REQUIRED TO WEAR A FACE COVERING WHILE INSIDE CITY FACILITIES.

(Some Councilmembers may be participating in the meeting remotely via teleconferencing consistent with the Governor's Executive Order N-29-20.)

Notice is hereby given that the City Council will hold a Regular Meeting on February 2, 2021, at the City Council Chambers, 1416 C Street, Livingston, California or conducted pursuant to the provisions of the Governor's Executive Order N-29-20. 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. The Open Session will begin at 7:00 p.m. the Closed Session will be held in accordance with the state law prior to the Open Session beginning at 6:00 p.m. The Closed Session will be held at the City Council Chambers Located at 1416 C Street. The agenda shall be as follows:

CLOSED SESSION

1. Call to Order
2. Roll Call

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 1416 C 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, 1416 C Street, Livingston, California.

3. Public Employee Performance Evaluation
(Government Code Section 54957)
Title: City Manager
4. Labor Negotiations
(Government Code Section 54957.6)
Labor Negotiator: City Attorney
Unrepresented City Employee: City Manager

REGULAR MEETING

CALL TO ORDER

Next Resolution No.: 2021-10
Next Ordinance No.: 643

Pledge of Allegiance.

Moment of Silence – First Responders and Military Members.

Roll Call.

Closed Session Announcements.

Changes to the Agenda.

AWARDS, PRESENTATIONS, PROCLAMATIONS

1. Presentation by Leslie Abasta-Cummings, Chief Executive Officer, Livingston Community Health: COVID-19 Local Efforts and Resources.

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.

CITIZEN COMMENTS

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS (3 MINUTES) AS NORMALLY ALLOWED FOR MEETINGS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER N-29-20

This section of the agenda allows members of the public to address the City Council on any item NOT otherwise 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. For items which are on the agenda this evening members of the public will be provided an opportunity to address the City Council as each item is brought up for discussion.

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 the City Manager or City Council Member. There will be no separate discussion of these items unless members of the City Council or City Manager request that specific items be removed.

2. Approval of Warrant Register Dated January 28, 2021.
3. Approval of Minutes of Meeting Held on November 17, 2020.
4. Approval of Minutes of Meeting Held on December 15, 2020.
5. Resolution Appointing Trevor T. Taniguchi as City Attorney and Approving First Amendment to the Professional Services Agreement with the Law Firm of Meyers, Nave, Riback, Silver & Wilson.

DISCUSSION AND POTENTIAL ACTION ITEMS

6. Resolution Authorizing the City of Livingston to Submit a Funding Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for Two New Hybrid Electric Patrol Vehicles.

7. Discussion on Utility Rate Study Timeline.
8. Discussion and Appointment of Two Councilmembers to the Tax Sharing Agreement AD HOC Committee.
9. Discussion and Direction on the possibility of reopening the City Parks, given that the State lifted the Stay at Home Order.
10. Discussion and Direction on Pursuing a Sister City Relationship with Churintzio, Michoacan, Mexico.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS

ADJOURNMENT

STAFF REPORT

AGENDA ITEM: Approval of Warrant Register dated January 28, 2021
MEETING DATE: February 2, 2021
PREPARED BY: Nancy Fuentes, Sr. Account Clerk
REVIEWED BY: Jose Antonio Ramirez, City Manager

RECOMMENDATION:

Approve warrant register dated January 28, 2021

DISCUSSION:

In accordance with Section 37202 of the Government Code of the State of California there is presented here with a summary of the demands against the City of Livingston covering obligations to be paid during the period of:

January 14, 2021 – January 28, 2021

Each demand has been audited and I hereby certify to their accuracy and that there are sufficient funds for their payment as of this date.

**IT IS HEREBY RECOMMENDED THE CITY COUNCIL
APPROVE THE REGISTER OF DEMANDS AS FOLLOWS:**

GENERAL WARRANTS.....	\$	285,034.88	3854-3929
PAYROLL/WIRE WARRANTS.....	\$	271,513.90	1492-1499
TOTAL WARRANTS.....	\$	556,548.78	

ATTACHMENTS:

Accounts payable checks by date, summary by check number register.

Accounts Payable

Checks by Date - Summary by Check Date

User: nfuentes
 Printed: 1/28/2021 10:17 AM



City of Livingston
 1416 C Street
 Livingston, CA 95334

Check No	Vendor No	Vendor Name	Check Date	Check Amount
3854	422	U.S. Bank Corporate Payment Systems	01/15/2021	5,859.34
Total for 1/15/2021:				5,859.34
3855	404	Merced County Clerk	01/21/2021	50.00
3856	540	United States Treasury	01/21/2021	27.72
Total for 1/21/2021:				77.72
3857	251	ABS Direct, Inc.	01/28/2021	111.17
3858	395	Administrative Solution, Inc.	01/28/2021	225.00
3859	434	AFSCME District Council 57	01/28/2021	674.70
3860	agserv	Agserv Western Sales Inc.	01/28/2021	150.86
3861	250	Alhambra	01/28/2021	108.94
3862	397	American Fidelity Assurance Company	01/28/2021	297.90
3863	282	AT&T Mobility	01/28/2021	318.40
3864	417	Brenntag Pacific, Inc.	01/28/2021	2,590.13
3865	193	BSK Associates	01/28/2021	3,670.00
3866	435	California Chamber of Commerce	01/28/2021	120.82
3867	556	CEP America California	01/28/2021	684.00
3868	272	Charter Communications	01/28/2021	69.98
3869	259	Collins & Schoettler Planning Consultants	01/28/2021	5,066.25
3870	189	ComTech21 LLC	01/28/2021	38.86
3871	447	Conco West, Inc	01/28/2021	48,165.00
3872	384	Cooling Shedd Air Conditioning Co.	01/28/2021	498.46
3873	283	CoreLogic Solutions, LLC	01/28/2021	200.00
3874	293	Department of Justice Accounting Office	01/28/2021	657.00
3875	260	First Communications, LLC	01/28/2021	30.79
3876	322	Fresno City College	01/28/2021	103.00
3877	188	Frontier	01/28/2021	2,830.08
3878	387	Frontier Communications Corp Frontier Co	01/28/2021	151.32
3879	UB*01942	LEROY GAMBRELL	01/28/2021	223.51
3880	164	Garza Tire & Wheel, Inc	01/28/2021	1,417.33
3881	262	Gilton Solid Waste	01/28/2021	6,296.15
3882	356	Gouveia Engineering, Inc.	01/28/2021	3,183.70
3883	551	Griswold Industries	01/28/2021	174.98
3884	265	Jennifer Halpin	01/28/2021	1,805.00
3885	425	HdL Coren & Cone	01/28/2021	990.61
3886	469	Hewlett Packard Financial Services Co.	01/28/2021	901.99
3887	267	Hoffman Security	01/28/2021	159.95
3888	557	Hopkins Technical Products, Inc.	01/28/2021	511.09
3889	501	Hunt & Sons, Inc.	01/28/2021	4,173.21
3890	400	In-Shape Health Clubs	01/28/2021	227.50
3891	388	Interstate Battery System of Fresno	01/28/2021	471.42
3892	520	Interstate Truck Center	01/28/2021	65.60
3893	165	J L Analytical Services, Inc.	01/28/2021	137.50
3894	166	Kamps Propane, Inc.	01/28/2021	6.47

Check No	Vendor No	Vendor Name	Check Date	Check Amount
3895	268	Language Line Services, Inc.	01/28/2021	73.32
3896	461	LEAF	01/28/2021	868.01
3897	558	James Linan	01/28/2021	129.88
3898	362	Merced County Animal Control	01/28/2021	2,720.00
3899	559	Merced County Enviromental Health	01/28/2021	2,884.00
3900	562	Merced County Registrar of Voters	01/28/2021	9,763.14
3901	278	Merced Irrigation District	01/28/2021	34,106.41
3902	415	Merced Irrigation District	01/28/2021	2,573.46
3903	196	Merced Sun-Star	01/28/2021	341.68
3904	389	Mid Valley IT	01/28/2021	7,500.00
3905	180	Mission Linen Service	01/28/2021	332.34
3906	194	Modesto Welding Products	01/28/2021	21.00
3907	199	Northstar Chemical	01/28/2021	3,997.41
3908	302	Office Depot, Inc.	01/28/2021	1,174.68
3909	437	Operating Engineers Local 3	01/28/2021	336.00
3910	438	Operating Engineers Local 3	01/28/2021	448.00
3911	205	Paramount Pest Services	01/28/2021	221.00
3912	203	PG&E	01/28/2021	45,313.73
3913	405	Premier Access Insurance Company	01/28/2021	2,426.95
3914	514	Quadient Leasing USA, Inc.	01/28/2021	1,906.41
3915	392	Randik Paper	01/28/2021	956.78
3916	365	Rolfe Construction Co.	01/28/2021	26,627.19
3917	208	Saenz Pest Control, Inc.	01/28/2021	125.00
3918	561	Safe-T-Lite of Modesto, Inc.	01/28/2021	288.63
3919	307	Shred-It, C/O Stericycle, Inc.	01/28/2021	920.09
3920	285	Silver & Wright LLP	01/28/2021	140.90
3921	309	St. Francis Electric	01/28/2021	892.00
3922	472	Aqua-Metric Sales Company Thirkettle Co	01/28/2021	13,018.69
3923	284	Trans Union LLC	01/28/2021	268.51
3924	249	United Site Services	01/28/2021	498.71
3925	367	Verizon Wireless	01/28/2021	894.67
3926	VISION	Vision Service Plan - CA	01/28/2021	1,168.56
3927	492	VSS International, Inc.	01/28/2021	8,232.88
3928	287	West Coast Code Consultants, Inc.	01/28/2021	19,454.75
3929	563	West Coast Turf	01/28/2021	964.37
Total for 1/28/2021:				279,097.82
Report Total (76 checks):				285,034.88



MEETING MINUTES

CLOSED SESSION/REGULAR MEETING LIVINGSTON CITY COUNCIL NOVEMBER 17, 2020

A Closed Session/Regular Meeting of the Livingston City Council was held on November 17, 2020, in the City Council Chambers with Acting Mayor Aguilar presiding.

CALL TO ORDER

Acting Mayor Aguilar called the meeting to order at 6:32 p.m.

ROLL CALL

- Mayor Gurpal Samra (Excused Absence)
- Mayor Pro-Tem Raul Garcia (via Teleconference)
- Council Member Maria Baptista-Soto (via Teleconference)
- Council Member Juan Aguilar
- Council Member Gagandeep Kang (via Teleconference)

Clerk Notes: Mayor Pro-Tem Garcia joined the meeting at 6:34 p.m. after roll call was taken.

CLOSED SESSION

Acting Mayor Aguilar opened the meeting for public comments at 6:34 p.m. There were no comments, and the council went into Closed Session immediately thereafter to discuss the following matters:

3. Conference with Legal Counsel – Existing Litigation
(Government Code Section 54956.9(d)(1))
Case: Animal Legal Defense Fund v. Foster Poultry Farms
Real Party in Interest – City of Livingston
Merced County Superior Court – Case No. 20CV-02493

REGULAR MEETING

Acting Mayor Aguilar called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIANCE

The pledge of allegiance to the flag was recited.

ROLL CALL

- Mayor Gurpal Samra (Excused Absence)
- Mayor Pro-Tem Raul Garcia (via Teleconference)
- Council Member Maria Baptista-Soto (via Teleconference)
- Council Member Juan Aguilar
- Council Member Gagandeep Kang (via Teleconference)

CLOSED SESSION ANNOUNCEMENTS

No reportable action was taken.

CHANGES TO THE AGENDA

None.

ANNOUNCEMENTS AND REPORTS

Supervisor Rodrigo Espinoza Announcements and Reports.

None.

City Staff Announcements and Reports.

Public Works Director Chavarria reported that restrooms at the park facilities were closed due to Merced County going back to the purple tier. They have also taken down the rims from the basketball court area from Max Foster Sports Complex and Fred Worden Park. They will be closing off the parking lot to discourage gatherings at the parks.

Council Member Aguilar reported that they are having technical difficulties with the PowerPoint presentations but are working to resolve the issue.

Police Chief Soria reported that on January 21st and January 22nd, from 6:00 p.m. to 10:00 p.m., they will be holding their first citizen academy. Flyers will be sent with the utility bills and will be posted on their Facebook. The academy will give people an idea of what law enforcement does. They will also have on-hands training. Due to the covid-19 situation, they will be limiting it to eight (8) people. Those eight people will have to go through the screening process. If interested, please contact Sergeant Ray Fong at (209) 394-7916.

Moreover, Mr. Soria noted that he received several calls about fireworks. He pointed out that the firework issue has been ongoing for quite some time, and they are past the educational process. He stated that they are going to be enforcing the issue. Mr. Soria noted that they do not cite under the municipal code because it is a penal code violation. People that get cited get at least a year of probation and a fine.

Council Member Kang asked if the police officers have to catch the people in the act (with fireworks) or could they record them.

Police Chief Soria stated that if they can get a positive identification of the person recording the act, then they would have to make sure that it is an illegal firework. He said that they could end up doing that, but it will be more challenging than catching the person in the act and obtaining the evidence.

Council Member Aguilar asked Mr. Soria if he has any updates on the shootings.

Police Chief Soria noted that they had two (2) shootings back to back two weekends ago. They were not gang-related or drive-bys. He pointed out that they are close to identifying the person involved in the shooting at the motel. As for the homeless gentleman, they are still trying to figure out why that happened to him. He pointed out that they will make sure that the citizens are safe. He asked the public to please call if they see any suspicious acts.

Council Member Aguilar noted that he appreciates the police department for working hard to keep the City safe.

Recreation Superintendent Benoit reported that the recreation department is working on resubmitting Proposition 68, which is due on December 14th. They will bring a resolution to the council at the next meeting. Moreover, she noted that the court of trees is going to be put up. They will also be doing the lighted Christmas Parade, which will be Covid-19 friendly. They are still looking for parade entries; if interested, please give recreation a call. Lastly, she discussed the list of all of the approved activities from the recreation commission for 2020/2021.

Council Member Aguilar inquired about the total number of trees at the court of trees.

Recreation Superintendent Benoit noted that they could have one hundred (100) trees. She said that last year they had forty (40) but have been averaging at fifty (50). Their goal for this year is seventy (70).

Council Member Aguilar asked if the Christmas Parade route is on the website.

Recreation Superintendent Benoit stated yes.

Council Member Aguilar asked if the submittal for Proposition 68 would be the same as last year's or are they changing it up.

Recreation Superintendent Benoit pointed out that there was nothing wrong with the last application; there were people in the first round with a greater need.

Council Member Aguilar asked when she (Ms. Benoit) needs feedback from the council about the list of approved activities she provided.

Recreation Superintendent Benoit noted that they promote their activities eight (8) weeks in advance, so if they have ideas right now, they can contact her.

City Manager Announcements and Reports.

City Manager Ramirez reported that Merced County went back to the purple category. He noted that he continues to work with the neighboring cities in the county to educate the public. Mr. Ramirez also stated that they continue to work with other partners and with UC Merced Small Business Development Center to help the affected businesses get the resources and opportunities. He pointed out that the purple phase means that there is no more indoor dining. Moreover, Mr. Ramirez noted that they are working with the Green Zone LLC. They want to build a cannabis business off of Bird St. The company is asking the city to consider the possibility of changing the water well ordinance so that they can use potable water from

the City. Lastly, he pointed out that they successfully brought an investment group to create and buy the rest of the ten (10) acres owned by Yagi (off of Abbott and Campbell). He noted that they met with the investors, and they communicated to the investors what the community would like to have in the area.

City Council Members' Announcements and Reports.

Council Member Baptista thanked everyone that came out to the November 11th dedication of the welcoming sign. She noted that the veterans are not going to have a meeting until after January, but they are having a Christmas dinner on the second Saturday of December. Moreover, she thanked everyone for all the work they have contributed this year.

Mayor Pro-Tem Garcia thanked Ms. Baptista and everyone that assisted in the veterans' ceremony. He wished all the former devil dogs (Marine Corps) a happy birthday.

Council Member Aguilar stated that he appreciates all the hard work done on the welcome sign and the dedication ceremony.

Mayor's Announcements and Reports

None.

CITIZEN COMMENTS

Acting Mayor Aguilar opened Citizen Comments at 7:28 p.m.

Diego Castillo mentioned that they have been discussing the possibility of bringing VA housing in Livingston. They currently have the mason building next to VFW under contract. He noted that he met with Randy Hatch and the City Manager, they are excited about the possibility of repurposing the building for VA housing. He asked for feedback from the council on the VA housing.

Council Member Aguilar pointed out that it's a great project.

Council Member Baptista informed Mr. Castillo that she appreciates all the work he is doing on behalf of the veterans. She noted that the mason building would be an ideal spot. She stated that VA housing is much needed and is not provided in this area.

City Attorney Sanchez stated that the item is not on the agenda, so, unfortunately, there can't be much discussion on the matter. He noted that the item could be put on the agenda for council discussion at a future meeting.

Council Member Aguilar stated that they would have more discussions in the near future about the matter.

Jason Roth, 1629 Spruce Ct., noted that fireworks are disturbing and cause problems. He indicated that they need to strengthen the police department, and the City needs to help the police department.

Council Member Aguilar pointed out that the Chief of Police discussed the firework situation. He noted that the police department is going to be addressing the issues and concerns he might have.

Acting Mayor Aguilar closed Citizen Comments at 7:33 p.m., as there were no further comments from the public.

CONSENT AGENDA

1. Approval of Warrant Register Dated October 15, 2020.
2. Approval of Warrant Register Dated November 3, 2020.
3. Approval of Warrant Register Dated November 12, 2020.
4. Approval of Minutes of Meeting Held on August 25, 2020.
5. Approval of Minutes of Meeting Held on September 1, 2020.
6. Approval of Minutes of Meeting Held on September 15, 2020.
7. Approval of Minutes of Meeting Held on October 20, 2020.

Motion: M/S Baptista/Garcia to approve the Consent Agenda. The motion carried 4-0-1 by the following roll call vote:

AYES: Council Members: Baptista, Aguilar, Kang, and Garcia
NOES: Council Members: None
ABSENT: Council Members: Samra

DISCUSSION AND POTENTIAL ACTION ITEMS

8. Resolution Authorizing the City Manager or Designee to Execute a Contract Amendment with Hansford Economic Consulting for the Utilities Rate Study Development, as approved by the City Attorney.

City Manager Ramirez introduced this item.

Acting Mayor Aguilar opened and closed Public Comment at 7:36 p.m., as there were no comments from the public.

Council Member Kang asked if they could wait on the item for a few months because people have lost their jobs due to Covid-19.

City Manager Ramirez stated that staff would go in the direction that the council wants. However, he noted that staff recommends that they start the process because it will take time to come into effect. Mr. Ramirez stated that the council could continue the item if they think the public needs time. He pointed out that the more months they delay the process, it will make the situation direr for the City. Mr. Ramirez indicated that the City is getting to the point that they won't be able to execute the funding that they asked the state for to address some of the wells. He informed the council that they are not implementing any new fees but can implement new fees on January 1st of next year.

City Attorney Sanchez stated that the actual contract does not say that they are projecting to implement a new proposed rate in the spring of 2021. The consultant will provide the implications of waiting longer or doing it sooner. He noted that it will bring more information to the council if the City enters into the agreement right now.

City Manager Ramirez stated that they are looking at having three (3) different options.

Mayor Pro-Tem Garcia asked how much money the City would pay if they continue the contract and the price difference if they don't continue the contract.

Finance Director Portillo noted that the initial contract for the consultant was for \$55,000. Right now, with the budget amendment to continue the study, they are looking at an estimate of \$22,000. If they don't renew the contract with the consultant, they would be looking at \$55,000 to \$60,000.

Mayor Pro-Tem Garcia asked when did the contract expire. He wondered why the rush on the item when the water rates were not going to be in effect until next year.

Finance Director Portillo replied that the initial study had projections of the water rate to increase on May 1, 2020. However, due to the pandemic, they went in a different direction and put a halt to the increases. She noted that it's been six (6) months of not collecting the initial study's projected amounts.

City Manager Ramirez added that the City has been working with the residents. He noted that the city has about 130 to 150 residents that are several months behind (on their utilities), which is money that they are possibly not going to be able to collect. He noted that this puts the rest of the ratepayers in a predicament.

Mayor Pro-Tem Garcia stated that Ms. Portillo and Mr. Ramirez did not answer his question. He asked if the plan was not to raise water rates the first year of the study but raise them the second year.

City Manager Ramirez stated no. He noted that the solid waste was not going to take effect until January 1, 2020. Mr. Ramirez pointed out that due to the postponed rate increase, the time lapsed. He noted that they have to start the process all over.

Council Member Aguilar asked if the process of changing the fees were supposed to start back in May of 2020.

City Manager Ramirez stated that was correct. He noted that for the year 2019, there was not going to be an increase in solid waste.

Council Member Aguilar asked if the study was conducted back in 2019.

Finance Director Portillo said yes. She noted that the consultant brought the results of the study back in December of 2019. That is when they received the green light from the council to proceed with Proposition 218.

Council Member Baptista stated that since they have missed all of the 2019 projections, how would it impact the City. She asked where the money will come from since the City is not getting the funds projected by the rate increase.

Finance Director Portillo replied that when expenses exceed the revenue that they collect from user fees, they will have to tap into the reserves of the water fund. She noted that they have some reserve funds; however, those reserves have been allocated for projects that need to be completed in the water enterprise. Ms. Portillo stated that the City is chipping away the funds in the reserves for capital projects. Moreover, she noted that part of the study is to ensure that they will get a

base on how they are going to provide the services that residents need and provide the capital improvement projects that City infrastructure needs.

City Manager Ramirez added that the infrastructures need to get done. He noted that when the state implemented the NCL for TCP, they gave them a three-year window to address it. He pointed out that the state can sanction the City and if the City is not compliant with the 1.25 coverage ratio in the reserves, they will jeopardize accessing other monies.

Council Member Aguilar stated that it would be paid by the public because if the city takes money from the reserves and are unable to complete the major projects that ultimately affects the water quality of the City.

City Manager Ramirez stated that the public would end up paying more unless they get a grant, which is difficult. He noted that the percentage of the increase that needs to occur would be higher than what was presented on the first go around.

Council Member Aguilar pointed out that the item is not to increase the utility rates; it is to provide the City with information. He noted that he is for the update, recalculation, and the options that will be given to the new council to consider in the future. He pointed out that if they wait, they will need to restart the whole process, which will cost the City more money.

Motion: M/S Baptista/Aguilar to approve Resolution No. 2020-61, Authorizing the City Manager or Designee to Execute a Contract Amendment with Hansford Economic Consulting for the Utilities Rate Study Development, as approved by the City Attorney. The motion carried 3-1-1 by the following roll call vote:

AYES: Council Members: Baptista, Garcia, and Aguilar
NOES: Council Members: Kang
ABSENT: Council Members: Samra

9. Resolution Approving an Amendment to an Agreement with West Coast Consultants, Inc. (WC3) for Building Department Support Services to Extend the Agreement for an additional three (3) years, and Authorizing the City Manager to Execute Amendment.

City Manager Ramirez introduced this item.

Council Member Kang noted that when the fiscal budget was passed, the council decided on having three positions reduced to part-time. He asked if they can bring the positions back because businesses are complaining that they can't get permits on time due to staff working only three (3) days out of the week.

City Manager Ramirez replied that if the council wishes to bring the position back to full time, the City would have to do a budgetary amendment, and reserves would be used to implement that change.

Acting Mayor Aguilar opened and closed Public Comment at 7:57 p.m., as there were no comments from the public.

Council Member Aguilar asked if the item was only to extend the contract for three (3) years.

City Manager Ramirez stated yes. They are amending the contract for another three (3) years so that the City can continue to use all the services that they currently provide.

City Attorney Sanchez added that the original agreement is on the agenda packet, which provides the scope of work and pricing. He noted that a decision could be made to scale up or scale down services that would require a budget amendment, but the actual agreement covers the services. He noted that there is no increase in their compensation.

Motion: M/S Aguilar/Kang to approve Resolution No. 2020-62, Approving an Amendment to an Agreement with West Coast Consultants, Inc. (WC3) for Building Department Support Services to Extend the Agreement for an additional three (3) years, and Authorizing the City Manager to Execute Amendment. The motion carried 4-0-1 by the following roll call vote:

AYES: Council Members: Baptista, Garcia, Aguilar, and Kang
NOES: Council Members: None
ABSENT: Council Members: Samra

10. City Council Accept the bid for Audio and Visual Upgrades/Replacement in the City Council Chambers and Authorize the City Manager to Sign the Proposal/Agreement on Behalf of the City of Livingston.

City Manager Ramirez introduced this item.

Finance Director Portillo pointed out that the projector is not working today in the Council Chambers. She noted that this project would update all of the infrastructure and technology inside of the Council Chambers. She indicated that they would be able to use the CARES funding for this project.

Acting Mayor Aguilar opened and closed Public Comment at 8:02 p.m., as there were no comments from the public.

Council Member Aguilar stated that it is great that they have the opportunity to use grant money to update the system in the Council Chambers. He noted that it is important to be accessible and have good communication with the public.

Motion: M/S Garcia/Kang to Accept the bid for Audio and Visual Upgrades/Replacement in the City Council Chambers and Authorize the City Manager to Sign the Proposal/Agreement on Behalf of the City of Livingston. The motion carried 4-0-1 by the following roll call vote:

AYES: Council Members: Baptista, Garcia, Aguilar, and Kang
NOES: Council Members: None
ABSENT: Council Members: Samra

11. Discussion Regarding Conducting Council Meetings Physically Closed to the Public Due to COVID-19 and Pursuant to Governor's Executive Order N-29-20.

City Manager Ramirez introduced this item. He noted that most cities are limiting access to the Council Chambers because of the purple tier. Mr. Ramirez explained that the purple tier means that the spread (of covid-19) is out of control. He noted that they could limit it to twelve (12) people or have everyone call in if the council chooses.

Mayor Pro-Tem Garcia stated that the meetings should be closed to the public. He noted that they all have families to go home too and he does not want something to happen to their families. Mr. Garcia indicated that he does not want to feel responsible if something happens because they let

people in the meetings. Moreover, Mr. Garcia noted that he looks forward to working with the new system. Mr. Garcia requested that the meetings be closed to the general public until further notice.

Council Member Baptista stated that she would like to provide the citizens with an option of coming into the meetings. She noted that they will practice the protocols and will mitigate the county and state orders. Ms. Baptista pointed out that they are all adults and understand the risks. She requested the current covid-19 numbers.

City Manager Ramirez stated that he would provide her (Ms. Baptista) with the information requested.

Mayor Pro-Tem Garcia pointed out that yesterday's data showed three (3) more deaths in Merced County related to Covid-19.

Council Member Kang asked if all restaurants would be closed to residents now that the county is in the purple phase.

City Manager Ramirez stated yes. He noted that there would be no indoor dining.

Council Member Aguilar asked if that will take effect immediately.

City Manager Ramirez stated yes.

Council Member Kang stated that they should follow the county's rules. He noted that everything should be done by telephone or zoom.

Council Member Aguilar stated that he believes the public should have access to participate in the meetings. He noted that the covid-19 numbers have increased. Mr. Aguilar agrees that people should choose if they want to take the risk. However, Mr. Aguilar indicated that they are responsible for protecting the public, staff, and themselves. He noted that he would like to be uniform, so he suggested they follow the state and county guidelines and close the public meetings until it is less restrictive.

Acting Mayor Aguilar opened Public Comment at 8:13 p.m.

Diego Castillo asked how soon would the new audio system be installed. He noted that the current system makes it difficult to understand what people say. Mr. Castillo pointed out that during pre-Covid, they only had five to ten people at the Council Chambers.

Council Member Aguilar stated that he agrees that the meetings are poorly attended. He hopes to change that in the near future. He asked by when will they implement the new system.

City Manager Ramirez anticipates it taking about four weeks because some items need to be ordered. He noted that he would talk to the vendor to see if he can expedite the installation.

Acting Mayor Aguilar closed Public Comment at 8:15 p.m., as there were no further comments from the public.

Council Member Aguilar stated that most of them want to be cautious and follow the current status of being more restrictive.

Mayor Pro-Tem Garcia made a motion to have the council meetings closed to the public until further notice.

Council Member Baptista asked if this is just a discussion item.

City Attorney Sanchez stated that the item is just a discussion item.

Council Member Baptista stated that she believes they are all exercising their best judgment when it comes to risk factors, and they are following protocols as instructed. She noted that they are educating the public enough for them to understand the procedures. She indicated that some Council Members choose to come into the meetings, and some call in, so she would like the public to have the same options.

Mayor Pro-Tem Garcia asked if they could vote on the item today.

City Attorney Sanchez replied that it would have to be unanimous to add a matter too late to the agenda. He noted that most Council Members have brought up the issue and three (3) Council Members are for closing the meetings to the public. Mr. Sanchez indicated that the City Manager would be working with the Mayor to have that take place. He noted that they could put the item on the next agenda for a formal vote.

Council Member Aguilar stated that there are many factors to consider.

12. Discussion and Potential Direction Regarding Towing Service Regulations Ordinance.

City Manager Ramirez noted that the Mayor Pro-Tem requested this item. He asked Mr. Garcia if there was information he would like to share. Moreover, Mr. Ramirez said that there is an updated towing ordinance.

City Attorney Sanchez stated that the Mayor Pro-Tem wanted to know the status of the item. He noted that the item came before the council previously, and there was direction to staff to work on the item. Mr. Sanchez stated that staff started working on the item, but other priorities came up, so the item has not come back to the council. He said that he would like to hear from the council to see if this item is still a priority so they can keep moving forward.

Mayor Pro-Tem Garcia asked if the item is only a discussion item.

Council Member Aguilar stated yes.

Mayor Pro-Tem Garcia stated that he wants the item to move forward since it has been put off for a while now.

Acting Mayor Aguilar opened and closed Public Comment at 8:22 p.m., as there were no comments from the public.

Council Member Baptista asked if this item was for the City to utilize one towing service in Livingston and not allow others to come in.

City Attorney Sanchez believes it was two local towing companies.

Council Member Baptista asked who were the towing companies.

City Attorney Sanchez said that he is not sure.

Council Member Aguilar asked Mr. Ramirez if he recalled the towing companies.

City Manager Ramirez stated that the Espinoza family owns both companies. The husband owns one, and the wife owns the other. One is called Allways Towing.

Council Member Baptista asked what direction they are taking.

Mayor Pro-Tem Garcia stated that there are some issues in the original (document). He noted that Mayor Samra asked for the item to be brought back to the council with more information, but it has not been brought back. He asked for the item to be put on the agenda to get a "yes" or a "no" answer.

City Attorney Sanchez stated that the direction they received was to create or draft an ordinance similar to surrounding jurisdictions like Turlock, limiting the number of towing companies to be used based on the City's population.

Council Member Aguilar noted that he understands the need to resolve the item that came up to the council for discussion. Mr. Aguilar indicated that he is okay with bringing the item back for discussion. He stated that he understands that there are other priorities and other urgent matters, so he will leave it up to staff to prioritize.

Mayor Pro-Tem Garcia asked if they were going to move forward with the item.

Council Member Kang stated that if they decide to move the item forward, they could determine how Turlock has their ordinance.

Council Member Aguilar stated that the resolution would be based on the research conducted on surrounding communities.

City Manager Ramirez added that the current ordinance that they have before them is modeled after Turlock. He noted that Police Chief Soria, the City Attorney, and he worked on the item.

City Attorney Sanchez stated that the ordinance is not on the agenda packet. There was direction to work on it. He noted that they do have a draft ordinance that is based on the Turlock ordinance.

Council Member Aguilar stated that he would like the item to come back to the council for discussion to determine if it's a need. He asked staff members to prioritize with more urgent items.

ADJOURNMENT

The meeting was adjourned by consensus at approximately 8:31 p.m.

Deputy City Clerk of the City of Livingston

APPROVED:

Mayor or Mayor ProTempore

The written meeting minutes reflect a summary of specific actions taken by the City Council. They do not necessarily reflect all of the comments or dialogue leading up to the action. All meetings are digitally recorded and are an official record of the meeting's proceedings. Digitally recorded verbatim minutes are available upon request and may be obtained at Livingston City Hall.



MEETING MINUTES

REGULAR MEETING LIVINGSTON CITY COUNCIL DECEMBER 15, 2020

A Regular Meeting of the Livingston City Council was held on December 15, 2020, in the City Council Chambers with Mayor Samra presiding.

REGULAR MEETING

Mayor Samra called the meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE

The pledge of allegiance to the flag was recited.

ROLL CALL

- Mayor Gурpal Samra
- Mayor Pro-Tem Raul Garcia (via Teleconference)
- Council Member Maria Baptista-Soto
- Council Member Juan Aguilar (Excused Absence)
- Council Member Gagandeep Kang (via Teleconference)

CHANGES TO THE AGENDA

Item No.'s 1 and 3 were moved after the Consent Agenda.

INVOCATION

2. Livingston Police Chaplain Mike Outten, and Priest from Sikh Temple, Livingston.

Police Chaplain Mike Outten and a Priest from the Sikh Temple provided an invocation.

ANNOUNCEMENTS AND REPORTS

Supervisor Rodrigo Espinoza Announcements and Reports.

County Supervisor Espinoza thanked Mayor Samra, City Clerk Silva, and City Treasurer Ribeiro for all their years of service to the City of Livingston. Moreover, he congratulated the newly elected officials.

Mayor Samra indicated that over the years, it has been fun but challenging as well. He stated that he has faith in the new council. Mr. Samra informed Mr. Espinoza that it was a pleasure working with him and hopes he can continue working with him on another level. He also thanked Mr. Espinoza for his service in the community.

County Supervisor Espinoza thanked Mr. Samra.

Council Member Soto presented Mayor Samra with a plaque of recognition for all his years of service as Mayor and as Council Member in the City of Livingston.

Mayor Samra thanked Ms. Soto.

City Staff Announcements and Reports.

None.

City Manager Announcements and Reports.

None.

City Council Members' Announcements and Reports.

Council Member Kang complemented Ms. Benoit on the Christmas Parade. Moreover, he thanked the explorers for all their help.

Council Member Soto noted that the Christmas Parade was a great turnout. Moreover, Ms. Soto stated that she received an application for an appointment to be on the San Joaquin Valley Air Pollution Control District Governing Board. Lastly, Ms. Soto noted that the VFW would be back in session in January. On behalf of the VFW and auxiliary, she thanked everyone that came out for the funding efforts. She noted that there was a \$325,000 grant for the VFW. The funds will be used to upgrade the building and bring it up to code.

Mayor Pro-Tem Garcia noted that the Christmas Parade was a great turnout and thanked everyone for their hard work.

Mayor's Announcements and Reports.

Mayor Samra noted that the Christmas Parade was excellent. He thanked recreation and everyone that participated in the parade. Moreover, Mr. Samra stated that this is his last meeting as Mayor. He asked everyone, regardless of whom they voted for, to support the new Mayor and the new Council Members. Mr. Samra informed the elected officials that it is okay to have a difference of opinion but asked that they work together. Lastly, he thanked the community for allowing him to serve the City of Livingston.

PUBLIC HEARINGS

4. Public Hearing – Resolution Approving Site Plan and Design Review 2020-04, for Construction of a Duplex at 1835 F Street, Livingston, CA, Francisco Barboza; APN #: 024-184-014.

Mayor Samra announced that item no. 4 will be continued to the next regularly scheduled City Council Meeting.

City Manager Ramirez introduced this item.

Mayor Samra opened and closed Public Comments at 7:26 p.m., as there were no comments from the public.

Motion: M/S Garcia/Soto to continue the item to the next regularly scheduled City Council Meeting in January. The motion carried 4-0-1 by the following roll call vote:

AYES:	Council Members:	Samra, Soto, Garcia, and Kang
NOES:	Council Members:	None
ABSENT:	Council Members:	Aguilar

CITIZEN COMMENTS

Mayor Samra opened Citizen Comments at 7:27 p.m.

A resident (did not state name) asked why employees that work with the City Manager had modified schedules when Governor Newsom stated that Human Resources, billing, and finance are essential employees.

City Manager Ramirez replied that they do have modified schedules at City Hall. He noted that they rotate different employees so that way if there is an outbreak, they would not have all employees exposed. He pointed out that the City is following different types of protocols like taking temperatures and asking questions. Mr. Ramirez noted that they communicated to the essential employees not to have any contact with the public if possible. He indicated that they follow all protocols and take the disease (Covid-19) seriously. Moreover, he noted that City Hall is only open from 8:00 a.m. to 12:00 p.m. and they make appointments if necessary.

Fernando Reynoso stated that he has been a resident in the City of Livingston for 25 years. Moreover, he noted that he is pleased with the beautification project and Joel Aguilar's work. Lastly, Mr. Reynoso pointed out that on Veterans Day, there were flags of different branches of the military on the welcome sign. He asked if there is a way not to have the flags directly in front of custom art pieces representing the culture. He wondered if Memorial Park would be an appropriate venue for the flags.

City Manager Ramirez noted that they will consider his comments and will connect with the appropriate people so they can comment at a later time. He thanked Mr. Reynoso for his comments. He informed Mr. Reynoso that he could contact him at City Hall.

Julio Valadez thanked Mr. Samra for all his years of service. He noted that they worked together on many projects in the City, and Mr. Samra has been a part of many projects he (Mr. Valadez) has brought to the community. Mr. Valadez informed Mr. Samra that he appreciates him for being a great Mayor, and hopes he joins all the different events that the city puts together.

Mayor Samra closed Citizen Comments at 7:34 p.m., as there were no further comments from the public.

CONSENT AGENDA

5. Approval of Warrant Register Dated November 24, 2020.
6. Approval of Warrant Register Dated December 10, 2020.
7. Approval of Minutes of Meeting Held on October 6, 2020.
8. Resolution Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds.
9. Resolution Accepting Completion for the Winton Parkway Southbound Hwy 99 On-Ramp Project, Authorizing the Deputy City Clerk to file a Notice of Completion with Merced County, and Authorizing the City Manager to Make Final Payment of Retention Monies to Rolfe Construction, Inc.
10. Resolution Accepting Completion for the 2020 Slurry Seals Project, Authorizing the Deputy City Clerk to file a Notice of Completion with Merced County, and Authorizing the City Manager to Make Final Payment of Retention Monies to VSS International, Inc.

Motion: M/S Soto/Garcia to approve the Consent Agenda. The motion carried 4-0-1 by the following roll call vote:

AYES: Council Members: Samra, Kang, Soto, and Garcia
NOES: Council Members: None
ABSENT: Council Members: Aguilar

CONFIRMATION OF CANVASS OF MUNICIPAL ELECTION

- I. Resolution of the City Council of the City of Livingston Confirming the Canvass by the Merced County Registrar of Voters and Declaring the Results of the November 3, 2020 General Municipal Election.

City Attorney Taniguchi thanked Mayor Samra for all his years of service.

City Attorney Taniguchi introduced this item.

Mayor Samra stated for clarification that Maria Soto was re-elected for four (4) years.

Mayor Samra opened Public Comments at 7:39 p.m.

Rodrigo Espinoza congratulated the newly elected officials.

Mayor Samra closed Public Comments at 7:40 p.m.

Motion: M/S Samra/Kang to adopt Resolution No. 2020-66, Confirming the Canvass by the Merced County Registrar of Voters and Declaring the Results of the November 3, 2020 General Municipal Election. The motion carried 4-0-1 by the following roll call vote:

AYES: Council Members: Samra, Soto, Garcia, and Kang
NOES: Council Members: None
ABSENT: Council Members: Aguilar

OATHS OF OFFICE

3. City Clerk will administer the Oath of Office to Mayor-elect, Council Members-elect, Treasurer-elect, and City Clerk-elect.

Deputy City Clerk Cisneros administered the Oath of Office to the Treasurer-elect Katherine Schell Rodriguez, City Clerk-elect Leticia Vasquez-Zurita, and Council Members-elect Maria Baptista-Soto and Jose A. Moran.

ADJOURNMENT

The meeting was adjourned by consensus at approximately 7:56 p.m.

Deputy City Clerk of the City of Livingston

APPROVED:

Mayor or Mayor ProTempore

The written meeting minutes reflect a summary of specific actions taken by the City Council. They do not necessarily reflect all of the comments or dialogue leading up to the action. All meetings are digitally recorded and are an official record of the meeting's proceedings. Digitally recorded verbatim minutes are available upon request and may be obtained at Livingston City Hall.

STAFF REPORT

AGENDA ITEM: Resolution of the City Council of the City of Livingston Appointing Trevor T. Taniguchi as City Attorney and Approving the First Amendment to the Professional Services Agreement with the Law Firm of Meyers, Nave, Riback, Silver, & Wilson

MEETING DATE: February 2, 2021

PREPARED BY: Juan Aguilar, Jr., Mayor
Jose Antonio Ramirez, City Manager

REVIEWED BY: Jose Antonio Ramirez, City Manager

RECOMMENDATION:

Adopt Resolution No. 2021-___, Resolution of the City Council of the City of Livingston Appointing Trevor T. Taniguchi as City Attorney and Approving the First Amendment to the Professional Services Agreement with the Law Firm of Meyers, Nave, Riback, Silver, & Wilson.

BACKGROUND:

On March 1, 2011, the City Council appointed Jose M. Sanchez through the law firm Meyers, Nave, Riback, Silver, & Wilson (“Meyers Nave”) as City Attorney. Since that time, Mr. Sanchez has served as the City Attorney for the City of Livingston.

DISCUSSION:

At its January 19, 2021 regular meeting, the City Council reported out of Closed Session the appointment of Trevor T. Taniguchi as City Attorney, and Jose M. Sanchez as Special Counsel for the City of Livingston through the law firm Meyers Nave. The City Council made this appointment on a 4-0 vote with Council Member Kang absent.

The transition from Mr. Sanchez to Mr. Taniguchi provides the City with continuity of legal services, as well as ensuring critical institutional knowledge developed over the past 10 years of service is retained.

The proposed First Amendment to the Professional Services Agreement with Meyers Nave makes only technical revisions reflecting the change in City Attorney and Special Counsel.

ATTACHMENTS:

1. Resolution No. 2021-

RESOLUTION NO. 2021-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON APPOINTING
TREVOR T. TANIGUCHI AS CITY ATTORNEY
AND APPROVING THE FIRST AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH THE LAW FIRM OF
MEYERS, NAVE, RIBACK, SILVER & WILSON**

WHEREAS, on September 24, 2010, the City Council appointed Jose M. Sanchez, through the law firm of Meyers, Nave, Riback, Silver & Wilson (“Meyers Nave”), as the Interim City Attorney; and

WHEREAS, on March 1, 2011, the City Council appointed Jose M. Sanchez, through the law firm of Meyers Nave as the City Attorney; and

WHEREAS, the City Council now wishes to appoint Trevor T. Taniguchi through the law firm of Meyers Nave to serve as the City Attorney.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livingston, that:

1. The City Council hereby appoints Trevor T. Taniguchi through the law firm of Meyers Nave as the City Attorney.

2. The City Council hereby approves the First Amendment to the Professional Services Agreement with Meyers Nave (“First Amendment”), attached hereto as **Exhibit A**, and authorizes and directs the Mayor to sign the First Amendment on behalf of the City.

This Resolution shall take effect from and after the date of its passage. Passed and adopted by the City Council of the City of Livingston on February 2, 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Juan Aguilar, Jr., Mayor
of the City of Livingston

ATTEST:

I, Leticia Vasquez-Zurita, hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted at a meeting of the City Council of the City of Livingston this 2nd day of February, 2021.

Leticia Vasquez-Zurita, City Clerk
of the City of Livingston

3678997.2

EXHIBIT A

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (City Attorney and Special Counsel Services)

THIS FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT (the "First Amendment") is made and entered into on February 2, 2021, by and between the CITY OF LIVINGSTON ("City"), a California municipal corporation, and MEYERS, NAVE, RIBACK, SILVER & WILSON ("Meyers Nave"). City and Meyers Nave are hereafter Collectively referred to as the "Parties," and singularly as "Party."

RECITALS

WHEREAS, on September 24, 2010, City and Meyers Nave entered into a Professional Services Agreement for Meyers Nave to provide Interim City Attorney and Special Counsel legal services; and

WHEREAS, after months of serving as Interim City Attorney, on March 1, 2011, City and Meyers Nave entered into a Professional Services Agreement ("Agreement") having Meyers Nave provide services as City Attorney Legal Services; and

WHEREAS, Meyers Nave is specially trained, experienced, and competent to perform such services; and

WHEREAS, Jose M. Sanchez has served as City Attorney for City since the City and Meyers Nave entered into the Agreement; and

WHEREAS, City and Meyers Nave desire to amend the Agreement to list Trevor T. Taniguchi as City Attorney and Jose M. Sanchez as Special Counsel.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Amendment to Section 4.1.** Section 4.1, "Representative of MEYERS NAVE." of the Agreement is amended to read as follows:

"Representative of MEYERS NAVE. The following attorneys of MEYERS NAVE are hereby designated as being the attorneys and representatives of MEYERS NAVE authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith:

- a. **Trevor T. Taniguchi, City Attorney**
- b. **Jose M. Sanchez, Special Counsel"**

2. **Amendment to Exhibit A.** Exhibit A, "SCOPE OF CITY ATTORNEY AND SPECIAL COUNSEL SERVICES," of the Agreement is replaced with the Attached Exhibit A to this First Amendment in order to reflect the current representatives from Meyers Nave.

3. **Entire Agreement.** Except as expressly provided herein, all other terms and conditions of the Professional Services Agreement between the City and Meyers Nave, dated March 1, 2011, shall remain in full force and effect.

4. **Authority.** The person signing this First Amendment for Meyers Nave hereby represents and warrants that he/she is fully authorized to sign this First Amendment on behalf of Meyers Nave and to bind Meyers Nave to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the date set forth above.

CITY OF LIVINGSTON,
a municipal corporation

By: _____
Juan Aguilar, Jr., Mayor

ATTEST:

By: _____
Leticia Vasquez-Zurita, City Clerk

MEYERS, NAVE, RIBACK,
SILVER & WILSON

By: _____
Jose M. Sanchez, Principal

Exhibit A

SCOPE OF CITY ATTORNEY AND SPECIAL COUNSEL SERVICES

MEYERS NAVE, through the services of Trevor T. Taniguchi and Jose M. Sanchez, and those of such other attorneys of MEYERS NAVE as reasonable and necessary, shall provide all legal services usually and normally provided by City Attorneys. Such legal services shall include those services set forth below:

- Routine legal advice, telephone and personal consultations with the City Council, City Manager, department heads and/or authorized representatives.
- Assistance in the preparation and review of routine ordinances, resolutions, agreements, contracts, forms, notices, certificates, deeds, and other documents required by the CITY.
- Attendance at City Council regular and special meetings, study sessions as requested and closed sessions as required by the City Manager.
- Serve as legal counsel to such bodies or entities that may be created by the City Council, and which meet regularly, periodically or on an "as-needed" basis.
- Attendance at other City Council, board, commission, and committee meetings upon request of the City Manager.
- Attendance at City Manager's executive staff meetings, and meetings with City departmental staff upon request.
- Legal advice and opinions concerning those operational matters that affect the City upon request.
- Monitoring of pending and current State and Federal legislation and related court decisions, as appropriate.
- Cable TV rate regulations and FCC appeals.
- Legal Services on Formation of assessment districts or similar financing mechanisms, and foreclosures.
- Legal Services on Labor negotiations, Skelly hearings, disciplinary hearings, similar non-routine personnel matters, and matters leading to such proceedings.
- Real estate and land use matters, such as property acquisition and disposition.
- Specialized matters, such as comprehensive update of the City's general plan or zoning code, annexations, or Habitat Conservation Plan issues.
- Redevelopment services.
- Water rights and development issues related to water.
- Power company and energy matters.
- Special tax, assessments and public finance issues.
- Regulatory issues, CEQA, and environmental matters.
- Construction disputes, including pursuing performance bonds.
- Pitchess motions.
- Litigation, arbitration, mediation, administrative hearings, and related matters leading to such proceedings.
- Eminent domain proceedings and related matters leading to such proceedings.
- All private development/third party work whose costs may be recovered from any third party source, such as work related to applications for land use entitlements, work related to the adoption of development fees and work covered by contractual rights to attorneys' fees.

- The City Council, not City staff, is authorized to make any decisions to hire attorneys other than MEYERS NAVE to perform any of the CITY's legal services. The City Council wants MEYERS NAVE to be able to monitor and manage all of the CITY's legal services as the City's general counsel. The City Council, therefore, agrees that it will consult with MEYERS NAVE prior to any decision to hire other legal counsel.

3678555.5

STAFF REPORT

AGENDA ITEM: Resolution Authorizing the City of Livingston to Submit a Funding Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) for Two New Hybrid Electric Patrol Vehicles.

MEETING DATE: February 2, 2021

PREPARED BY: Deanna Soria, Administrative Services Manager – Police Department

REVIEWED BY: Vanessa Portillo, Finance Director

RECOMMENDATION:

Staff recommends City Council to adopt a resolution authorizing the City Manager to sign and file an application to the SJVAPCD for the purchase of two (2) hybrid electric vehicles for patrol.

BACKGROUND:

The SJVAPCD is currently providing funding opportunities under several components of its Public Benefit Grants (PBG) Program to local public agencies. The PBG program was developed and designed to meet the needs and challenges faced by the Valley’s public institutions by providing funds towards a wide variety of clean-air, public-benefit projects which will provide a direct benefit to Valley residents.

The New Alternative Fuel Vehicle Purchase component of the PBG Program provides funding for the purchase of new alternative fueled vehicles (Electric, Plug-In Hybrid, CNG, LNG, LPG, etc). Applications for this component are currently being accepted on a first-come, first-serve basis.

Through the grant’s approved vendors, the PBG Program offers a grant of up to \$20 thousand for each eligible new vehicle with a maximum grant of \$100 thousand per agency per calendar year.

DISCUSSION:

In Fiscal Year (FY) 2020/21, the City programmed to purchase two (2) new vehicles to serve the needs of the Police Department. These vehicles will replace two (2) units that have now reached their useful lives. Staff have received pricing on the 2021 Ford Interceptor Utility HEV SUV which are approved public safety vehicles through the SJVAPCD grant. The SJVAPCD grant funds provided by the PBG program will cover a large portion of the cost of the vehicles. The new vehicles are fuel efficient and will reduce air emissions.

The following is a cost breakdown for the vehicles:

DESCRIPTION	AMOUNT
2021 Ford Interceptor Utility HEV SUV (\$42,678.91 per unit)	\$85,357.82
SJVAPCD Grant (\$20,000 per vehicle)	(40,000)
City’s Cost (22,678.91 per unit)	\$45,357.82

FISCAL IMPACT:

The total costs of the two (2) cars will be approximately \$85 thousand offset by \$40 thousand from the SJVAPC grant for a City's net total of about \$45 thousand. City matching sources from the General Fund were included on FY 2020/21 Budget.

ATTACHMENTS:

1. Resolution 2021 - _____ titled: "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON AUTHORIZING THE CITY MANAGER TO SIGN AND FILE AN APPLICATION TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD) FOR THE PURCHASE OF TWO NEW HYBRID ELECTRIC VEHICLES."
2. Quote for two (2) 2021 Ford Police Interceptor Utility AWD HEV

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVINGSTON AUTHORIZING THE CITY MANAGER TO SIGN AND FILE AN APPLICATION TO THE SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD) FOR THE PURCHASE OF TWO NEW HYBRID ELECTRIC PATROL VEHICLES

WHEREAS, the San Joaquin Valley Air Pollution Control District (SJVAPCD) administers the Public Benefit Grant (PBG) program to provide funds to improve air quality; and

WHEREAS, the PBG program and a component for the purchase of new alternative fuel vehicles by public agencies; and

WHEREAS, the City wishes to acquire two new vehicles (2021 Ford Interceptor Utility HEV) to be used by the police department; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Livingston hereby resolves as follows:

1. The City Manager (the “Authorized Representative”) or designee is hereby authorized and directed to sign and file, for and on behalf of the Entity, an Application the SJVAPCD for the purchase of two new hybrid electric vehicles.
2. This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for application, including executing the agreement, make financial decisions, and implement the purchase of the new vehicles.

Passed and adopted this 2nd day of February, 2021, by the following vote:

AYES:

NOES:

ABSENT:

Juan Aguilar, Mayor
of the City of Livingston

ATTEST:

I, hereby certify that the foregoing resolution was regularly introduced, passed and adopted at a Regular Meeting of the City Council of the City of Livingston this 2nd day of February, 2021.

Leticia Vasquez-Zurita, City Clerk
of the City of Livingston



National Auto Fleet Group

A Division of Chevrolet of Watsonville

480 Auto Center Drive, Watsonville, CA 95078
 (855) 289-6572 • (831) 480-8497 Fax
 Fleet@NationalAutoFleetGroup.com

1/5/2021
 1/21/2021 Re-Configured

Quote ID: **15301 R1**

Order Cut Off Date: **TBA**

Ms Deanna Soria
 Livingston PD
 1446 C St.
 Livingston, California, 95334

Dear Deanna Soria,

National Auto Fleet Group is pleased to quote the following vehicle(s) for your consideration.
Two (2) New/Unused (2021 Ford Police Interceptor Utility (K8A) AWD, Factory Order) and delivered to your specified location, each for

	One Unit (MSRP)	One Unit	Total % Savings	Extended Unit's (2)	Total Savings
Contract Price	\$45,425.00	\$39,601.08	12.821 %	\$79,202.16	\$11,647.84
Factory Order	\$0.00	\$0.00		\$0.00	
Tax (7.7500 %)		\$3,069.08		\$6,138.16	
Tire fee		\$8.75		\$17.50	
Total		\$42,678.91		\$85,357.82	

- per the attached specifications.

This vehicle(s) is available under the **Sourcewell (Formerly Known as NJPA) Contract 120716-NAF** . Please reference this Contract number on all purchase orders to National Auto Fleet Group. Payment terms are Net 20 days after receipt of vehicle.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Jesse Cooper
 Account Manager
 Email: Fleet@NationalAutoFleetGroup.com
 Office: (855) 289-6572
 Fax: (831) 480-8497

Quoting Department
 Account Manager
 Fleet@NationalAutoFleetGroup.com
 (855) 289-6572



GMC

In order to Finalize your Quote, please submit this purchase packet to your governing body for Purchase Order Approval. Once you issue a Purchase Order please send by:

Fax: (831) 480-8497

**Mail: National Auto Fleet Group
490 Auto Center Drive
Watsonville, CA 95076**

Email: Fleet@NationalAutoFleetGroup.com

We will then send a W-9 if you need one

**Please contact our main office with any questions:
1-855-289-6572**

Vehicle Configuration Options

ENGINE	
Code	Description
99W	ENGINE: 3.3L V6 DIRECT-INJECTION HYBRID SYSTEM, -inc: (136-MPH top speed) (STD)
TRANSMISSION	
Code	Description
44B	TRANSMISSION: 10-SPEED AUTOMATIC, (STD)
PRIMARY PAINT	
Code	Description
UM	AGATE BLACK
PAINT SCHEME	
Code	Description
___	STANDARD PAINT
SEAT TYPE	
Code	Description
96	CHARCOAL BLACK, UNIQUE HD CLOTH FRONT BUCKET SEATS W/VINYL REAR, -inc: reduced bolsters, driver 6-way power track (fore/aft, up/down, tilt w/manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks
AXLE RATIO	
Code	Description
___	3.73 AXLE RATIO, (STD)
ADDITIONAL EQUIPMENT	
Code	Description
67U	ULTIMATE WIRING PACKAGE, -inc: wiring harness instrument panel to rear cargo area (overlay), (2) light cables - supports up to (6) LED lights (engine compartment/grille), (1) 10-amp siren/speaker circuit engine compartment and rear hatch/cargo area wiring - supports up to (6) rear LED lights, Does not include LED lights, side connectors or controller, Rear Console Plate, Contours through 2nd row; channel for wiring, Grille LED Lights, Siren & Speaker Pre-Wiring
47A	POLICE ENGINE IDLE FEATURE, -inc: This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle, Allows the key to be removed from ignition while vehicle remains idling
19K	H8 AGM BATTERY (850 CCA/92-AMP)
76D	UNDERBODY DEFLECTOR PLATE, -inc: Engine and transmission shield

51V	DUAL (DRIVER & PASSENGER) LED SPOT LAMPS (WHELEN)
153	FRONT LICENSE PLATE BRACKET
86T	TAIL LAMP/POLICE INTERCEPTOR HOUSING ONLY, -inc: Pre-existing holes w/standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies)
59E	KEYED ALIKE - 1435X
52P	HIDDEN DOOR-LOCK PLUNGER, -inc: rear-door controls inoperable (locks, handles and windows), Note: Can manually remove window or door disable plate w/special tool, Note: Locks/windows operable from driver's door switches
68G	REAR-DOOR CONTROLS INOPERABLE, -inc: Locks, handles and windows, Note: Can manually remove window or door disable plate w/special tool, Note: Locks/windows operable from driver's door switches
18D	GLOBAL LOCK/UNLOCK FEATURE, -inc: Door-panel switches will lock/unlock all doors and rear liftgate, Eliminates overhead console liftgate unlock switch and 45-second timer, Also eliminates the blue liftgate release button if ordered w/remote keyless entry
43D	DARK CAR FEATURE, -inc: Courtesy lamps disabled when any door is opened
61B	OBD-II SPLIT CONNECTOR, -inc: Allows up to 2 devices to be connected to the vehicle's OBD-II port
67V	FRONT & REAR POLICE WIRE HARNESS CONNECTOR KIT, -inc: For connectivity to Ford PI Package solutions includes front (2) male 4-pin connectors for siren, (5) female 4-pin connectors for lighting/siren/speaker, (1) 4-pin IP connector for speakers, (1) 4-pin IP connector for siren controller connectivity, (1) 8-pin sealed connector, (1) 14-pin IP connector, rear (2) male 4-pin connectors for siren, (5) female 4-pin connectors for lighting/siren/speaker, (1) 4-pin IP connector for speakers, (1) 4-pin IP connector for siren controller connectivity, (1) 8-pin sealed connector and (1) 14-pin IP connector
60A	GRILLE LED LIGHTS, SIREN & SPEAKER PRE-WIRING
68E	LOW-BAND FREQUENCY NOISE SUPPRESSION KIT, -inc: Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF low band - channel 1-9), Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range
85R	REAR CONSOLE PLATE, -inc: Contours through 2nd row; channel for wiring
68B	POLICE PERIMETER ALERT, -inc: Detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I, Doors will lock and windows will automatically go up at level II, visual display in instrument cluster w/tracking
OPTION PACKAGE	
Code	Description
500A	ORDER CODE 500A

2021 Fleet/Non-Retail Ford Police Interceptor Utility AWD

WINDOW STICKER

2021 Ford Police Interceptor Utility AWD		
CODE	MODEL	MSRP
K8A	2021 Ford Police Interceptor Utility AWD	\$40,845.00
	OPTIONS	
99W	ENGINE: 3.3L V6 DIRECT-INJECTION HYBRID SYSTEM, -inc: (136-MPH top speed) (STD)	\$0.00
44B	TRANSMISSION: 10-SPEED AUTOMATIC, (STD)	\$0.00
UM	AGATE BLACK	\$0.00
—	STANDARD PAINT	\$0.00
96	CHARCOAL BLACK, UNIQUE HD CLOTH FRONT BUCKET SEATS W/VINYL REAR, -inc: reduced bolsters, driver 6-way power track (fore/aft, up/down, tilt w/manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks	\$0.00
—	3.73 AXLE RATIO, (STD)	\$0.00
67U	ULTIMATE WIRING PACKAGE, -inc: wiring harness instrument panel to rear cargo area (overlay), (2) light cables - supports up to (6) LED lights (engine compartment/grille), (1) 10-amp siren/speaker circuit engine compartment and rear hatch/cargo area wiring - supports up to (6) rear LED lights, Does not include LED lights, side connectors or controller, Rear Console Plate, Contours through 2nd row; channel for wiring, Grille LED Lights, Siren & Speaker Pre-Wiring	\$560.00
47A	POLICE ENGINE IDLE FEATURE, -inc: This feature allows you to leave the engine running and prevents your vehicle from unauthorized use when outside of your vehicle, Allows the key to be removed from ignition while vehicle remains idling	\$260.00
19K	H8 AGM BATTERY (850 CCA/92-AMP)	\$110.00
76D	UNDERBODY DEFLECTOR PLATE, -inc: Engine and transmission shield	\$335.00
51V	DUAL (DRIVER & PASSENGER) LED SPOT LAMPS (WHELEN)	\$665.00
153	FRONT LICENSE PLATE BRACKET	\$0.00
86T	TAIL LAMP/POLICE INTERCEPTOR HOUSING ONLY, -inc: Pre-existing holes w/standard twist lock sealed capability (does not include LED strobe) (eliminates need to drill housing assemblies)	\$60.00
59E	KEYED ALIKE - 1435X	\$50.00
52P	HIDDEN DOOR-LOCK PLUNGER, -inc: rear-door controls inoperable (locks, handles and windows), Note: Can manually remove window or door disable plate w/special tool, Note: Locks/windows operable from driver's door switches	\$160.00
68G	REAR-DOOR CONTROLS INOPERABLE, -inc: Locks, handles and windows, Note: Can manually remove window or door disable plate w/special tool, Note: Locks/windows operable from driver's door switches	\$0.00
18D	GLOBAL LOCK/UNLOCK FEATURE, -inc: Door-panel switches will lock/unlock all doors and rear liftgate, Eliminates overhead console liftgate unlock switch and 45-second timer, Also eliminates the blue liftgate release button if ordered w/remote keyless entry	\$0.00
43D	DARK CAR FEATURE, -inc: Courtesy lamps disabled when any door is opened	\$25.00
61B	OBD-II SPLIT CONNECTOR, -inc: Allows up to 2 devices to be connected to the vehicle's OBD-II port	\$55.00
67V	FRONT & REAR POLICE WIRE HARNESS CONNECTOR KIT, -inc: For connectivity to Ford PI Package solutions includes front (2) male 4-pin connectors for siren, (5) female 4-pin connectors	\$185.00

for lighting/siren/speaker, (1) 4-pin IP connector for speakers, (1) 4-pin IP connector for siren controller connectivity, (1) 8-pin sealed connector, (1) 14-pin IP connector, rear (2) male 4-pin connectors for siren, (5) female 4-pin connectors for lighting/siren/speaker, (1) 4-pin IP connector for speakers, (1) 4-pin IP connector for siren controller connectivity, (1) 8-pin sealed connector and (1) 14-pin IP connector

60A	GRILLE LED LIGHTS, SIREN & SPEAKER PRE-WIRING	INC
68E	LOW-BAND FREQUENCY NOISE SUPPRESSION KIT, -inc: Recommended for agencies that operate radio equipment in the 39-46 MHz frequency range (VHF low band - channel 1-9), Provides noise suppression for in-car two-way radio communication devices in the 39-46 MHz frequency range	\$195.00
85R	REAR CONSOLE PLATE, -inc: Contours through 2nd row; channel for wiring	INC
68B	POLICE PERIMETER ALERT, -inc: Detects motion in an approximately 270-degree radius on sides and back of vehicle; if movement is determined to be a threat, chime will sound at level I, Doors will lock and windows will automatically go up at level II, visual display in instrument cluster w/tracking	\$675.00
500A	ORDER CODE 500A	\$0.00

Please note selected options override standard equipment

SUBTOTAL	\$44,180.00
Advert/ Adjustments	\$0.00
Manufacturer Destination Charge	\$1,245.00
TOTAL PRICE	\$45,425.00

Est City: N/A MPG
 Est Highway: N/A MPG
 Est Highway Cruising Range: N/A mi

Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

Standard Equipment

MECHANICAL

Engine: 3.3L V6 Direct-Injection Hybrid System -inc: (136-MPH top speed)
Transmission: 10-Speed Automatic
3.73 Axle Ratio
GVWR: 6,840 lbs (3,103 kgs)
50 State Emission System Flexible Fuel Vehicle (FFV) system is standard equipment for vehicles equipped with the 3.3L V6 Direct-Injection engine.
Transmission w/Oil Cooler
Automatic Full-Time All-Wheel
Engine Oil Cooler
80-Amp/Hr 800CCA Maintenance-Free Battery
Hybrid Electric Motor 220 Amp Alternator
Class III Towing Equipment -inc: Hitch
Trailer Wiring Harness
Police/Fire
1670# Maximum Payload
Gas-Pressurized Shock Absorbers
Front And Rear Anti-Roll Bars
Electric Power-Assist Steering
19 Gal. Fuel Tank
Dual Stainless Steel Exhaust
Permanent Locking Hubs
Strut Front Suspension w/Coil Springs
Multi-Link Rear Suspension w/Coil Springs
Regenerative 4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control
Lithium Ion Traction Battery

EXTERIOR

Wheels: 18" x 8" 5-Spoke Painted Black Steel -inc: polished stainless steel hub cover and center caps
Tires: 255/60R18 AS BSW
Steel Spare Wheel
Spare Tire Mounted Inside Under Cargo
Clearcoat Paint
Body-Colored Front Bumper w/Black Rub Strip/Fascia Accent and 1 Tow Hook
Body-Colored Rear Bumper w/Black Rub Strip/Fascia Accent
Body-Colored Bodyside Cladding and Black Wheel Well Trim

Black Side Windows Trim and Black Front Windshield Trim
Black Door Handles
Black Power Side Mirrors w/Convex Spotter and Manual Folding
Fixed Rear Window w/Fixed Interval Wiper, Heated Wiper Park and Defroster
Deep Tinted Glass
Speed Sensitive Variable Intermittent Wipers
Galvanized Steel/Aluminum Panels
Lip Spoiler
Black Grille
Liftgate Rear Cargo Access
Tailgate/Rear Door Lock Included w/Power Door Locks
Fully Automatic Projector Beam Led Low/High Beam Headlamps
LED Brakelights

ENTERTAINMENT

Radio: AM/FM/MP3 Capable -inc: clock, 4-speakers, Bluetooth interface w/hands-free voice command support (compatible w/most Bluetooth connected mobile devices), 1 USB port and 4.2" color LCD screen center stack smart display
Radio w/Seek-Scan, Speed Compensated Volume Control and Steering Wheel Controls
Integrated Roof Antenna
1 LCD Monitor In The Front

INTERIOR

8-Way Driver Seat
Passenger Seat
35-30-35 Folding Split-Bench Front Facing Fold Forward Seatback Rear Seat
Manual Tilt/Telescoping Steering Column
Gauges -inc: Speedometer, Odometer, Engine Coolant Temp, Tachometer, Engine Hour Meter, Traction Battery Level, Trip Odometer and Trip Computer
Power Rear Windows and Fixed 3rd Row Windows
Ford Fleet Telematics Selective Service Internet Access
Remote Releases -Inc: Power Cargo Access
Cruise Control w/Steering Wheel Controls
Dual Zone Front Automatic Air Conditioning
HVAC -inc: Underseat Ducts
Locking Glove Box
Driver Foot Rest
Unique HD Cloth Front Bucket Seats w/Vinyl Rear -inc: reduced bolsters, driver 6-way power track (fore/aft, up/down, tilt w/manual recline, 2-way manual lumbar), passenger 2-way manual track (fore/aft, w/manual recline) and built-in steel intrusion plates in both driver/passenger seatbacks

Interior Trim -inc: Metal-Look Instrument Panel Insert, Metal-Look Door Panel Insert and Metal-Look Interior Accents
Full Cloth Headliner
Urethane Gear Shifter Material
Day-Night Rearview Mirror
Driver And Passenger Visor Vanity Mirrors
Mini Overhead Console w/Storage and 2 12V DC Power Outlets
Front And Rear Map Lights
Fade-To-Off Interior Lighting
Full Vinyl/Rubber Floor Covering
Carpet Floor Trim
Cargo Features -inc: Cargo Tray/Organizer
Cargo Space Lights
Dashboard Storage, Driver And Passenger Door Bins
Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down
Delayed Accessory Power
Power Door Locks
Systems Monitor
Redundant Digital Speedometer
Trip Computer
Analog Display
Seats w/Vinyl Back Material
Manual Adjustable Front Head Restraints and Manual Adjustable Rear Head Restraints
2 12V DC Power Outlets
Air Filtration

SAFETY

Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control
Side Impact Beams
Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Tire Specific Low Tire Pressure Warning
Dual Stage Driver And Passenger Front Airbags
Curtain 1st And 2nd Row Airbags
Airbag Occupancy Sensor
Passenger Knee Airbag
Rear Child Safety Locks
Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point, Height Adjusters and Pretensioners
Back-Up Camera w/Washer

STAFF REPORT

AGENDA ITEM: Discussion on Utility Rate Study Timeline
MEETING DATE: February 2, 2021
PREPARED BY: Vanessa L. Portillo, Finance Director
REVIEWED BY: Jose Antonio Ramirez, City Manager

BACKGROUND:

On November 17, 2020, City Council approved continuing with the Rate Study efforts to evaluate the water, sewer, and sanitation rates.

The rate study is a long and complex process which evaluates historical information as well as long term needs for the City’s utilities. The City completed a Rate Study Report in May 2020; however, the rates proposed were not adopted at the time. Having most of the historical information gathered, the Rate Study consultant (Hansford Economics) is able to update the projections and provide a new report.

The timeline to consider adopting new rates effective with the June-2021 billing period is as follows:

PROJECT:	LIVINGSTON UTILITY RATES
Task	June Bill Implementation
Council Packet Due	3/30/21
Presentation to Council & Approval to Send Out Rate Increase Notices	4/6/21
Last Day to Mail Out Notices (45 day period begins)	4/16/21
Public Workshops	Late April
Council Final Packet Due	5/25/21
Public Hearing (Adoption of Resolution)	6/1/21
New Rates Applied to this month’s bills*	June
<i>*Billing cycle is usually from 12th-12th of the month.</i>	

FISCAL IMPACT:

Expenditures related to the Rate Study have been budgeted in Fiscal Year 2020/21.

RATE STUDY TIMELINE



PROJECT:	LIVINGSTON UTILITY RATES
Task	June Bill Implementation
Council Packet Due	3/30/21
Presentation to Council & Approval to Send Out Rate Increase Notices	4/6/21
Last Day to Mail Out Notices (45 day period begins)	4/16/21
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