



(ACT) ACTION NEEDED
(INF) INFORMATION ONLY
(DIS) DISCRETIONARY

AGENDA

**REGULAR MEETING OF THE CITY COUNCIL
NEEDLES PUBLIC UTILITY AUTHORITY
HOUSING AUTHORITY CITY OF NEEDLES
CITY OF NEEDLES, CALIFORNIA
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES**

**TUESDAY, SEPTEMBER, 12, 2023
COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 PM**

THE PUBLIC MAY ATTEND VIA TEAMS AND MAY SUBMIT ANY COMMENTS IN WRITING PRIOR TO NOON ON THE DAY OF THE MEETING BY EMAILING djones@cityofneedles.com

TO JOIN THE LIVE TEAMS MEETING: log into the City of Needles website at www.cityofneedles.com to access the agenda and [Click here to join the meeting](#)

If asked, enter the following: Meeting ID: 165 020 131#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 165 020 131#
The meetings are being recorded.**

CALL TO ORDER
ROLL CALL

RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA / HACN MEETING

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS (A three-minute time limit per person has been established.)

RECESS TO EXECUTIVE SESSION

EXECUTIVE SESSION

- a) NPUA / COUNCIL: Conference with Legal Counsel regarding existing litigation pursuant to Government Code §54956.9(d)(1) (one case: Rio Buena Vista Assoc. Et. Al. v. City of Needles: Case Number CIVSB 2028439)
- b) NPUA / COUNCIL: Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code §54956.9(d)(4). (one potential case)
- c) COUNCIL: Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4). One case
- d) COUNCIL: Conference with real property negotiator pursuant to Government Code §54956.8: Agency negotiator City Manager Rick Daniels or his designee. Negotiating Parties are the City of Needles as the potential lessor and The LAMAR Companies as the potential lessee of the property located on APN 0186-201-03-0000 generally located near Arizona Avenue and I-40. Under negotiations are the price and terms

EXECUTIVE SESSION – Report by City Attorney

CALL TO ORDER
ROLL CALL
PLEDGE OF ALLEGIANCE
INVOCATION
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS
CITY ATTORNEY – Parliamentary Procedures

As a courtesy to those in attendance, we would ask that cell phones be turned off or set in their silent mode. Thank you

PUBLIC APPEARANCE - Persons wishing to address the City Council / NPUA / HACN on subjects other than those scheduled are requested to do so at this time. When called by the Mayor, please announce your name and address for the record. In order to conduct a timely meeting, a three-minute time limit per person has been established by Municipal Code Section 2-18. Amendments to the California Government Code Section 54950 prohibits the City Council from taking action on a specific item until it appears on the agenda.

PRESENTATIONS

(A ten-minute time limit per presentation has been established per Municipal Code Section 2-18.)

- 1) Administer Oath of Office to Nancy Huff, Director of Development Services and Angelica Deerner, Housing Authority Manager

PUBLIC COMMENTS PERTAINING TO THE HACN / COUNCIL ITEMS

A three-minute time limit per person has been established.

HACN / COUNCIL CONSENT CALENDAR: All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The Mayor or any member of the HACN / City Council may pull an item from the Consent Calendar for discussion. Prior to HACN / Council action, a member of the public may address the HACN / City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 2 through 3 on the Consent Calendar by affirmative roll call vote. (ACT)

- 2) Authorize implementation of new policy for pre-employment background checks of prospective employees in the position of Maintenance Construction Worker assigned to the Housing Authority of the City of Needles
- 3) Waive the reading and adopt Resolution No. 2023-53 naming the Needles City Manager as the Executive Director of the Housing Authority of the City of Needles

End of Consent

PUBLIC HEARINGS

- 4) COUNCIL: Public hearing noticed to consider all evidence and testimony for or against an update to the Needles Zoning Code Development Standards has been **continued to October 10, 2023**
- 5) COUNCIL: Public hearing noticed to consider all evidence and testimony for or against amending Section 13-44 to prohibit stopping, standing or parking at the Electric Vehicle Charging Stations unless the vehicle is connected for electric charging
 - Staff Report

- Council Questions of Staff
- Mayor to open the public hearing
- Public Comment
- Mayor to close the public hearing
- Council Discussion / Deliberation
- Ordinance No. 664-AC amending Section 13-44 to prohibit stopping, standing or parking at the Electric Vehicle Charging Stations unless the vehicle is connected for electric charging violators are subject to towing (ACT)

- 6) **HOUSING AUTHORITY:** Public hearing noticed to consider all evidence and testimony for or against the Housing Authority Civil Rights Certification Housing Plan
- Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Accept and File the Civil Rights Certification with the United States Department of Housing and Urban Development (ACT)

PUBLIC COMMENTS PERTAINING TO THE COUNCIL / NPUA ITEMS

A three-minute time limit per person has been established.

NPUA / COUNCIL CONSENT CALENDAR: All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The Mayor or any member of the NPUA / City Council may pull an item from the Consent Calendar for discussion. Prior to NPUA / Council action, a member of the public may address the NPUA / City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 7 through 9 on the Consent Calendar by affirmative roll call vote. (ACT)

- 7) Accept the AB32 Greenhouse Gas (GHG) Emission Verification Report 2022 Emissions prepared by WZI Inc. and authorize the Mayor to send a letter to CARB and requesting a review of the unintended financial hardship and provide relief to avoid such financial hardship
- 8) Authorize Brooks Consulting Electrical Engineering support services for FY24 not to exceed \$15,000 to be funded by electric operations and maintenance budget
- 9) Adopt the Energy Efficiency Rebate Program dated September 12, 2023

End of Consent

ADJOURN THE JOINT COUNCIL / NPUA / HACN MEETING AND RECONVENE THE CITY COUNCIL MEETING

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS

A three-minute time limit per person has been established.

CONSENT CALENDAR All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The Mayor or any member of the City Council may pull an item from the Consent Calendar for discussion. Prior to Council action, a member of the public may address the City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **RECOMMENDED ACTION:** Approve Items 10 through 23 on the Consent Calendar by affirmative roll call vote. (ACT)

- 10) Approve the Warrants Registers dated August 22 and September 12, 2023
- 11) Approve the Minutes of August 8, 2023
- 12) Approve Second Amendment to On-Call Development Review Consulting Services Agreement between the City and Michael Baker International for Planning Consultant Services in the amount not to exceed \$80,000
- 13) Waive the reading and adopt Resolution No. 2023-50 authorizing the city manager or his designee, the community services manager, to purchase one (1) 18-Passenger Transit Vehicle for use by the Needles Area Transit budgeted at \$170,000 to be reimbursed by SBCTA
- 14) Waive the reading and adopt resolution No. 2023-49 approving the Title VI Compliance Plan for the Needles Area Transit
- 15) Ratify the agreement with Nichols Consulting to continue applying for State of California reimbursements for state mandated costs to the city, increase the General Fund FY 24 by \$52,493, approve the 20 percent contingency of \$10,500 payable to Nichols Consulting and future revenue and expenses as needed
- 16) Authorize the Mayor to sign a petition supporting Senate Bill 14 to combat human trafficking
- 17) Approve a single source purchase from Vintage Vehicle Restorations Inc for \$16,775, sales tax of \$1,301 and estimated shipping of \$500 for a total of \$18,576 for the Fire Truck restoration using funds from the general fund reserves
- 18) Award the base bid for the Jack Smith Park Walking / Biking Trail Improvements project to Western Construction Specialist, Inc. for a total bid amount of \$134,965.30, total project cost of \$148,462 including 10% contingency, funded by a grant awarded by the California Department of Parks and Recreation through the 2018 Parks Bond Act per capital program and authorize staff to execute a Public Works Agreement with the Contractor and issue a Notice of Award and Notice to Proceed
- 19) Award the base bid for the Duke Watkins Park Pump Track project to Three Peaks Corp. for a total bid amount of \$534,716 funded by a grant awarded by the Statewide Park Development and Community Revitalization Program and authorize staff to execute a Public Works Agreement and issue a Notice of Award and Notice to Proceed
- 20) Waive the reading and adopt Resolution No. 2023-54 accepting the purchase and sale agreement between the city and Robert Raskin, representative of Colorado River Properties LLC, with respect to the real property located at the Southeast Corner of East South Lake Drive and South Riverfront Parkway, Mohave Valley, Arizona also known as Mohave County Assessor's Parcel No. 216-14-007
- 21) Ratify the action taken by the City Manager to accept grant funding for the City Hazard Mitigation Plan update from the California Governor's Office of Emergency Services (Cal OES) for the FEMA Hazard Mitigation Grant Program (HMGP) and waive the reading and adopt Resolution No. 2023-52 for Designation of Applicant's Agent to execute for and on behalf of the City for the purpose of obtaining Federal Financial Assistance for any existing or future grant program listed in the resolution
- 22) Waive the reading and adopt Resolution No. 2023-51 authorizing the city manager or designee to submit an application and accept funding for Strategic Growth Council (SGC) under the Community Resilience Center (CRC) Program

- 23) Authorize the Mayor to send a letter in support of Permanent Implementation of Daylight Savings Time

END OF CONSENT CALENDAR

REGULAR COUNCIL ITEMS

- 24) Waive the reading and adopt Ordinance No. 662-AC amending Chapter 9 "Fire Protection" Section 9-1 to adopt the San Bernardino County Fire Protection District Fire Ordinance FPD 23-01 referencing its version of the 2022 Edition of the California Fire Code subject to modifications referenced herein and rescinding prior Ordinance No. 630-AC (2nd reading – publish) (ACT)
- 25) Provide staff direction regarding parking alternatives for the El Garces on "G" Street and Front Street (ACT)
- 26) Provide staff direction regarding parking alternatives on Lilly Hill Drive west of Clary Drive (ACT)
- 27) Provide staff direction on Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two Family Residential Zone), APN 0185-233-55 located behind 1335 Lilly Hill Drive and consider possible sale (ACT)
- 28) Provide staff direction regarding the El Garces operational policies and procedures (ACT)
- 29) Concur with the creation of a Utility Manager position, setting employment terms and conditions, and endorse the City Manager's intent to appoint Rainie Torrance as Utility Manager effective October 6, 2023 – salary \$185,000 as adjusted by the city manager on an annual basis in compliance with SB1436 and incorporate into the salary schedule for FY 2023-2024 budget (ACT)

Presentation to City Manager Rick Daniels

CITY ATTORNEY REPORT

CITY CLERK REPORT

CITY MANAGER REPORT

COUNCIL REQUESTS

Councilmember Campbell
Councilmember McCorkle
Vice Mayor Merritt
Council Member Pogue
Councilmember Longbrake
Mayor Jernigan

ADJOURNMENT

INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT: [HTTP://WWW.CITYOFNEEDLES.COM](http://www.cityofneedles.com)

Posted: September 8, 2023

SB 343-DOCUMENTS RELATED TO OPEN SESSION AGENDAS -- Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the City Clerk's Office, 817 Third Street, Needles, CA 92363.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (760) 326-2113 ext 145. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-104 ADA Title II).

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting.

Dated this 8th day of September, 2023

/s/ Dale Jones, CMC, City Clerk