



(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, AUGUST 8, 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: 968 079 881#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 968 079 881#
The meetings are being recorded.**

CALL TO ORDER

ROLL CALL Councilmember Belt has requested an excused absence

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) Conference with Legal Counsel – Anticipated Litigation (Gov't Code § 54956.9(d)(4)) In re: 2033 Flora Vista, APN 0185-252-18-0000
- b) Conference with Legal Counsel – Anticipated Litigation (Gov't Code § 54956.9(d)(4)) In re: 1932 Erin Drive, APN 0185-171-27-0000
- c) Conference with Labor Negotiator pursuant to California Government Code §54957.6-Personnel - Agency Representative City Manager Rick Daniels or his designee - Employee Organizations Teamsters Local 1932
- d) Conference with Real Property Negotiators Pursuant to California Government Code §54956.8 Real Property: 3.18-acre vacant parcel described as generally located on the Southeast Corner of E. South Lake Drive and S. Riverfront Pkwy, Mohave Valley, AZ, APN 216-14-007. Agency Negotiator: City Manager Rick Daniels or his designee. Negotiating Parties: City of Needles as potential seller and Robert Raskin as potential buyer. Under Negotiation: Price and Terms of Payment

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) Assistant Fire Marshal Curtis Markloff, San Bernardino County Fire Protection District, will be making a presentation regarding the County Fire Ordinance FPD 23-01 (INF)
- 2) Chamber of Commerce update on Visitor Center (INF)

PUBLIC HEARING

- 3) Public hearing noticed to consider all evidence and testimony for or against amending Chapter 9 “Fire Protection” by adopting the San Bernardino County Fire Protection District Fire Ordinance FPD 23-01
 - Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Applicant Comments
 - Comments in Favor
 - Comments Opposed
 - Applicant Rebuttal
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - 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 (ACT)

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

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 4 through 7 on the Consent Calendar by affirmative roll call vote. (ACT)

- 4) Accept Changer Order No. 3 for work to be completed by Cora Constructors, Inc. for the "L" Street Water Booster Project and authorize staff to execute said Change Order and issue a Notice of Completion to record with the San Bernardino County Recorder's Office
- 5) Award contract to Vasquez & Company LLP for professional auditing services to perform the FY23 and FY24 NPUA Audits
- 6) Authorize a replacement motor for Well #15 from Weber not to exceed \$28,250 and a sand trap from Air Treatment Corporation not to exceed \$20,000 utilizing the water asset replacement fund
- 7) Authorize the City Manager to execute Agreement Number 87-BCA-10098, Exhibit A-1, Revision No. 11 to the Parker-Davis Project allocation

End of Consent

ADJOURN THE JOINT COUNCIL / NPUA MEETING AND CONVENE A HOUSING AUTHORITY (HACN) / COUNCIL MEETING

CALL TO ORDER (Roll Call previously taken)

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 8 through 10 on the Consent Calendar by affirmative roll call vote. (ACT)

- 8) Accept and file the Housing Authority of the City of Needles fiscal year ended June 30, 2022 Audit Report completed by Smith Marion & Co.
- 9) Waive the bid process and retain Smith Marion & Co., for the Housing Authority Audit for Fiscal Year ending June 30, 2023 in an amount not to exceed \$17,408 as it would be beneficial to continue with the auditing firm familiar with the Housing Authority operations
- 10) Waive the reading and adopt Resolution No. 2023-45 establishing the Housing Commission meeting days and time

End of Consent

ADJOURN THE JOINT HOUSING AUTHORITY (HACN) / COUNCIL MEETING AND RECONVENE COUNCIL MEETING

CALL TO ORDER (Roll Call previously taken)

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 11 through 22 on the Consent Calendar by affirmative roll call vote. (ACT)

- 11) Approve the Warrants Register dated July 25 and August 8, 2023
- 12) Approve the Minutes of July 11, 2023
- 13) Accept the 2024 Employee Benefits Plan
- 14) Accept Notice of Completion for work completed by Final Touch Construction and Design Inc. for the Tenant Improvements / Office Space 2023 project and authorize a Notice of Completion to record with the San Bernardino County Recorder's Office
- 15) Accept Notice of Completion for work completed by Tony Cossi Construction for the Recreation Center Purchase and Installation of Acoustical Absorptive Wall Panels Project and authorize a Notice of Completion to record with the San Bernardino County Recorder's office
- 16) Waive the reading and adopt Resolution No. 2023-46 approving an amendment to Resolution No. 2021-57 extending the Professional Services Agreement with Touchstone Golf, LLC for a term of 3 years in the amount not to exceed the current management fee of \$52,000 per year plus incentives
- 17) Approve filing of a claim for Local Transportation Fund (LTF) and State Transit Assistance (STA) Fund for the fiscal year 2023-2024
- 18) Accept the First Amendment to the Professional Services Agreement with TKE Engineering, Inc. to provide on-call supplemental engineering consulting support services not to exceed \$25,000 and authorize staff to issue a Notice to Proceed
- 19) Accept Proposal for a Contract Amendment from TKE Engineering, Inc. to provide professional consulting services for the Development Impact Fee Update for a not to exceed amount of \$18,700, task total not to exceed \$87,100, and authorize staff to execute an amendment to the task between the City and TKE Engineering for said work
- 20) Waive the reading and adopt Resolution No. 2023-47 approving an Employment Agreement with Nancy Huff for Director of Development Services Exempt Position setting a base salary of \$86,444 in compliance with SB1436 and incorporate into the salary schedule for F/Y 2023-2024
- 21) Authorize the annual golf course seed purchase from Simplot Turf & Horticulture, Las Vegas, in the amount of \$37,206.08 using the 2023-2024 Golf Maintenance Seed budget
- 22) Waive the reading and adopt Resolution No. 2023-48 authorizing the mayor or her designee to execute right-of-way certifications for the City of Needles Oberholte Water Service Replacement and Street Improvements Project

END OF CONSENT CALENDAR

REGULAR COUNCIL ITEMS

- 23) Study Session to review amendments to the City Municipal Code and corresponding Land Use Table (DIS)
- 24) Authorize those interested to attend the ICSC Western Event at the San Diego Convention Center on October 25-27, 2023 (ACT)

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: August 4, 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 4th day of August, 2023

/s/ Dale Jones, CMC, City Clerk