



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

A G E N D A

REGULAR MEETING OF THE CITY COUNCIL
NEEDLES PUBLIC UTILITY AUTHORITY
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, OCTOBER 11, 2022
COUNCIL EXECUTIVE SESSION – **5:00 P.M.**
CITY COUNCIL MEETING – **6:00 P.M.**
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

AUTHORIZED BY AB 361

THE MAYOR AND COUNCIL MEMBERS MAY BE ATTENDING THIS MEETING VIA
***** MICROSOFT TEAMS *****

**THE PUBLIC MAY ALSO 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: 345 339 320#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 345 339 320#
The meetings are being recorded. - MASKS ARE ENCOURAGED**

CALL TO ORDER
ROLL CALL

RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING
CALL TO ORDER (Roll Call previously taken)

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

RECESS TO EXECUTIVE SESSION

- a) 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
- b) Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3): one potential case

- c) NPUA / COUNCIL: Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9(d)(1) (one case: Rio Buena Vista Assoc. Et. Al. v. City of Needles: Case Number CIVSB 2028439)

EXECUTIVE SESSION – Report by City Attorney

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
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 NPUA / City Council 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) Frontier representative Douglas R. McAllister, Vice President, External Affairs to give a PowerPoint presentation regarding Frontier Fiber capabilities for Needles residents (INF)
- 2) PowerPoint presentation by Projects Manager Kathy Raasch regarding Capital Improvement Projects (CIP) Project List / Status (INF)

NPUA / COUNCIL

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

- 3) NPUA / COUNCIL: Report on electric meter misreads and billing errors for months of July, August and September 2022 and provide staff direction (ACT)
- 4) NPUA / COUNCIL: Approve the maximum allowable 5% cost-of-living (COLA) increase in water and wastewater basic service charge rates as of November 1, 2022 (ACT)
- 5) NPUA / COUNCIL: Approve a 5% cost-of-living (COLA) increase in electric basic service charge rates as of November 1, 2022; and approve the methodology to calculate the annual electric base rate and the power cost adjustment rate based on the rate calculation spreadsheets (ACT)

ADJOURN THE JOINT NPUA / CITY COUNCIL MEETING AND RECONVENE COUNCIL

CALL TO ORDER (Roll Call previously taken)

PUBLIC HEARINGS

- 6) Public hearing noticed to consider all evidence and testimony for or against amending the Appendix to the Conflict of Interest Code pursuant to the Political Reform Act of 1974
 - Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Resolution No. 2022-71 rescinding Resolution No. 2019-81 and approving and adopting an amended Appendix to the Conflict of Interest Code pursuant to the Political Reform Act of 1974 (ACT)
- 7) Public hearing noticed to consider all evidence and testimony for or against an ordinance amending Chapter 12 “Licenses” adding Section 12-56.1 “Mobile Food Vendors”
 - 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. 655-AC amending Chapter 12 “Licenses” of the Needles Municipal Code adding Section 12-56-1 ‘Mobile Food Vendors’ (1st reading – post) (ACT)

RECESS THE COUNCIL MEETING - CONVENE SARDA MEETING

CALL TO ORDER (Roll Call previously taken)

PUBLIC COMMENTS PERTAINING TO THE SARDA ITEM (A three-minute time limit per person has been established.)

- 8) Approve Resolution No. 10-11-2022-SARDA Successor Agency to the Redevelopment Agency approving an amendment to Resolution No. 09-10-2019-SARDA a Purchase Agreement between the Successor Agency and Demira Investment LLC by assigning the Purchase Agreement from Demira Investment LLC to EVC Partners LLC with respect to the real property located on Ice Plant Road (APN 0186-222-11-0000 formerly known as 0186-222-07-0000) (ACT)

ADJOURN THE SARDA MEETING AND RECONVENE THE CITY COUNCIL MEETING

CALL TO ORDER (Roll Call previously taken)

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

- 9) Approve the Warrants Registers through September 27, 2022, and October 11, 2022
- 10) Waive the reading and adopt Ordinance No. 653-AC amending Section 13-29, Article IV, Operations of Vehicles of the Needles Municipal Code to decrease the Prima Facie Speed Limits on two roadway segments within the city (2nd reading – adopt)
- 11) Waive the reading and adopt Ordinance No. 654-AC amending Chapter 15A Recreation Area Use of the Needles Municipal Code renaming First and Second Beach to Bob Belt Beach Park (2nd reading – adopt)

- 12) Authorize California Consulting to write a grant application to the California Public Utilities Commission (CPUC) Local Agency Technical Assistance (LATA) to support any local Broadband provided needing Technical Assistance to expand Broadband in Needles not to exceed \$9,000 to be funded by the City's Coronavirus State and Local Fiscal Recovery Funds (SLFRF) allocation
- 13) Waive the reading and adopt Resolution 2022-68 confirming and adopting an itemized statement of cost for abatement of property located at 110 Market Street, also known as APN 0185-066-26-0000, and file said resolution with the County Recorder placing a lien on the property
- 14) Waive the reading and adopt Resolution No. 2022-69 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Executive Order N-09-21, and authorizing remote teleconference meetings of the legislative bodies of the City of Needles for the period of October 17, 2022 – November 15, 2022, pursuant to provisions of the Ralph M. Brown Act
- 15) Accept the cost increase for "Final Design" by the Arizona Department of Transportation (ADOT) for the Needles Bridge Rehabilitation Project under the Intergovernmental Agreement (IGA) in the amount of \$2,000. Funds to be expended from General Fund Reserves and be reimbursed by a grant administered by Caltrans from the Highway Bridge Program (HBP) at 88.53%
- 16) Accept TKE Engineer's Proposal for Professional Engineering Services for the Design of Well No. 11 to Well No. 15 Waterline Intertie Project in the amount not to exceed \$140,700 to be funded by the State Water Resources Control Board
- 17) Accept TKE Engineering proposal to provide Engineering Services for the design of the Golf Course Irrigation Efficiency Project, Phase 1 in the amount not to exceed \$25,800 and authorize staff to execute a new task between City & TKE Engineering for said work
- 18) Accept TKE Engineer's proposal for assistance with the preparation of an application for grant funding through Caltrans for the Highway Safety Improvement Program (HSIP) Cycle 11 and authorize the transfer of funds from reserves to the Engineering budget in FY 23 not to exceed \$14,900.
- 19) Accept a portion of the bid from Pacific Tide Construction, Inc. in the amount of \$128,650.61 to complete the Purchase and Installation of Shade Structures Over Spectator Seating for Nikki Bunch and Duke Watkins Ball Parks project and authorize staff to execute a Cooperative Funding Agreement with the Needles Unified School District in the amount of \$77,121.13 for reimbursement of 3 structures to be installed at Nikki Bunch ball field
- 20) Approve the Annual Seed Purchase for Rivers Edge Golf Course from Simplot Turf & Horticulture Las Vegas in the amount of \$22,412.00
- 21) Authorize a one-time transfer of \$200,000 into the General Fund Road Infrastructure account and allocate \$4,400 to the Women's Club of Needles to be funded by the City's Coronavirus State and Local Fiscal Recovery Funds (SLFRF) allocation
- 22) Waive the reading and adopt Resolution No. 2022-62 approving an Amendment to Resolution No. 2013-5 Amending the Use Permit between the City of Needles and County of San Bernardino for the City-owned property located at 1111 Bailey Avenue

End of Consent

REGULAR ITEM - None

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Campbell
Councilmember Evans
Councilmember Merritt
Vice Mayor Paget
Councilmember Belt
Councilmember Longacre
Mayor Williams

ADJOURNMENT

**INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL
IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT**

<http://www.cityofneedles.com>

Posted October 7, 2022

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 7th day of October 2022

Dale Jones, CMC, City Clerk