



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

A G E N D A

ADJOURNED REGULAR MEETING OF THE CITY COUNCIL
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, AUGUST 30, 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: 881 762 638#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 881 762 638#
The meetings are being recorded. - MASKS ARE ENCOURAGED**

CALL TO ORDER
ROLL CALL

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 Legal Counsel - Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3)
- b) Conference with Legal Counsel – Anticipated Litigation regarding significant exposure to litigation Pursuant to Government Code § 54956.9(d)(2) and/or (3): one potential case related to claim received August 22, 2022 from attorney for John James Bresnahan Zeinaty related to alleged April 29, 2022 dog bite incident

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) Presentation by Captain Ross Tarangle of the 2021 City of Needles Annual Crime Statistics (INF)
- 2) Chamber of Commerce to introduce their new board and executive board members and an update on the El Garces Visitor Center (INF)

August 30, 2022

- 28) Presentation by Minagar & Associates regarding the Local Roadway Safety Plan (LRSP) dated August 10, 2022
Adopt the Minagar & Associates Local Roadway Safety Plan (LRSP) dated August 10, 2022 (ACT)

PUBLIC HEARING

- 3) Public hearing noticed to consider all evidence and testimony for or against approval of Ordinance No. 652-AC, amending the Needles Municipal Code (NMC) Section 96.08 "Dwelling Unit" adding "Accessory Dwelling Unit" and Section 96.00 "Table of Permissible Uses"
 - 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. 652-AC amending the Needles Municipal Code (NMC) Section 96.08 "Dwelling Unit" adding "Accessory Dwelling Unit" and Section 96.00 "Table of Permissible Uses" (1st reading – post) (ACT)

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

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

- 4) NPUA / COUNCIL: Authorize the purchase of reconditioned transformers size 25 KVA to 750 KVA pole and pad mounted, single and three phase not to exceed \$120,000 from T&R Electric, funds available in FY23 electric department operations and maintenance
- 5) NPUA / COUNCIL: Accept the WZI Inc. AB32 Greenhouse Gas (GHG) Verification Report 2021 Emissions
- 6) NPUA / COUNCIL: California Public Utilities Commission's (CPUC) Needles Public Utility Authority electric distribution system 2022 audit (INF)
- 7) NPUA / COUNCIL: Authorize a pilot Turf Removal Program not to exceed \$16,000 for FY22/23 utilizing the Public Education funds from the Water Department
- 8) NPUA / COUNCIL: Update on the Electric and Water Automatic Metering Project (INF)

End of Consent

ADJOURN THE JOINT NPUA / COUNCIL MEETING - RECONVENE THE CITY COUNCIL MEETING

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 23 on the Consent Calendar by affirmative roll call vote. (ACT)

- 9) Approve the Warrants Register through August 9, 2022
- 10) Waive the reading and adopt Resolution 2022-57 confirming and adopting an itemized statement of cost for abatement of property located at 1229 Desert Drive, also known as APN 0650-423-04-0000, and file said resolution with the County Recorder placing a lien on the property
- 11) Waive the reading and adopt Resolution 2022-58 confirming and adopting an itemized statement of cost for abatement of property located at 2234 Casa Real Street, also known as APN 0185-351-45-0000, and file said resolution with the County Recorder placing a lien on the property
- 12) Waive the reading and adopt Resolution 2022-59 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
- 13) Waive the reading and adopt Resolution No. 2022-63 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 August 18, 2022 – September 16, 2022, pursuant to provisions of the Ralph M. Brown Act
- 14) Revised Schedule A of the County of San Bernardino Law Enforcement Services Contract No. 99-376 reflecting additional costs based on new labor negotiations for law enforcement staff (INF)
- 15) Accept the bid from WESTCO ANIXTER in an amount not to exceed \$30,529.88 to purchase 28 LED Light Structures using Capital Electric Funds in the amount of \$15,264.94 and the School District will be invoiced for \$15,264.94 and authorize staff to issue a Notice of Award and Notice to Proceed for the purchase

- 16) Accept the Clean California Local Grant Program Restricted Grant Agreement No. CCL-5220-009 in the amount of \$2,179,702 and authorize a FY 22/23 revenue and expenditure increase
- 17) Accept TKE Engineer's Proposal for Design Work of Marina Beach Park (AKA: 1st & 2nd Beach) using funds from the Clean California Local Grant Program in the amount not to exceed \$264,064 and authorize staff to execute a new task between City and TKE Engineering for said work
- 18) Approve filing of a claim for Local Transportation Fund (LTF) and State Transit Assistance (STA) Fund for fiscal year 2022-2023
- 19) Waive the reading and adopt Resolution No. 2022-61 adopting the Measure I Five-Year Capital Improvement Plan for fiscal years 2023-2027
- 20) Waive the reading and adopt Resolution No. 2022-60 approving the "Ambie's Sweet Shop" Economic Development Program Application in an amount not to exceed \$12,652 to the non-cannabis business located at 109 F Street
- 21) Accept the Calendar Year 2023 Employee Benefits Plan costs for the city
- 22) Approve a full-time Account Clerk I job description to be added to the Authorized Position list and fund from reserves
- 23) Accept the bid from Christensen Brothers Engineering, Inc for base bid items for the Phase III Water Service Replacement and Street Improvements with a total bid amount of \$1,831,850 and a total project cost of \$2,083,373.90 including a 10% contingency, using funds from FY2023 General Fund Public Works Street Improvements and authorize staff to issue a Notice of Award and Notice to Proceed

End of Consent

REGULAR ITEM

- 24) Authorize the allocation of the second tranche of the State and Local Fiscal Recovery Funds (SLFRF) as follows: Replace revenue lost due to the pandemic, Transient Occupancy Tax (TOT) \$127,362, Sales tax \$17,042, replace \$2,500 pledged by Legacy for youth program, \$2,500 for San Bernardino County Sheriff (SBCS) for youth program, \$16,011 to recover FEMA grant expenditures not reimbursed and request council direction to allocate the balance of \$429,767 to general reserve (ACT)
- 25) Authorize Councilmember Campbell and those interested to attend the Innovating Commerce Serving Communities (ICSC) Event at the San Diego Convention Center on September 28-30, 2022 (ACT)
- 26) Authorize those interested to attend the California Cannabis Control Summit to be held on October 12-13, 2022, at the Hilton Sacramento Arden West (ACT)
- 27) Discussion regarding a proposed date, location, and budget for an Employee Appreciation Event (ACT)

August 30, 2022 additional agenda items:

PRESENTATION – Agenda Item 28 moved to after agenda item 2

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

PUBLIC HEARING

- 29) Public hearing noticed to consider all evidence and testimony for or against an ~~increase~~-decrease of the prima facie speed limits on East Broadway Street (Cibola St to I-40 Overpass) and West Park Road (National Old Trails Road to Needles Highway) has been **continued to September 13, 2022**

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 30 through 40 on the Consent Calendar by affirmative roll call vote. (ACT)

- 30) Approve the Warrants Register through August 30, 2022
- 31) Approve the minutes of April 4, April 8, April 12, April 26, May 10, May 20 and May 24
- 32) Accept the State Water Resource Control Board (SWRCB) Agreement No. SWRCB0000000000D1902030 Amendment No. 2 grant funds in the amount of \$14,247,995 for the Lillyhill Booster, L Street Booster, manifold replacement, Well No 16 Treatment Plant, a backup generator for Well No. 15, service laterals and main changeouts and covers
- 33) Accept the bid from Cora Construction for Schedule Bid Item B to construct a new L Street Water Booster Station on L Street and Highland in the amount of \$838,695, total project cost is \$1,079,635 using funds from Agreement No. SWRCB0000000000D1902030 and direct staff to issue a Notice of Award and Notice to Proceed
- 34) Accept the increase in an amount of \$214,824 for construction work by Arizona Department of Transportation (ADOT) under the Intergovernmental Agreement for the Needles Bridge Deck Rehabilitation Project using funds from general fund reserves with 88.53% being reimbursed by Caltrans under the Highway Bridge Program (HBP)
- 35) Authorize the transfer of funds from reserves to the Public Works budget in FY 23 not to exceed \$96,446 for the purchase of a 74 HP skip loader from Sonsray Machinery
- 36) Waive the reading and adopt Resolution No. 2022-64 approving a First Amendment to the Agreement between the City of Needles and Needles Unified School District for a Sheriff's Service Specialist for additional funding in the amount of \$1,390 for the 2022-2023 school year, city's portion from COPS fund
- 37) Award the bid to Eberhard Equipment for a 2019 Jacobsen Mower not to exceed \$24,712 funded out of the golf course irrigation budget
- 38) Authorize \$314,000 for labor for contracted emergency crew Petrelli to repair multiple powerlines on the I-40 near River Road exit; \$25,000 in material and \$35,000 to procure replacement poles borrowed from the City of Vernon for the River Road Transmission Crossing damage repair funded by the electric operating budget and file a claim with the city's insurance

- 39) Authorize Route 66 Broadband, formally known as Golden Valley Cable Company, to install internet services to communicate with the Advanced Metering Infrastructure (AMI) Project not to exceed \$24,000 using a portion of the electric contingency funds from the approved project
- 40) Award a contract to HdL Companies to perform Cannabis Tax Audits for calendar years 2021 and 2022 in an estimated cost of \$160,000 using budgeted funds FY23 of \$69,600 and the balance of \$90,400 from general fund reserves

End of Consent

REGULAR ITEMS

- 41) Authorize those interested in attending the 2022 San Bernardino County State of the County at the Ontario Convention Center on October 5, 2022 at an approximate cost of \$404 per councilmember (ACT)
- 42) Provide council direction on the League of California Cities proposed resolution to be considered at the League Conference - Resolution relating to Amendments to the Cal Cities Bylaws (ACT)

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 August 26, 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 26th day of August 2022

Dale Jones, CMC, City Clerk