

MINUTES

**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 PM
CITY COUNCIL MEETING – 6:00 PM**

CALL TO ORDER - Mayor Jernigan called the meeting to order at 5:02 pm
ROLL CALL

PRESENT

Council Member Ellen Campbell (arrived at 5:03 pm)
Council Member Jamie McCorkle
Vice Mayor Kirsten Merritt
Mayor Janet Jernigan
Council Member JoAnne Pogue
Council Member Henry Longbrake

ABSENT

Council Member Tona Belt

Also in attendance were Assistant City Manager Patrick Martinez, Deputy City Attorney Lena Wade (via Teams), City Clerk Dale Jones, and Assistant City Clerk Candace Clark.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS - None

RECESSED TO EXECUTIVE SESSION at 5:02 pm

EXECUTIVE SESSION

Council Member Longbrake declared a conflict on a) as he lives in close proximity of this property
Council Member Campbell arrived at 5:03 pm

- a) Conference with Legal Counsel – Anticipated Litigation (Gov't Code § 54956.9(d)(4)) In re: 2033 Flora Vista, APN 0185-252-18-0000 – No Reportable Action

Council Member Longbrake joined Executive Session at 5:11 pm

- b) Conference with Legal Counsel – Anticipated Litigation (Gov't Code § 54956.9(d)(4)) In re: 1932 Erin Drive, APN 0185-171-27-0000 - No Reportable Action

- 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 - No Reportable Action

- 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 - No Reportable Action

EXECUTIVE SESSION - Report by Deputy City Attorney Lena Wade as noted above

CALL TO ORDER – Mayor Jernigan called the meeting to order at 6:00 pm

ROLL CALL

PRESENT

Council Member Ellen Campbell (arrived at 5:03 pm)
 Council Member Jamie McCorkle
 Vice Mayor Kirsten Merritt
 Mayor Janet Jernigan
 Council Member JoAnne Pogue
 Council Member Henry Longbrake

ABSENT

Council Member Tona Belt

Vice Mayor Merritt moved, second by Councilmember Campbell to grant an excused absence for Councilmember Belt - council voted unanimously

PLEDGE OF ALLEGIANCE led by Mayor Jernigan

INVOCATION given by Council Member Campbell

APPROVAL OF AGENDA

Council Member Campbell moved, second by Council Member Longbrake to approve the agenda.

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue and Longbrake

Noes: None

Absent: Council Member Belt

CONFLICT OF INTEREST - None

CORRESPONDENCE - None

INTRODUCTIONS - Mayor Jernigan recognized former Councilmember Tim Terral, Golf Pro/General Manager JJ DeLeon, and Code Enforcement Officer Adrian Chavez

CITY ATTORNEY – Parliamentary Procedures given by Deputy City Attorney Lena Wade

PUBLIC APPEARANCE

Judy Thornton reported on the two new businesses in Needles -Jolted and Uncle Bud's Eatery; museum has been open 3 days a week throughout the summer and has seen a number of visitors and conducted a number of tours; reported that someone recorded one of the tours and expressed concerned.

PRESENTATIONS

1. Presentation given by Assistant Fire Marshal Curtis Markloff, San Bernardino County Fire Protection District, regarding the County Fire Ordinance FPD 23-01
2. Chamber of Commerce update on Visitor Center given by Wayne Colburn

PUBLIC HEARINGS

3. Public hearing held 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

Assistant City Manager Patrick Martinez reported, council asked questions and minimal discussion ensued.

Mayor Jernigan opened the public hearing at 6:13 pm

No Public Comment

Mayor Jernigan closed the public hearing at 6:13 pm

Council Member Campbell moved, second by Vice Mayor Merritt to approve 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. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue and Longbrake
 Noes: None
 Absent: Council Member Belt

RECESSED THE CITY COUNCIL MEETING AND CONVENED A JOINT COUNCIL / NPUA MEETING

CALL TO ORDER (Roll Call Previously Taken)

PUBLIC COMMENTS PERTAINING TO THE NPUA/COUNCIL ITEMS - None

NPUA / COUNCIL CONSENT CALENDAR

Member/Council Member Pogue pulled item 6 for clarification. Assistant City Manager Patrick Martinez reported and Member/Council Member Campbell moved, second by Member/Councilmember McCorkle to approve NPUA/Council consent items 4 – 7. Motion carried by the following roll call vote:

Ayes: Member/Council Members Campbell, McCorkle, Merritt, Jernigan, Pogue and Longbrake
 Noes: None
 Absent: Member/Council Member Belt

4. Accepted Changer Order No. 3 for work to be completed by Cora Constructors, Inc. for the "L" Street Water Booster Project and authorized staff to execute said Change Order and issue a Notice of Completion to record with the San Bernardino County Records Office
5. Awarded contract to Vasquez & Company LLP for professional auditing services to perform the FY 23 and FY24 NPUA Audits
6. Authorized 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. Authorized the City Manager to execute Agreement Number 87-BCA-10098, Exhibit A-1, Revision No. 11 to the Parker-Davis Project allocation

END OF NPUA CONSENT CALENDAR

ADJOURNED THE JOINT NPUA/COUNCIL MEETING AND CONVENED A JOINT COUNCIL/HOUSING AUTHORITY (HACN) MEETING at 6:25 p.m.

CALL TO ORDER (Roll Call Previously Taken)

PUBLIC COMMENTS PERTAINING TO THE HACN/COUNCIL ITEMS - None

COUNCIL / HACN CONSENT CALENDAR

Member/Council Member Pogue moved, second by Member/Council Member Campbell to approve HACN/Council consent items 8-10. Motion carried by the following roll call vote:

Ayes: Member/Council Members Campbell, McCorkle, Merritt, Jernigan, Pogue and Longbrake
 Noes: None
 Absent: Member/Council Member Belt

8. Accepted and filed the Housing Authority of the City of Needles fiscal year ended June 30, 2022 Audit Report completed by Smith Marion & Co.
9. Waived the bid process and retained 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. Waived the reading and adopted Resolution No. 2023-45 establishing the Housing Commission meeting days and time

END OF HACN / COUNCIL CONSENT CALENDAR**ADJOURNED THE HOUSING AUTHORITY OF THE CITY OF NEEDLES MEETING AND RECONVENED THE CITY COUNCIL MEETING at 6:26 p.m.**

CALL TO ORDER (Roll Call Previously Taken)

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS - None**COUNCIL CONSENT CALENDAR**

Mayor Jernigan pulled Consent Item 20 for discussion and Assistant City Manager Patrick Martinez gave report. Council Member McCorkle moved, second by Council Member Campbell to approve Items 11-22 on the consent calendar. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue and Longbrake

Noes: None

Absent: Council Member Belt

11. Approved the Warrants Register dated July 25 and August 8, 2023
12. Approved the Minutes of July 11, 2023
13. Accepted the 2024 Employee Benefits Plan
14. Accepted Notice of Completion for work completed by Final Touch Construction and Design Inc. for the Tenant Improvements / Office Space 2023 project and authorized a Notice of Completion to record with the San Bernardino County Records Office
15. Accepted Notice of Completion for work completed by Tony Cossi Construction for the Recreation Center Purchase and Installation of Acoustical Absorptive Wall Panels Project and authorized a Notice of Completion to record with the San Bernardino County Recorder's office
16. Waived the reading and adopted 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. Approved filing of a claim for Local Transportation Fund (LTF) and State Transit Assistance (STA) Fund for the fiscal year 2023-2024
18. Accepted 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 authorized staff to issue a Notice to Proceed
19. Accepted 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, total not to exceed \$87,100, and authorized staff to execute an amendment to the task between the City and TKE Engineering for aid work
20. Waived the reading and adopted 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. Authorized the annual seed purchase from Simplot Turf & Horticulture, Las Vegas, in the amount of \$37,206.08 using the 2023-2024 Golf Maintenance Seed budget
22. Waived the reading and adopted Resolution No. 2023-48 authorizing the mayor or her designee to execute right-of-way certifications for the City of Needles Obernolte Water Service Replacement and Street Improvements Project

END OF COUNCIL CONSENT CALENDAR**REGULAR COUNCIL ITEMS**

23. Study Session held to Review amendments to the City Municipal Code and corresponding Land Use Table

Assistant City Manager Patrick Martinez gave background information and reported on the feedback from the Planning Commission. Presentation given by Michael Baker Inc.

Council had questions of staff and considerable discussion ensued.

24. Authorized Councilmembers Campbell, Longbrake, and Assistant City Manager Patrick Martinez to attend the ICSC Western Event at the San Diego Convention Center on October 25-27, 2023.

Vice Mayor Merritt moved, second by Council Member McCorkle to authorize Council Members Campbell, Longbrake, and Assistant City Manager Patrick Martinez to attend the ICSC Western Event at the San Diego Convention Center on October 25-27, 2023.

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue and Longbrake

Noes: None

Absent: Council Member Belt

CITY ATTORNEY REPORT

Deputy City Attorney Lena Wade had nothing to report

CITY CLERK REPORT

Given by City Clerk Dale Jones

CITY MANAGER REPORT

Given by Assistant City Manager Patrick Martinez

COUNCIL REQUESTS

Councilmember Campbell gave an update on former Mayor Jeff Williams; asked if the cameras at Duke Watkins are sufficient for law enforcement; suggested the city install cameras on both sides of the K Street underpass

Councilmember McCorkle announced two new businesses opened in Needles; Jolted & Uncle Bud's Eatery and encouraged everyone to support local businesses; commended city staff, especially public works, for prompt attention to water leaks.

Vice Mayor Merritt acknowledged the council travel budget and suggested limiting the number of council members attending each event; invited everyone to visit the Needles Museum.

Council Member Pogue expressed well wishes for Jeff Williams; commented on the K Street bridge signs with pictures and less words for easier reading driving by

Councilmember Longbrake reported that Rite Aid air conditioning is being worked on; suggested contacting the resident who has a camera near the K Street Bridge about putting another one on the other side; reported that a rental truck hit a telephone pole near the K street bridge when backing up and the pole seemed to move a bit, requested staff look into it; reported several streets that seem to be eroding – Market, I, Bush, and Collins; requested the city open the books on El Garces and the tour charges and asked why El Garces and Santa Fe Park have the same address, but are two separate entities.

Mayor Jernigan reported on the Taiwan Veterans of Affairs Council event; Dawn Rowe toured the city and visited the pool, animal shelter, Set Free, and attended the Chamber breakfast; asked about addressing the bathrooms at the 19th hole and golf course.

ADJOURNMENT

Mayor Jernigan adjourned the meeting at 7:45 pm

ATTEST:


Mayor Jernigan


City Clerk Dale Jones, CMC

