

MINUTES
REGULAR MEETING OF THE CITY COUNCIL / NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA - TUESDAY, NOVEMBER 22, 2022
COUNCIL EXECUTIVE SESSION – 5:30 P.M. - CITY COUNCIL MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS - 1111 BAILEY AVENUE, NEEDLES

CALL TO ORDER - *Meeting was called to order at 5:33 pm by Mayor Williams*

ROLL CALL – *Present: Councilmembers Campbell, Merritt, Evans (via teleconference), Paget, Belt and Longacre (via teleconference)*

Also present were City Attorney John Pinkney (via teleconference), Assistant City Manager Patrick Martinez, and City Clerk Dale Jones.

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

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS *None*

RECESS TO EXECUTIVE SESSION – Mayor Williams at 5:34 pm

- a) Conference with Labor Negotiator pursuant to California Government Code §54957.6- Personnel - Agency Representative City Manager Rick Daniels - Employee Organizations: Teamsters Local 1932
- b) 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 given by City Attorney John Pinkney. Executive Session Item a: Vice Mayor Paget made a motion, seconded by Councilmember Campbell to approve a side letter to the classified MOU extending the Teamsters contract. Motion was carried by the following roll call vote:*

Ayes: Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre

Noes: None

Absent: None

There was no reportable action on item b).

ADJOURN THE JOINT MEETING AND RECONVENE THE CITY COUNCIL MEETING

CALL TO ORDER *at 6:00 pm.*

ROLL CALL - *previously taken*

INVOCATION – *Given by Mayor Williams*

PLEDGE OF ALLEGIANCE – *Led by Councilmember Merritt*

APPROVAL OF AGENDA - *Councilmember Belt moved, seconded by Vice Mayor Paget to approve the agenda. Motion carried by the following roll call vote:*

Ayes: Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre

Noes: None

Absent: None

CONFLICT OF INTEREST – *Councilmember Longacre declared a conflict of interest for Item 3 because he works in the cannabis industry.*

CORRESPONDENCE – *A letter was received from Stacia Shaver regarding Item 3 and a copy was given to all council members.*

INTRODUCTIONS – *Former councilmember Shawn Gudmundson was present*

CITY ATTORNEY - *Parliamentary procedures - None*

PUBLIC APPEARANCE - *Judy Thornton gave report on Economic Development and Tourism efforts, El Garces bookings and meetings, the status of the rail cam, and upcoming events.*

1) *Presentation given by Mark Orr, President of the Board of the Chamber of Commerce of the El Garces Visitor Center*

2) *Continued from November 8 - Public hearing held - noticed to consider all evidence and testimony for or against approving the Cost of Service Fee Study and proposed new fee schedule*

Staff Report given by Assistant City Manager Patrick Martinez and discussion ensued.

Mayor Williams opened the public hearing at 6:31 p.m.

Public Comment - Barbara Beard questioned some of the deposit amounts in the new Cost of Service Fee Study. Shawn Gudmundson suggested the increases in the Cost of Service Fee Study be implemented over time instead of all at once.

Mayor Williams closed the public hearing at 6:36 p.m.

Continued discussion ensued.

Vice Mayor Paget moved, second by Councilmember Campbell to waive the reading and approve for introduction Ordinance No. 657-AC amending Chapter 8, Exhibit A to Ordinance No. 464-AC to add, delete, or change various services and the percentage of cost recovery. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, Belt and Longacre

Noes: Councilmember Evans

Absent: None

Vice Mayor Paget moved, second by Councilmember Merritt to adopt Resolution No. 2022-76 approving the Cost of Services Fee Study, the revised schedule of certain fees and updated fully burdened hourly rates. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, Belt and Longacre

Noes: Councilmember Evans

Absent: None

3) *Public hearing held - noticed to consider all evidence and testimony for or against amending Chapter 12A Cannabis Businesses*

Councilmember Longacre left the meeting due to a conflict because he works in the cannabis industry.

Staff Report - City Attorney Pinkney reviewed the staff report in detail.

Assistant City Manager Martinez referred to a written public comment submitted by Stacia Shaver and informed council that he has spoken with her and her suggestions will be incorporated in the second reading of the ordinance subject to city attorney review.

Mayor Williams opened the public hearing at 6:59 p.m.

Public Comment - None

Mayor Williams closed the public hearing at 6:59 p.m.

Vice Mayor Paget moved, second by Councilmember Merritt to waive the reading and approve for introduction as amended Ordinance No. 656-AC amending Chapter 12A, Cannabis Businesses of the Needles Municipal Code. Motion was carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt, Paget and Belt

Noes: None

Absent: Councilmember Longacre

CONSENT CALENDAR:

Councilmember Merritt moved, seconded by Councilmember Campbell to approve the consent calendar as submitted. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre

Noes: None

Absent: None

- 4) Approved the Warrants Register through November 22, 2022
- 5) Awarded the base bid for Well No. 15 Backup Generator project to TSR Construction and Inspection for a total bid amount of \$367,645, total project cost \$404,409 including 10% contingency, funded through the Grant Agreement with California State Water Resources Control Board, and authorize staff to execute a Public Works Agreement with the Contractor and issue a Notice of Award and Notice to Proceed
- 6) Accepted Change Order #2 to the Public Works Agreement with Cora Constructors, Inc. for the Lillyhill Water Booster Pump Station project and award Bid Alternate No. 1 (curb, gutter, sidewalk and paving) resulting in an increase to the contract in the amount of \$19,650 for a new total contract amount of \$2,119,294.75 funded through the Grant Agreement with California State Water Resources Control Board, and authorize staff to execute said Change Order
- 7) Authorized the City Clerk to publish a notice of vacancies on the various Boards and Commissions due to the expiration of terms as of December 31, 2022 in addition to all vacancies that may exist due to resignations
- 8) Authorized staff to develop final plans at the skate park for trees, seating, concrete patching and adding a mural to the skate bowls to be funded from General Fund Reserves in the amount of \$35,000

End of Consent

- 9) Councilmember Campbell moved, second by Councilmember Belt to authorize Councilmember Campbell, Councilmember Merritt (tentative), newly elected Mayor Janet Jernigan, Council Members Jamie McCorkle, JoAnne Pogue and Henry Longbrake to attend the League of California Cities 2023 SoCal New Mayors and Council Members Academy in Universal City, CA at the Sheraton Universal Hotel on February 1-3, 2023. Motion was carried by the following roll call vote:
Ayes: Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre
Noes: None
Absent: None

CITY ATTORNEYS REPORT – Given by City Attorney John Pinkney

CITY MANAGERS REPORT – None

COUNCIL REQUESTS

Councilmember Campbell – reminded staff about the pothole on Desnok

Councilmember Merritt – wished everyone a Happy Thanksgiving

Vice Mayor Paget – thanked City Council and Mayor Williams for their time and service to the community.

Councilmember Belt – would like to move forward with the California Welcome Center designation now that the visitor center is near completion.

Councilmember Longacre – informed staff that there is new graffiti on the bridge that needs to be cleaned up.

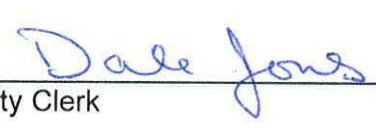
Mayor Williams – would like to see the UTV law get implemented and the K Street bridge underpass be reopened.

ADJOURNMENT – Mayor Williams adjourned the meeting at 7:14 pm

ATTEST:



Mayor



City Clerk