

**MINUTES**  
**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**

CALL TO ORDER – Vice Mayor Paget called the meeting to order at 5:05 p.m.

ROLL CALL - Present: Councilmembers Campbell, Evans, Belt, Merritt arrived at 5:14 p.m. and Longacre; Absent: Mayor Williams

Also present were City Manager Rick Daniels, Assistant City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS None

**RECESS TO EXECUTIVE SESSION** – Vice Mayor Paget recessed the meeting to executive session at 5:10 pm

Councilmember Merritt arrived at 5:14 p.m. and joined the Executive Session already in progress. Councilmember Longacres announced he has a conflict on b) because he works in the cannabis industry and did not participate.

- 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 Pinkney – No reportable action

City Council/NPUA Regular meeting was called to order by Vice Mayor Paget at 6:00 pm.

ROLL CALL - previously taken.

Councilmember Campbell moved, second by Councilmember Longacre to approve the absence of Mayor Williams. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams

INVOCATION – Given by Vice Mayor Paget

PLEDGE OF ALLEGIANCE – Led by Councilmember Longacre

APPROVAL OF AGENDA - Councilmember Belt moved, second by Councilmember Campbell to approve the agenda. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams

CONFLICT OF INTEREST – Councilmember Longacre declared a conflict of interest on Executive Session Item b; Councilmember Campbell declared a conflict of interest on Consent Calendar Item 21

because she is the Women's Club president, and Vice Mayor Paget declared a conflict of interest on Consent Calendar Item 13 because he has property in close proximity.

CORRESPONDENCE - None

INTRODUCTIONS – Former Councilmembers Terry Campbell, Tim Terral, and Shawn Gudmundson.

CITY ATTORNEY - Parliamentary procedures given by City Attorney Pinkney.

**PUBLIC APPEARANCE** – Barbara Beard encouraged everyone to vote in person in the upcoming election on November 8, 2022. Selah Johnston spoke about the upcoming Golf Tournament on October 22, 2022 to raise awareness for dyslexia. JoAnn Pogue spoke about the Women's Club Rummage Sale on October 22, 2022. Marianne Jones reported on museum hours. Denise Odell asked about the electric usage of the 4 big grow houses on Highway 95 and asked about a cannabis tax to offset utility costs. Judy East complained about how high her utility bill is, there must be something wrong and asked that her bill be reviewed. Judy Billings also complained about her high utility bill.

## **PRESENTATIONS**

- 1) Frontier representative Douglas R. McAllister, Vice President, External Affairs gave a PowerPoint presentation regarding Frontier Fiber capabilities for Needles residents.
- 2) PowerPoint presentation by Projects Manager Kathy Raasch regarding Capital Improvement Projects (CIP) Project List / Status and responded to council inquiries.

## **NPUA / COUNCIL**

**PUBLIC COMMENTS PERTAINING TO THE NPUA / COUNCIL ITEMS** - None

- 3) **NPUA / COUNCIL:** City Manager Daniels reported on electric meter misreads and billing errors for months of July, August and September 2022 and provided staff direction as follows: No Shutoffs or late fees until issues are resolved. All accounts will be audited. Possible \$25 contribution for disruption (credit to bill). Possible use of Covid grant funds. Councilmember Longacre stated that the bill should show a separation between the misread and the actual bill and asked how staff missed the errors. Councilmember Evans stated that the error is not the rate payers' fault and asked about possible use of covid funds. Councilmember Belt commented the city wants to treat the ratepayers fairly and come to a quick solution. Councilmember Merritt inquired if the city can credit the bill more than \$25. Judy East, Judy Billings and Nichol who lives at 1325 Lilly Hill all explained to council the large increase in their electric bill. Barbara Beard would like to know how this happened. MaryAnn, Needles Museum, received a credit on their bill not knowing it was a mistake. Terry Campbell, Utility Board, reminded staff to ensure the hydro fees are calculated correctly. Pastor Jones inquired about the accuracy of the water meter reads. Considerable discussion ensued.  
Councilmember Campbell moved, second by Councilmember Belt to approve a \$25 credit to customers' bills, no shutoffs, no late fees, and payment plans up to 1 year with staff discretion. Motion carried by the following roll call vote:  
Ayes: Members/Council Members Campbell, Evans, Merritt, Paget, and Belt  
Noes: Member/Council Member Longacre  
Absent: Mayor Williams
- 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.  
City Manager Daniels reported and considerable discussion ensued.  
Councilmember Merritt moved, second by Councilmember Belt to approve the maximum allowable 5% cost-of-living (COLA) increase in water and wastewater basic service charge rates as of November 1, 2022. Motion carried by the following roll call vote:  
Ayes: Members/Council Members Campbell, Merritt, Paget, Belt and Longacre

Noes: Council Member Evans  
Absent: Mayor Williams

- 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. City Manager Daniels reported.  
Councilmember Merritt moved, second by Councilmember Belt to 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. Motion carried by the following roll call vote:  
Ayes: Members/Council Members Campbell, Merritt, Paget, Belt and Longacre  
Noes: Council Member Evans  
Absent: Mayor Williams

Vice Mayor Paget adjourned the Joint NPUA / City Council Meeting and reconvened Council.  
CALL TO ORDER (Roll Call previously taken)

## PUBLIC HEARINGS

- 6) Public hearing held - 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 given by City Manager Daniels  
Council Questions of Staff  
Vice Mayor to open the public hearing  
Public Comment - None  
Vice Mayor to close the public hearing  
Council Discussion / Deliberation  
Councilmember Belt moved, second by Councilmember Merritt to approve 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.  
Motion carried by the following roll call vote:  
Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams
- 7) Public hearing held - 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 given by Assistant City Manager Martinez and discussion ensued.  
Council Questions of Staff – Councilmember Longacre asked about commissaries.  
Mayor to open the public hearing  
Public Comment – Judy Thornton informed council that food vendors are needed for the Rodeo and asked council to adopt the ordinance.  
Mayor to close the public hearing  
Council Discussion / Deliberation  
Councilmember Belt moved, second by Councilmember Evans to approve Ordinance No. 655-AC amending Chapter 12 "Licenses" of the Needles Municipal Code adding Section 12-56-1 "Mobile Food Vendors" Motion carried by the following roll call vote:  
Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams

Vice Mayor Paget recessed the Council Meeting - Convened SARDA Meeting at 8:50 p.m.  
CALL TO ORDER (Roll Call previously taken)

PUBLIC COMMENTS PERTAINING TO THE SARDA ITEM - None

- 8) 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)  
City Manager Daniels reported.  
Councilmember Belt moved, seconded by Councilmember Campbell to 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). Motion carried by the following roll call vote:  
Ayes: Members/Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre  
Noes: None  
Absent: Mayor Williams

Vice Mayor Paget adjourned the SARDA meeting and reconvened the City Council meeting at 8:54 p.m.  
CALL TO ORDER (Roll Call previously taken)

**CONSENT CALENDAR:** Agenda Item 21 pulled by Councilmember Evans for discussion.  
Councilmember Merritt moved, seconded by Councilmember Longacre to approve consent calendar items 9-20, and 22. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams

- 9) Approved the Warrants Registers through September 27, 2022, and October 11, 2022
- 10) Waived the reading and adopted 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
- 11) Waived the reading and adopted 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
- 12) Authorized 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) Waived the reading and adopted 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) Waived the reading and adopted 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) Accepted 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) Accepted 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) Accepted 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) Accepted 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) Accepted 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) Approved the Annual Seed Purchase for Rivers Edge Golf Course from Simplot Turf & Horticulture Las Vegas in the amount of \$22,412.00
- 22) Waived the reading and adopted 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**

Councilmember Campbell left the room because she is President of the Women's Club.

- 21) Authorized 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.  
City Manager Daniels reported.  
Pastor Jones informed council that he also experienced a loss due to Covid.  
Councilmember Belt moved, second by Councilmember Longacre to 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. Motion carried by the following roll call vote:  
Ayes: Council Members Evans, Merritt, Belt and Longacre  
Noes: None  
Absent: Mayor Williams and Council Member Campbell

#### **REGULAR ITEMS - None**

CITY ATTORNEYS REPORT – No report given

CITY MANAGERS REPORT – City Manager Daniels reported.

#### **COUNCIL REQUESTS**

Councilmember Campbell – Reported on her attendance at ICSC

Councilmember Evans – No requests

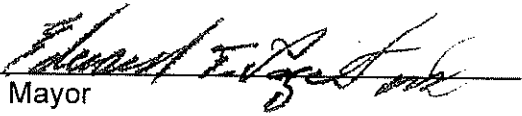
Councilmember Merritt – Trunk or Treat is on October 29, 2022

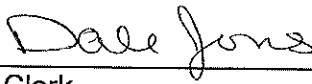
Vice Mayor Paget – Greenhouse Tours Halloween weekend Friday and Saturday

Councilmember Belt – Golf Tournament is October 22, 2022  
Councilmember Longacre - No requests

ADJOURNMENT – Vice Mayor Paget adjourned the meeting at 9:10 p.m.

ATTEST:

  
\_\_\_\_\_  
Vice Mayor

  
\_\_\_\_\_  
City Clerk