

MINUTES

REGULAR MEETING OF THE CITY COUNCIL - NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA - TUESDAY, DECEMBER 13, 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 - by Mayor Jeff Williams at 5:36 p.m.

ROLL CALL

Present: Mayor Jeffrey Williams, Council Members Ellen Campbell, Kirsten Merritt, Edward T. Paget M.D., Tona Belt and Zachery Longacre. Also present City Manager Rick Daniels; City Attorney John Pinkney and City Clerk Dale Jones. Absent: Council Member Wade Evans

Motion was made by Council Member Campbell to excuse the absence of Council Member Wade Evans, second by Vice Mayor Paget. Motion was carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, and Longacre
Noes: None
Absent: Council Member Evans and Councilmember Belt was out of the room.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEM - none

RECESS TO EXECUTIVE SESSION at 5:40 p.m.

- a) Conference with legal counsel - Anticipated Litigation regarding significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3); one potential case related to claim received November 14, 2022 from attorney for Brian Brown related to alleged May 24, 2022 false arrest claim.

EXECUTIVE SESSION - City Attorney Pinkney reported that the following action was taken:

Motion was made by Council Member Campbell, second by Council Member Longacre, to deny the claim received November 14, 2022 from attorney for Brian Brown related to alleged May 24, 2022 false arrest. Motion was carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, Belt and Longacre
Noes: None
Absent: Council Member Evans

CALL TO ORDER - by Mayor Jeff Williams at 6:04 p.m.

ROLL CALL

Present: Mayor Jeffrey Williams, Council Members Ellen Campbell, Kirsten Merritt, Edward T. Paget M.D., Tona Belt and Zachery Longacre. Also present City Manager Rick Daniels; Assistant City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones. Absent: Council Member Wade Evans

INVOCATION given by Mayor Jeff Williams

PLEDGE OF ALLEGIANCE led by Vice Mayor Paget

APPROVAL OF AGENDA

Councilmember Longacre moved, seconded by Council Member Campbell to approve the agenda as submitted. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, Belt and Longacre
Noes: None
Absent: Council Member Evans

CONFLICT OF INTEREST – Council Member Longacre abstained from voting on consent calendar item 7 due to a conflict of interest because he works in the cannabis industry.

CORRESPONDENCE – none

INTRODUCTIONS – Former Council Members Tim Terral, Terry Campbell, Bob Rath and Shawn Gudmundson via Teams.

PUBLIC APPEARANCE

Judy Thornton reported on Mohave Valley Tourism's visit to El Garces and their interest in working to promote El Garces. She also reported that they are ready to set 85 bricks by the fountain at El Garces (Friends of the El Garces project).

Judy Kirkpatrick thanked the City of Needles for road improvements in her neighborhood and asked about fire hazards in her neighborhood. She also mentioned the off ramps that lead into the city – each one has a cannabis business near it and she would like to see better landscaping at these businesses. She also asked about clean up on the east bound I-40 exit ramp.

Tim Terral thanked the outgoing city council for their dedication and stated he was glad to have been able to work with them. He welcomed the new council members.

PUBLIC HEARING

- 1) Public hearing held - noticed to consider all evidence and testimony for or against the Annual Account of Development Impact Fees for Fiscal Year 2022

Staff Report given by Sylvia Miledi

Council Questions of Staff – none

Mayor opened the public hearing at 6:12 p.m.

Public Comment – none

Mayor to close the public hearing at 6:12 p.m.

Council Discussion / Deliberation – Council Member Belt asked if the city holds the funds until enough is accumulated to complete a project. City Manager Rick Daniels responded yes.

Council Member Belt moved, second by Council Member Merritt, to approve the Annual Accounting for Developer Impact Fees for Fiscal Year 2022.

Motion carried by the following roll call vote:

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

Noes: None

Absent: Council Member Evans

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS – None

CONSENT CALENDAR:

Councilmember Merritt moved, seconded by Councilmember Campbell, to approve Consent Calendar. Motion carried by the following roll call vote:

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

Noes: None

Absent: Council Member Evans

Abstained: Council Member Longacre on agenda item 7

- 2) Approved the warrants register of December 13, 2022
- 3) Approved the minutes of June 14, June 28, July 12, August 30, September 13, October 11, October 25, November 8 and November 22, 2022
- 4) Authorized funding for the Holiday Fun Fair in the amount of \$425 from budgeted Council Events or general fund reserves payable to Daniell's Septic

- 5) Waived the reading and adopted Resolution No. 2022-79 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 December 16, 2022 – January 15, 2023, pursuant to provisions of the Ralph M. Brown Act
- 6) Authorized the Mayor to sign a letter of interest to participate in the San Bernardino Regional Housing Trust to be established by the San Bernardino Council of Governments
- 7) Waived the reading and adopted Ordinance No. 656-AC amending Chapter 12A, Cannabis Businesses of the Needles Municipal Code (2nd reading – adopt)
- 8) Authorized the City Manager to sign the agreement with GoGov for a motile/web app to better assist the city to interact with members of the public not to exceed \$3,900 from general fund reserves
- 9) Waived the reading and adopted 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 (2nd reading – adopt)

End of Consent

REGULAR ITEMS

- 10) Resolution No. 2022-80 Reciting the Fact of the General Municipal Election held on November 8, 2022, declaring the results, and such other matters as provided by law
City Manager Daniels reported.

Council Member Merritt moved, second by Council Member Campbell to adopt Resolution No. 2022-80 Reciting the Fact of the General Municipal Election held on November 8, 2022, declaring the results, and such other matters as provided by law. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Paget, Belt and Longacre
Noes: None
Absent: Council Member Evans

Dale Jones, City Clerk, Administered the Oath of Office and delivered Certificate of Election to newly elected Mayor Janet Jernigan and newly elected Council Members Jamie McCorkle, JoAnne Pogue and Henry Longbrake

Presentations made to outgoing Mayor Jeff Williams, Vice Mayor Edward T. Paget, M.D., and Councilmember Zachery Longacre.

MDAQMD presented Mayor Jeff Williams a plaque for his service on the Mohave Desert Air Quality District board.

Break

Seating of New Mayor and Council Members

ROLL CALL

Present: Mayor Janet Jernigan, Council Members Ellen Campbell, Kirsten Merritt, Tona Belt, JoAnne Pogue, Jamie McCorkle and Henry Longbrake.

Selection of the Vice Mayor - Mayor Jernigan moved to nominate Council Member Merritt as Vice Mayor. Council Member Longbrake second the motion. Motion carried by the following roll call vote:

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

REGULAR ITEMS

- 11) Waive the reading and adopt Resolution No. 2022-78 authorizing application to, participation in and receipt of Prohousing Designation Program to the State Department of Housing and Community Development (HCD)
Assistant City Manager Patrick Martinez gave staff report and minimal discussion ensued.

Council Member Campbell moved, second by Council Member Pogue, to waive the reading and adopt Resolution No. 2022-78 authorizing application to, participation in and receipt of Prohousing Designation Program to the State Department of Housing and Community Development (HCD. Motion carried by the following roll call vote:

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

- 12) Provide staff direction with regard to funding an additional sheriff's deputy at mid-year budget in the amount of \$239,295 using general fund reserves
City Manager Rick Daniels gave staff report and considerable discussion ensued.

Council Member Belt moved, second by Vice Mayor Merritt to hold off on approval until the mid-year budget in January. Motion passed by the following roll call vote:

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

CITY ATTORNEYS REPORT - Parliamentary procedures reviewed by City Attorney Pinkney

CITY MANAGER REPORTED

COUNCIL REQUESTS

Councilmember Campbell welcomed the new city council members and mayor. She reported on the Tri-State Community Healthcare event, expressed excitement over our approval of Go.Gov, and commented on an article written by Cathy Condon about the City of Needles. Councilmember McCorkle asked for a report on the housing authority activity. Councilmember Merritt thanked former council members and Mayor Williams for their service. She also thanked Tona and Ellen for their work in organizing the Employee Appreciation event. Councilmember Pogue asked about the status of the Bridge repair. Councilmember Belt asked about the status of the gymnasium acoustics and the visitor center certificate of occupancy and requested a meeting, expressed thanks for the Christmas event in the park and the parade, asked about the status of the downtown development project and asked about the California versus Arizona development issues. Councilmember Longbrake asked about the train park vandalism and graffiti and requested putting a light on the flag in Santa Fe Park. Mayor Jernigan addressed Council Member Longbrake's concern about the train park and indicated that paint has been purchased and a painter hired to cover the graffiti and is also waiting on a price for a wire mesh alternative to plexiglass windows. Mayor Jernigan thanked the voters and stated she is looking forward to serving Needles as Mayor.

ADJOURNMENT at 7:45 p.m.

ATTEST

Mayor

City Clerk