

MINUTES  
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

CALL TO ORDER at 5:10 p.m.

ROLL CALL

Present: Mayor Williams, Vice Mayor Paget, Council Members, Merritt, Belt and Longacre. Also present were City Manager Rick Daniels, Assistant City Manager Patrick Martinez, and City Clerk Dale Jones. City Attorney John Pinkney via Teams.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS – None

RECESS TO EXECUTIVE SESSION at 5:12 p.m.

Councilmember Longbrake announced he has a conflict with a) because he works in the cannabis industry.

- 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 – No reportable action

CALL TO ORDER by Mayor Williams at 6:11 p.m.

ROLL CALL Present:

Present: Mayor Williams, Vice Mayor Paget, Council Members, Merritt, Belt and Longacre. Also present were City Manager Rick Daniels, Assistant City Manager Patrick Martinez, and City Clerk Dale Jones. City Attorney John Pinkney via Teams.

A motion was made by Councilmember Longacre, second by Vice Mayor Paget to grant an excused absence to Councilmember Campbell and Councilmember Evans. Motion carried by the following roll call vote:

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

INVOCATION given by Mayor Williams

PLEDGE OF ALLEGIANCE led by Mayor Williams

APPROVAL OF AGENDA

Councilmember Merritt moved, seconded by Vice Mayor Paget, to approve the agenda as submitted. Motion carried by the following roll call vote:

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

CONFLICT OF INTEREST – Councilmember Merritt announced she has a conflict with agenda item 11 because it is close to her residence. Vice Mayor Paget announced he has a conflict with agenda item 12 because he owns property across the street.

CORRESPONDENCE - None

INTRODUCTIONS - None

CITY ATTORNEY Parliamentary procedures - None

PUBLIC APPEARANCE – Barbara Beard informed council she attended a Planning Commission seminar and it was very informative. Judy Thornton gave an update on the Needles Tourism events and announced there will be a candidate forum on September 22. JJ Deleon announced the dyslexia golf tournament on October 22

## PRESENTATIONS

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

August 30, 2022

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

Assistant City Manager Martinez gave a PowerPoint presentation and discussion ensued.

Councilmember Belt moved, seconded by Vice Mayor Paget, to adopt the Minagar & Associates Local Roadway Safety Plan (LRSP) dated August 10, 2022. Motion carried by the following roll call vote:

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

Noes: None

Absent: Councilmember Campbell and Councilmember Evans

Mayor Williams left the meeting, Vice Mayor Paget presiding. Councilmember Campbell joined the meeting.

## 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"

Assistant City Manager gave a PowerPoint presentation.

Council Questions of Staff

Vice Mayor to open the public hearing at 7:20 p.m.

Public Comment - None

Vice Mayor to close the public hearing at 7:21 p.m.

Councilmember Longacre moved, seconded by Councilmember Belt, to approve 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) Motion carried by the following roll call vote:

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

Noes: None

Absent: Mayor Williams and Councilmember Evans

Recessed the City Council meeting and Convened a Joint Council / NPUA meeting at 7:22 p.m.  
(Roll Call previously taken) at

## PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS -

**NPUA / COUNCIL CONSENT CALENDAR:**

Member/Councilmember Campbell moved, seconded by Member/Councilmember Belt, to approve the NPUA/Council consent calendar as submitted. Motion carried by the following roll call vote:

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

- 4) NPUA / COUNCIL: Authorized 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: Accepted 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
- 7) NPUA / COUNCIL: Authorized 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  
End of Consent

Adjourned the Joint Council / NPUA Meeting and Reconvened the City Council Meeting  
(Roll Call previously taken)

**CONSENT CALENDAR:**

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

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

- 9) Approved the Warrants Register through August 9, 2022
- 10) Waived the reading and adopted 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) Waived the reading and adopted 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) Waived the reading and adopted 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) Waived the reading and adopted 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

- 15) Accepted 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) Accepted 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) Accepted 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) Approved filing of a claim for Local Transportation Fund (LTF) and State Transit Assistance (STA) Fund for fiscal year 2022-2023
- 19) Waived the reading and adopted Resolution No. 2022-61 adopting the Measure I Five-Year Capital Improvement Plan for fiscal years 2023-2027
- 20) Waived the reading and adopted 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) Accepted the Calendar Year 2023 Employee Benefits Plan costs for the city
- 22) Approved a full-time Account Clerk I job description to be added to the Authorized Position list and fund from reserves
- 23) Accepted 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

Councilmember Longacre pulled item 14 for discussion

- 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) City Manager Daniels reported.

Councilmember Longacre moved, seconded by Councilmember Campbell to approve 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.

Motion carried by the following roll call vote:

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

## REGULAR ITEMS

- 24) Authorize the allocation of the second tranche of the State and Local Fiscal Recovery Funds (SLFRF)

Councilmember Campbell moved, seconded by Councilmember Belt, to 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. Motion carried by the following roll call vote:

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

- 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

Councilmember Belt moved, seconded by Councilmember Longacre, to 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. Motion carried by the following roll call vote:

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

- 26) Authorize those interested to attend the California Cannabis Control Summit

Councilmember Belt moved, seconded by Councilmember Merritt, to authorize Councilmember Campbell and Councilmember Longacre to attend the California Cannabis Control Summit to be held on October 12-13, 2022, at the Hilton Sacramento Arden West. Motion carried by the following roll call vote:

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

- 27) Discussion regarding a proposed date, location, and budget for an Employee Appreciation Event

Councilmember Belt moved, seconded by Councilmember Merritt to schedule the Employee Appreciation Event on December 2 at the El Garces. Motion carried by the following roll call vote:

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

August 30, 2022 additional agenda items:

PRESENTATION – Agenda Item 28 moved to after agenda item 2

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS -

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:

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

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

- 30) Approved the Warrants Register through August 30, 2022
- 31) Approved the minutes of April 4, April 8, April 12, April 26, May 10, May 20 and May 24
- 32) Accepted 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) Accepted 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) Accepted 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) Authorized 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) Waived the reading and adopted 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) Awarded the bid to Eberhard Equipment for a 2019 Jacobsen Mower not to exceed \$24,712 funded out of the golf course irrigation budget
- 38) Authorized \$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) Authorized 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) Awarded 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

Councilmember Campbell moved, seconded by Councilmember Longacre to authorize Vice Mayor Paget and Councilmembers Belt and Merritt to attend 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. Motion carried by the following roll call vote:

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

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  
Councilmember Campbell moved, seconded by Councilmember Belt, to authorize Councilmember Paget as the delegate for council on the League of California Cities proposed resolution to be considered at the League Conference - Resolution relating to Amendments to the Cal Cities Bylaws  
Motion carried by the following roll call vote:

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

CITY ATTORNEY REPORTED

CITY MANAGER REPORTED

#### COUNCIL REQUESTS

Councilmember Campbell reported on what the city does for our community.

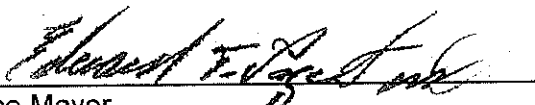
Councilmember Merritt informed council that the night golf tournament was a lot of fun and the museum opens September 6.

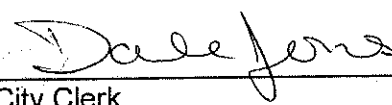
Councilmember Belt inquired about a food truck ordinance and thanked staff for cleaning up after the storm and restoring the power in a timely manner.

Councilmember Longacre thanked the utility department for restoring the power and inquired about Burger Hut.

ADJOURNMENT – Meeting was adjourned at 7:55 p.m.

ATTEST:

  
Vice Mayor

  
City Clerk