



(ACT) – ACTION NEEDED  
(INF) – INFORMATION ONLY  
(DIS) – DISCRETIONARY

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL,  
NEEDLES PUBLIC UTILITY AUTHORITY  
CITY OF NEEDLES, CALIFORNIA  
**TUESDAY, AUGUST 11, 2020**  
COUNCIL EXECUTIVE SESSION – 5:00 P.M.  
CITY COUNCIL MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

The City Council is continuing to hold meetings pursuant to the provisions of the Governor's Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. As a result of the Executive Order to stay at home, in person participation at the City Council meetings is not allowed at this time and the Council Chambers are not open to the public.

**THE MAYOR AND COUNCIL MEMBERS MAY BE ATTENDING THIS MEETING  
TELEPHONICALLY BY CALLING THE FOLLOWING NUMBER:  
1-866-576-7975 - Participant access: 853544**

**THE PUBLIC MAY ALSO ATTEND BY CALLING THE ABOVE NUMBER AND  
MAY SUBMIT ANY COMMENTS IN WRITING PRIOR TO THE MEETING BY  
EMAILING [djones@cityofneedles.com](mailto:djones@cityofneedles.com)**

**You may be able to view this meeting on YouTube.  
Go to the [cityofneedles.com](http://cityofneedles.com) website – go to Latest News.  
Click on "City Live Stream Meetings" and subscribe to YouTube.**

CALL TO ORDER  
ROLL CALL

**RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING**  
CALL TO ORDER (Roll Call previously taken)

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEM (A three-minute time limit per person has been established.)

### **RECESS TO EXECUTIVE SESSION**

- a) NPUA: Conference with real property negotiator pursuant to Government Code §54956.8: Agency negotiator City Manager Rick Daniels or his designee. Negotiating Parties are the City of Needles as the potential seller and Needles Marina Resort Inc. as the potential buyer of the property described as a 4.94 acre leased land parcel, developed with a 42 lot portion of a mobile home park generally located at the northeast corner of Marina Drive and River Road, APN 0186-021-15. Under negotiations are the price and terms

- b) **COUNCIL:** Conference with Legal Counsel regarding pending litigation pursuant to Government Code Section 54956.9(d)(1) (One matter: City of Needles v. Bob Page, Case number CIV DS 2013848)

**EXECUTIVE SESSION – Report by City Attorney**

**RECESS THE JOINT MEETING AND RECONVENE THE CITY COUNCIL MEETING**

CALL TO ORDER (Roll Call previously taken)

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONFLICT OF INTEREST

CORRESPONDENCE

INTRODUCTIONS

CITY ATTORNEY Parliamentary procedures

**As a courtesy to those in attendance, we would ask that cell phones be turned off or set in their silent mode. Thank you.**

**PUBLIC APPEARANCE** – Persons wishing to address the City Council on subjects other than those scheduled are requested to do so at this time. When addressing the Council, please come to the podium and give your name and address for the record. In order to conduct a timely meeting, a three-minute time limit per person has been established by Municipal Code Section 2-18. Amendments to the California Government Code Section 54950 prohibits the City Council from taking action on a specific item until it appears on the agenda.

**PUBLIC HEARING**

- 1) Public hearing noticed to consider all evidence and testimony for or against approval of a Conditional Use Permit for relocation of the existing retail cannabis business from 221 H Street to 209 H Street formally known as 1019 W. Broadway APN 0186-094-49; Applicant Harry Ezajian, “H” Street Patient Care
  - Staff Report
  - PowerPoint Presentation
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Resolution No. 2020-40 approving a Conditional Use Permit for relocation of the existing retail cannabis business from 221 H Street to 209 H Street formally known as 1019 W. Broadway APN 0186-094-49

(ACT)

**RECESS THE CITY COUNCIL MEETING AND RECONVENE A JOINT COUNCIL / NPUA MEETING**

CALL TO ORDER (Roll Call previously taken)

**NPUA / COUNCIL CONSENT CALENDAR:** All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The Mayor or any member of the NPUA / City Council may pull an item from the Consent Calendar for discussion. Prior to NPUA / Council action, a member of the public may address the NPUA / City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 2 through 5 on the Consent Calendar by affirmative roll call vote. (ACT)

- 2) NPUA / COUNCIL: Accept Epic Engineering's proposal for the Needles Well Siting Investigation Study in an amount not to exceed \$15, 600
- 3) NPUA / COUNCIL: Accept Epic Engineering's proposal to begin design work for the Lilly Hill Water Booster Station located on the corner of Lilly Hill Drive and Clary in an amount not to exceed \$157,730 funded by a grant from the California State Water Resources Control Board and authorize staff to execute agreement between the City and Epic Engineering for said work
- 4) NPUA / COUNCIL: Approve the Annual Depository Statement for Fiscal Year 2020-2021; authorize and direct finance staff to make the monthly transfers from NPUA to City accounts to reimburse for fiscal year 2020-2021 payments for bond debt service, contract services, purchase payments and reimbursement of non-utility sanitation revenues deposited with the Authority according to the approved budget
- 5) NPUA / COUNCIL: Ratify the city manager's execution of the proposal from Layne Christensen for the rehabilitation of Water Well #11 at a cost not to exceed \$59,000 funded by the Water Asset Replacement Fund

**REGULAR ITEM:**

- 6) NPUA / COUNCIL: Approve the Electric, Water and Wastewater Utility Cost of Service Ratemaking Study (final) dated July 20, 2020 (ACT)
- 7) NPUA / COUNCIL: Resolution No. 08-11-2020-NPUA adopting the Debt Management Policy and appointing professionals to provide services in connection with the proposed issuance of water bonds AND (ACT)  
Resolution No. 2020-47 adopting a Debt Management Policy (ACT)

**ADJOURN THE JOINT MEETING AND RECONVENE THE CITY COUNCIL MEETING**

CALL TO ORDER (Roll Call previously taken)

**CONSENT CALENDAR:** All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The Mayor or any member of the City Council may pull an item from the Consent Calendar for discussion. Prior to Council action, a member of the public may address the City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 8 through 18 on the Consent Calendar by affirmative roll call vote. (ACT)

- 8) Approve the warrants register through July 28 and August 11, 2020
- 9) Ratify the city manager's execution of the California Dept of Transportation Division of Rail and Mass Transportation, Disadvantage Business Enterprise (DBE) Combination Race-Neutral/Race Conscious Implementation Agreement for Federal Transit Grant Administration Subrecipients 2020 and approve the document as executed
- 10) Waive the reading and adopt Resolution No. 2020-41 authorizing the city manager to execute agreements with the California Department of Transportation (Caltrans) for the City of Needles Sustainable Communities Grant to update the General Plan Transportation Element
- 11) Waive the reading and adopt Resolution No. 2020-42 confirming and adopting an itemized statement of cost for abatement of property located at 203 Market Street (APN 0185-104-25-0000) and file said resolution with the County Recorder placing a lien on the property

- 12) Waive the reading and adopt Resolution No. 2020-43 confirming and adopting an itemized statement of cost for abatement of property located at 421 Acoma Street (APN 0186-145-20-0000) and file said resolution with the County Recorder placing a lien on the property
- 13) Waive the reading and adopt Resolution No. 2020-44 confirming and adopting an itemized statement of cost for abatement of property located at 507 C Street (APN 0186-144-16-0000) and file said resolution with the County Recorder placing a lien on the property
- 14) Waive the reading and adopt Resolution No. 2020-45 confirming and adopting an itemized statement of cost for abatement of property located at 415 D Street (APN 0186-142-03-0000) and file said resolution with the County Recorder placing a lien on the property
- 15) Waive the reading and adopt Resolution No. 2020-46 declaring 1.79 acres generally located at Smokestack Road and N K Street (APN 0185-058-14-0000) as surplus land under Government Code Section 54220 et seq.
- 16) Waive the reading and adopt Resolution No. 2020-48 approving a Memorandum of Understanding between the County of San Bernardino Department of Public Health, Environmental Health Services Division, and the City of Needles to provide environmental health services effective for a ten-year term from August 25, 2020 to August 24, 2030
- 17) Award the bid for ryegrass seed to Helena Chemical, Las Vegas, NV in the total bid amount of \$40,988.10 and authorize an increase in the budget to cover the shortfall of \$2,619
- 18) Waive the reading and adopt Resolution No. 2020-49 amending the Measure I Five-Year Capital Improvement Plan for Fiscal Years 2019-2020 through 2024-2025

**End of Consent**

**REGULAR ITEMS**

- 19) Consideration of Gateway Signage for entrance to Needles (ACT)
- 20) Update on the Needles Visitor Center in the El Garces (ACT)
- 21) Information regarding 2021 Calendar Year healthcare costs city employees \* (INF)
- 22) Authorize Councilmembers to attend the Annual League of California Cities Virtual Conference scheduled for October 7-9 and designate a voting delegate and alternate (ACT)
- 23) Emergency Declaration Status; Jack Smith Park, boat launch, and local beaches update (ACT)

**CITY ATTORNEYS REPORT**

**CITY MANAGERS REPORT**

**COUNCIL REQUESTS**

- Councilmember Gudmundson
- Councilmember Terral
- Councilmember Evans
- Vice Mayor Paget
- Councilmember Belt
- Councilmember Longacre
- Mayor Williams

ADJOURNMENT

**INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL  
IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT**  
<http://www.cityofneedles.com>

Posted: August 7, 2020

SB 343-DOCUMENTS RELATED TO OPEN SESSION AGENDAS -- Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the City Clerk's Office, 817 Third Street, Needles, CA 92363.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (760) 326-2113 ext 145. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-104 ADA Title II).

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting.

Dated this 7th day of August 2020.

  
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Dale Jones, CMC City Clerk