



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

A G E N D A

**ADJOURNED REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY,
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, DECEMBER 15, 2020
COUNCIL EXECUTIVE SESSION – At the end of the meeting
CITY COUNCIL MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES**

**THE 5:00 P.M. PORTION OF THE CITY COUNCIL MEETING WILL BE RECESSED
BY THE CITY CLERK TO 6:00 P.M.**

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 VIA ZOOM

**THE PUBLIC MAY ALSO ATTEND VIA ZOOM AND MAY SUBMIT ANY COMMENTS IN WRITING
PRIOR TO NOON ON THE DAY OF THE MEETING BY EMAILING djones@cityofneedles.com**

JOIN THE LIVE ZOOM MEETING, copy and paste into your browser:

<https://zoom.us/j/95515040447?pwd=a2I5eSttYzBBK2w4WEpIVi81eUZCdZ09>

If asked, enter the following: Meeting ID: 955 1504 0447 Passcode: 685148

Or listen in and participate by calling Zoom: 1-669-900-9128 - Meeting ID: 955 1504 0447

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 called by the Mayor, please announce 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.

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

PUBLIC COMMENTS PERTAINING TO THE NPUA / COUNCIL ITEMS (A three-minute time limit per person has been established.)

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/President or any member of the City Council/NPUA may pull an item from the Consent Calendar for discussion. Prior to Council/NPUA action, a member of the public may address the City Council/NPUA on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 1 through 4 on the Consent Calendar by affirmative roll call vote. (ACT)

- 1) NPUA / COUNCIL: Resolution 2020-85 amending Resolution No. 2020-67 and Resolution No. 10-13-2020-2-NPUA by reducing the Equivalent Dwelling Unit (EDU) for the Wastewater Schools Customer Class
- 2) NPUA / COUNCIL: Resolution 2020-84 amending Resolution No. 2020-67 and 10-13-2020-2 NPUA by Temporary Reducing Wastewater Fees for Food Establishments and Religious Organizations retroactive to November 1, 2020 through January 31, 2021
- 3) NPUA / COUNCIL: Authorize staff to develop and implement a NPUA Free Shade Program not to exceed \$14,000 from the Electric Public Education Fund
- 4) NPUA / COUNCIL: Approve the minutes of April 28, May 12, June 23, July 10, July 14, August 11, September 8, October 27, November 10 and November 24, 2020

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

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

- 5) Approve Rudy Acosta Consulting Services Proposal for the Design and Development of a Neighborhood Renewal Home Rehabilitation Program not to exceed \$10,000 (ACT)

ADJOURN THE SARDA MEETING AND RECONVENE THE CITY COUNCIL MEETING
CALL TO ORDER (Roll Call previously taken)

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS (A three-minute time limit per person has been established.)

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 6 through 14 on the Consent Calendar by affirmative roll call vote. (ACT)

- 6) Approve the warrants of December 15, 2020

- 7) Accept the work completed by Colorado River Plumbing for the purchase and installation of two 10' X 10' X 8' walk in refrigeration units and authorize staff to issue a Notice of Completion and record with the San Bernardino County Recorder's Office
- 8) Waive the reading and adopt Resolution No. 2020-76 closing out D Street Bridge emergency determining that the initial conditions that warranted the January 2020 Emergency Declaration no longer exist
- 9) Waive the reading and adopt Resolution No. 2020- 82 authorizing the City Manager to Execute an Agreement for the Sale of City-Owned Property for \$2,500, An Approximately .78 Acre Parcel of a 6.5 Acre Parcel, Located in the Vicinity of Lillyhill Dr. and Casa Linda Street, also known as APN 0185-233-56
- 10) Waive the reading and adopt Resolution No 2020-77 amending Resolution No. 2020-18 "Charging Station Site License Agreement" between the City and Electrify America, LLC, to include the "First Amendment to Charging Station Site License Agreement" approving a change in design to incorporate a solar canopy, located at 1199 Third Street, APN 0185-341-09
- 11) Accept the Annual Report to the California Energy Commission Power Content Label for the year ending December 31, 2019
- 12) Results of Cannabis Business Field Audits for Calendar Year 2019 (INF)
- 13) State Water Resources Control Board Notice to Initiate Quarterly Monitoring of Manganese at Wells 08, 11 and 12 due to Secondary Maximum Contaminant Level Exceedances (INF)
- 14) Accept Change Order #1 from Jonovich Companies in the amount of \$7,000 for additional Geopolymer Lining System application to the lids of the River Road and Bazoobuth Lift Station and authorize the city manager to sign change order

End of Consent

REGULAR ITEMS

- 15) Resolution No. 2020-83 Reciting the Fact of the General Municipal Election held on November 3, 2020, declaring the results, and such other matters as provided by law (ACT)

Administer Oath of Office and deliver Certificate of Election to newly (re) elected Mayor Jeff Williams and newly (re) elected Council Members Tona Belt, Kirsten Merritt and Ellen A. Campbell

Presentations to outgoing Council Members Shawn Gudmundson and Louise Evans

Break

Seating of Mayor and Incoming Council Members

ROLL CALL

Selection of the Vice Mayor

PUBLIC HEARINGS

- 16) Public hearing noticed to consider all evidence and testimony for or against approving a Conditional Use Permit for a retail cannabis business in the C-2 (General Commercial) zone at 2208 Needles Highway, Building 1, APN 0185-268-08, 0185-268-10 and 0185-268-11

- 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. 2020-78 approving a Conditional Use Permit for a retail cannabis business in the C-2 (General Commercial) zone at 2208 Needles Highway, Building 1, APN 0185-268-08, 0185-268-10 and 0185-268-11 (ACT)

- 17) Public hearing noticed to consider all evidence and testimony for or against approving a Conditional Use Permit for a Cannabis Distribution Facility Located In the C-2 (General Commercial) Zone, at 2208 Needles Highway, Building 2, Phase 2, APN 0185-268-08, 0185-268-10 and 0185-268-11
- 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. 2020-79 approving a Conditional Use Permit for a Cannabis Distribution Facility Located In the C-2 (General Commercial) Zone, at 2208 Needles Highway, Building 2, Phase 2, APN 0185-268-08, 0185-268-10 and 0185-268-11 (ACT)

- 18) Public hearing noticed to consider all evidence and testimony for or against approving a Conditional Use Permit for a Cannabis Cultivation Facility Located In the C-2 (General Commercial) Zone, at 2208 Needles Highway, Building 3, Phase 3, APN 0185-268-08, 0185-268-10 and 0185-268-11
- 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. 2020-80 approving a Conditional Use Permit for a Cannabis Cultivation Facility located in the C-2 (General Commercial) Zone at 2208 Needles Highway, Building 3, Phase 3, APN 0185-268-08, 0185-268-10 and 0185-268-11 (ACT)

- 19) Public hearing noticed to consider all evidence and testimony for or against approval of the Development Impact Fees for 2020
- Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Approve the Annual Accounting Report for Development Impact Fees for Fiscal Year 2020 (ACT)

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 20 through 26 on the Consent Calendar by affirmative roll call vote. (ACT)

- 20) Award the RFP Proposal for The General Plan Transportation Element Update for an amount not to exceed \$93,325 and when selected authorize staff to issue a Notice of Award and Notice to Proceed
- 21) Waive the reading and adopt Resolution No. 2020-87 adopting the City of Needles Public Utility Authority Renewable Energy Resources Procurement Plan, Compliance Period 3 (2017-2020) Pursuant to Public Utilities Code § 399.30(a) and authorizing the taking of certain other actions in connection therewithin
- 22) Waive the reading and adopt Resolution No. 2020-86 approving a not-to-exceed of \$100,000 for the purchase of additional transformers, ancillary parts and equipment. Deposits have been made by commercial developments to cover the cost of the transformers
- 23) Waive the reading and adopt Resolution No. 2020-74 approving Amendment No. 2 to Contract Number M-1057-003 with the County of San Bernardino Department of Public Health for Safe Routes to School enforcement of traffic laws extending the term through October 31, 2021
- 24) Waive the reading and adopt Resolution No. 2020-88 Authorizing the Submittal of Joint Applications for all CalRecycle Grants for which the City of Needles is eligible.
- 25) Waive the reading and adopt Resolution No. 2020-73 waiving the sealed bid process and authorizing single source purchase of a law enforcement trailer to perform all-in-one functions including speed awareness, message posting, and license plate reader (ALPR) from All Traffic Solutions
- 26) Authorize Brooks Consulting to complete a 69kV model not to exceed \$7,000 and an Arc Flash study not to exceed \$17,000 Electrical Engineering Services

End of Consent

REGULAR ITEMS

- 27) Council please read the following for the record before making a motion:
In compliance with SB 1436, the following change is incorporated into the salary schedule for FY2021: Addition of 1 FTE Building Official/City Engineer with a salary range of \$127,442-\$162,656 (ACT)
- 28) Authorize the City Manager to Apply to Caltrans for the Adopt-A-Highway Litter Removal Program of the J Street Eastbound Off-ramp (ACT)

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Merritt
Councilmember Terral
Councilmember Campbell
Vice Mayor Paget
Councilmember Belt
Councilmember Longacre
Mayor Williams

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

RECESS TO EXECUTIVE SESSION

- a) Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code section 54956.9(d)(4). (one potential matter)

RECONVENE

EXECUTIVE SESSION – Report by City Attorney

ADJOURNMENT

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

Posted: December 11, 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 11th day of December 2020.

/s/ Cindy Semione for Dale Jones
Dale Jones, CMC, City Clerk