



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

The December 10, 2019 meeting was adjourned to Tuesday, December 17, 2019 at 5:30 p.m. due to the lack of a quorum - **agenda items 22 and 23 have been added

A G E N D A

REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, DECEMBER 17, 2019
COUNCIL EXECUTIVE SESSION – **5:30 P.M.**
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 5:30 P.M.**

CALL TO ORDER
ROLL CALL

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 real property negotiators 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 buyer and BNSF as the potential seller of the property described as a section of 9.1 acres generally located at the south west corner of APN 0185-091-14-0000 adjacent to City-owned parcel APN 0185-091-15-0000 on Eagle Pass Road. Under negotiation are the price and terms.
- b) Conference with legal counsel regarding significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3) (One potential case related to letters from legal counsel for Rio Buena Vista Association related to Association water and sewer facilities).

EXECUTIVE SESSION – Report by City Attorney

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS

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 HEARINGS

- 1) Public hearing noticed to consider all evidence and testimony for or against amending Chapter 21 “Taxicabs” of the Needles Municipal Code
 - Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Introduce, read by title only and waive further reading of Ordinance No. 626-AC repealing and replacing Chapter 21 entitled “Taxicabs” of the Needles Municipal Code
(1st reading – post) (ACT)
- 2) Public hearing noticed to consider all evidence and testimony for or against amending the Needles Conflict of Interest Code
 - Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Resolution No. 2019-81 rescinding Resolution No. 2016-61 and approving and adopting an amended appendix to the Conflict of Interest Code pursuant to Political Reform Act of 1974 (ACT)
- 3) Public hearing noticed to consider all evidence and testimony for or against approving a Conditional Use Permit for relocation of the existing “H Street Cannabis Dispensary” from 221 H Street to 1019 W. Broadway located in the C-2 General Commercial Zone, APN 0186-094-49
 - 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. 2019-77 approving a Conditional Use Permit for relocation of the existing “H Street Cannabis Dispensary” from 221 H Street to 1019 W. Broadway located in the C-2 General Commercial Zone, APN 0186-094-49 (ACT)

RECESS CITY COUNCIL MEETING AND CONVENE A JOINT MEETING WITH THE NEEDLES PUBLIC UTILITY AUTHORITY

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.)

PUBLIC HEARING

- 4) NPUA / COUNCIL: Public hearing noticed to consider all evidence and testimony for or against adopting the Culinary Water and Sanitary Sewer Capital Facilities Master Plan
- 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
 - NPUA - Resolution No. 12-10-2019-NPUA adopting Epic Engineer's Culinary Water and Sanitary Sewer Capital Facilities Master Plan for the City of Needles (ACT)
 - COUNCIL - Resolution No 2019-80 adopting Epic Engineer's Culinary Water and Sanitary Sewer Capital Facilities Master Plan for the City of Needles (ACT)
 - Provide direction to City Staff to proceed with design and cost estimates for the extension of the Culinary Water and Sanitary Sewer Capital Facilities Master Plan into North Needles (ACT)

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 5 through 7 on the Consent Calendar by affirmative roll call vote. (ACT)

- 5) NPUA: Approve the minutes of January 8, February 12 and November 12, 2019
- 6) NPUA / COUNCIL: Ratify the City Manager's authorization to utilize wastewater capital funds to complete the Broadway and Wastewater Treatment Plant Manhole Rehabilitation project for rehabilitation of two additional manholes at an additional cost not to exceed \$14,950 (total project cost not to exceed \$24,950 - \$10,000 approved at the November 12 meeting)
- 7) Approve recommended repairs to Well #12 to be completed by Layne Christensen to be funded by the Rivers Edge Golf Course per the Irrigation Well Lease dated July 1, 2015 at an estimated cost of \$64,000

End of Consent Calendar

ADJOURN THE JOINT NPUA MEETING AND RECONVENE CITY COUNCIL MEETING

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 15 on the Consent Calendar by affirmative roll call vote. (ACT)

- 8) Approve the warrants register through December 10, 2019

- 9) Approve the minutes of January 8, February 12 and November 12, 2019
- 10) Waive the reading and adopt Ordinance No. 625-AC amending Section 13-33(d) of the Needles Municipal Code to erect a stop sign at the northeast corner of North K Street and Front Street (2nd reading – publish)
- 11) Authorize expenditure in the amount of \$175,000 to Arizona Department of Transportation (ADOT) for the City's portion between State of Arizona and the City to complete the scoping and design work of the Colorado River Bridge repairs and authorize staff to immediately request a reimbursement of the grant in the amount of \$154,928 and use \$20,072 of SB-1 funds for the balance
- 12) Award contract to Vasquez & Company to perform four (4) dispensaries and one (1) cultivation facility audit for calendar year(s) 2018-2019 at a cost not to exceed \$29,000
- 13) Waive the reading and adopt Resolution No. 2019-85 authorizing the City to file an application for SB 2 Planning Grants Program Funds and Acknowledging Receipt of the funds when received
- 14) Waive the reading and adopt Resolution No. 2019-82 approving a contract with the County of San Bernardino Department of Public Health for Safe Routes to School enforcement of traffic laws in substantially the form as attached to the resolution subject to city attorney approval
- 15) Waive the reading and adopt Resolution No. 2019-86 supporting the National Rifle Association (NRA)

End of Consent Calendar

REGULAR ITEMS

- 16) Resolution No. 2019-84 approving Greens Needles, LLC Economic Development Program Application for the Planned Development of the Hampton by Hilton Hotel located at 1803 Needles Highway, APN 0185-046-05, 0185-046-10 thru 12, 0185-086-01 (former site of El Rancho Motel) in the amount not to exceed \$104,456.40 (ACT)
- 17) Resolution No. 2019-79 approving Planned Development for the Hampton Hotel by Hilton located at 1803 Needles Highway, APN 0185-046-05, 0185-046-10 thru 12 and APN 0185-086-01, including the "Conditions of Approval", Applicant: Greens Needles LLC (ACT)
- 18) Approve an Agreement with H Street Patient Care for a Temporary Certificate of Occupancy for the building located at 101 W Spikes Road, APN 0650-431-10-0000 subject to conditions including the applicant's proposal to add fencing (ACT)
- 19) Resolution No. 2019-78 amending Resolution Nos. 2017-94, -95, -96, -97, -98, -99, -100, -101 and 2019-25 approving an extension of time for eight (8) conditional use permits issued for marijuana facilities located at 320 Balboa (ACT)
- 20) Resolution No. 2019-83 approving an extension of time for two (2) Conditional Use Permits (CUP) issued for a marijuana manufacturing facility, Suite A (Resolution No. 2018-70) and a marijuana distribution facility Suite B (Resolution No. 2018-71) located at 2208 Needles Highway (former Relax Inn) (ACT)
- 21) Accept the bid from Phillips Excavating Inc in the amount of \$38,190.00 to install the water and sewer laterals crossing Needles Hwy funded by North Needles Water & Sewer Development Impact Fees subject to verification or the Water & Sewer Asset Replacement Funds and authorize staff to issue a Notice of Award and Notice to Proceed (ACT)

- **22) Accept the resignation of Councilmember Hazlewood effective immediately and provide direction to authorize the City Clerk to advertise to fill the vacancy of the unexpired term or call for a special election. (ACT)
- **23) Discussion to adjourn the adjourned regular meeting of December 26 to Tuesday, January 7, 2020 at 5:30 p.m. (ACT)

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Gudmundson
Councilmember Terral
Councilmember Hazlewood
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: December11, 2019

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 2019.

Dale Jones, CMC, City Clerk