



(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 12, 2014**  
COUNCIL EXECUTIVE SESSION – 5:00 P.M.  
CITY COUNCIL MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

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 negotiator pursuant to California Government Code §54956.8 - Negotiating Parties: City Manager Rick Daniels as city representative and the Tri-State Alamo Club - Subject Property: 801 Third Street, Needles, a portion of APN 0186-122-20 - Items(s) for discussion: Lease Price and Terms
- b) Conference with Legal Counsel – Existing Litigation (§ 54956.9); City of Needles v. Keith Ents USA, LLC, San Bernardino County, CIVNS 1100085
- c) Conference with real property negotiator pursuant to California Government Code §54956.8 – Property: APN 0186-095-01 (the parcel is bound on all four (4) sides by Front, G, H and Broadway (Second) Streets, Needles, CA); City Negotiator: City Manager Rick Daniels; Negotiating Parties: The City of Needles and The Needles Chamber of Commerce; Under Negotiation: possible sale

### EXECUTIVE SESSION – Report by City Attorney

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

LATE ADD ITEM  
STORM EMERGENCY

**As a courtesy to those in attendance, we would ask that cell phones and pagers 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.

## **PRESENTATION**

- 1) Presentation of an “Award of Appreciation” for community service to Susan Lanphear, Jim Lanphear and Gigi Thomson for their diligence in the cleanup efforts of our city
- 2) Mr. Joe Zuccaro, San Bernardino County Fire Department, Fire Prevention Supervisor, will be making a presentation regarding the recently adopted San Bernardino County Fire Code

Ordinance No. 563-AC of the City Council of the City of Needles by adopting the ordinance attached as Exhibit A that the Board of Directors of the San Bernardino County Fire Protection District, State of California, approved by adopting San Bernardino County Fire Code (Referencing the 2013 Edition of the California Fire Code and the 2013 Edition of the California Residential Code) along with certain changes, modifications, amendments, additions, deletions and exceptions relating to fire regulations (1<sup>st</sup> reading – publish summary) (ACT)

## **PUBLIC HEARINGS**

- 3) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit to allow a 30' by 50' steel garage facility for the Needles Area Transit (NAT)
  - Staff Report
  - Public Comment
  - Resolution No. 2014-42 approving a Conditional Use Permit to allow a steel vehicle storage facility for Needles Area Transit (NAT) buses and vehicle in a C-2 (General Commercial) zone at 1100 Front Street, APN 0186-031-10 (ACT)
- 4) Public hearing noticed to consider all evidence and testimony for or against proposed increases in fees charged at the Needles Riverview Cemetery, effective September 1, 2014
  - Staff Report
  - Public Comment
  - Resolution No. 2014-43 approving a fee increase at the Needles Riverview Cemetery effective September 1, 2014 (ACT)
- 5) Public hearing noticed to consider all evidence and testimony for or against proposed increases to the fees for play at Rivers Edge Golf Course
  - Staff Report
  - Public Comment
  - Resolution No. 2014-41 rescinding all previous resolutions relating to fees for play at Rivers Edge Golf Course and establishing a new fee structure (ACT)

- 6) Public hearing noticed to consider all evidence and testimony for or against increasing the Jack Smith Park Boat Launch Annual Use Pass from \$125.00 to \$175.00 per season
  - Staff Report
  - Public Comment
  - Resolution No. 2014-40 approving a fee increase for the Jack Smith Park Annual Pass effective September 1, 2014 (ACT)
  
- 7) Public hearing noticed to consider all evidence and testimony for or against increasing the youth sports fees at the Needles Recreation Center
  - Staff Report
  - Public Comment
  - Resolution No. 2014-45 approving a fee increase for the Youth Sports Fees effective September 1, 2014 (ACT)
  
- 8) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit to allow a metal building storage facility, including a pool, community center and manager's apartment located at 4132 Needles Highway APN 660-211-01 **has been continued by staff to September 23, 2014**

**RECESS THE COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING**  
(roll call previously taken)

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

- 9) NPUA ACTION: Approve the minutes of the regular meeting held on May 13 and the regular and special meetings held on May 27, 2014 (ACT)
  
- 10) NPUA / COUNCIL ACTION: Approve the Annual Depository Agreement Statement for Fiscal Year 2014-2015 for debt service, contract services, purchase payments, utility franchise fees and reimbursement of non-utility sanitation revenues deposited with the Authority (ACT)
  
- 11) NPUA / COUNCIL ACTION: Appointment of NPUA/Council Members to an Ad-Hoc Rate Study Committee to work with staff and the consulting firm performing cost of service studies and rate analysis for the electric, water and wastewater utilities (ACT)
  
- 12) NPUA ACTION: Resolution No. 8-12-2014-NPUA respectfully declining to set energy storage procurement targets as per Assembly Bill 2514 (ACT)  
 COUNCIL ACTION: Resolution No. 2014-39 respectfully declining to set energy storage procurement targets as per Assembly Bill 2514 (ACT)
  
- 13) NPUA/COUNCIL ACTION: Appoint a representative(s) to serve on the NPUA/City Council Capital Improvement Plan (CIP) Committee (ACT)

**ADJOURN THE JOINT COUNCIL / NPUA MEETING AND CONVENE THE COUNCIL MEETING**  
(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 14 through 21 on the Consent Calendar by affirmative roll call vote. (ACT)

**PUBLIC COMMENTS PERTAINING TO THE CONSENT CALENDAR ITEMS** (A three minute time limit per person has been established.)

- 14) Approve the warrants register through August 12, 2014 and hospital related bills for \$456.00, Landauer, Inc.; \$79.50, \$185.50 and \$477.00 for Fisher & Phillips LLP
- 15) Approve the minutes of the regular and special meetings held on May 27, 2014
- 16) Waive the reading and adopt Ordinance 559-AC rescinding Chapter 5A of the Code of the City of Needles in its entirety and adopting a new Chapter 5A entitled "State Video Franchises" (2nd reading – adopt - publish summary)
- 17) Authorize staff to accept the work completed by Jonovich Companies, Inc. for the emergency repairs for sewer pipe replacement project and file the "Notice of Completion" with the County Recorder
- 18) Waive the reading and adopt Ordinance 561-AC, amending Ordinance No. 404-AC, Article I, Chapter 6C, terms and conditions for the sale of electric services, increasing the amount of security deposits for electric services (2nd reading - publish summary)
- 19) Waive the reading and adopt Resolution No. 2014-44 authorizing the Title VI Compliance Plan for the Needles Area Transit
- 20) Award the bid for ryegrass seed to Crop Production Services in the total bid amount of \$35,299.80 for the grass seed requirements for the over seeding program at the golf course
- 21) Authorize staff to publish an invitation to bid for curb, gutter and sidewalk construction on the south side of Third Street between F Street and H Street and the west side of D Street between Third Street and Acoma using Article 3 Transit Stop Access Program for Accessibility for Pedestrians Grant Funding

**End of Consent Calendar**

#### **REGULAR ITEMS**

- 22) Urgency Ordinance No. 562-AC implementing regulations in compliance with California Code of Regulations, Title 23, Article 22.5, Sections 863-865 regarding the State Water Resources Control Board's "Findings of Drought Emergency" and mandatory water conservation procedures and that the water conservation procedure currently in place, which procedures ensure compliance with Section 865, Mandatory Actions by Water Suppliers, (e)(1) and (2), remain in place while Section 865 Title 23 of the California Code of Regulations remains in force (ACT)

- 23) Approve an Electric Vehicle Charger Placement Site for the electric vehicle charging station (ACT)
- 24) Support or oppose the resolution being presented at the Annual League of California Cities Conference on September 5, 2014 regarding the environmental impacts of illegal marijuana grows on both private and public lands (ACT)
- 25) Discussion to support the North Needles Highway Project; encourage the County to maintain the lead agency role; direct the Mayor to sign a letter asking the Board of Supervisors to certify the environmental documents and to identify its highest priority phase as the southernmost portion, progressing northward as funds become available (ACT)
- 26) Report from the Medical Marijuana Committee and initiate ordinance revisions to our existing marijuana ordinance (ACT)

**CITY ATTORNEYS REPORT**

**CITY MANAGERS REPORT**

**COUNCIL REQUESTS**

- Councilmember Lopez
- Councilmember Kidd
- Councilmember Frazier
- Vice Mayor Campbell
- Councilmember Darcy
- Councilmember Gudmundson
- Mayor Paget

**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 9, 2014

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 345. 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).