



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

AGENDA

REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, SEPTMBER 9, 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 Councilmember Frazier has requested an excused absence.

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 Labor Negotiator pursuant to California Government Code §54957.6 – Personnel - City Negotiator: Attorney Tom Slovak via teleconference – Employee Organization: San Bernardino Public Employees Association (SBPEA)
- b) 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
- c) Conference with legal counsel--anticipated litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(b) – 2 (two) cases

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 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) San Bernardino County Fire Department Representative will review the July 2014 Administrative Monthly Report and Emergency Right-a-Way information (INF)

PUBLIC HEARINGS

- 2) Public hearing noticed to consider all evidence and testimony for or against enacting new City legislation that (a) prohibits Medical Cannabis Cooperatives or Collectives (“Cooperatives / Collectives”), but (b) grants limited immunity from said prohibition to those Cooperatives / Collectives that are in existence and operating within the City at the time this Article is adopted and which comply with the requirements set forth herein
 - Staff Report
 - Public Comment
 - Ordinance No. 564-AC repealing Ordinance No. 528-AC (amending Sections 96.20, 96.30 and 92.00 of the Needles Zoning Code) and adding Chapter 12A “Medical Cannabis Cooperative or Collective” to the Needles Municipal Code (1st reading – publish summary) (ACT)
- 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) **continued from August 12, 2014**
 - 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 approving a fee increase for sanitation service fees effective October 1, 2014
 - Staff Report
 - Public Comment
 - Resolution No. 2014-48 approving a sanitation service fee increase effective October 1, 2014 (ACT)
- 5) Public hearing noticed to consider all evidence and testimony for or against amending the Schedule of Fees and Charges for City Services, Chapter 8 of the Needles Municipal Code
 - Staff Report
 - Public Comment
 - Ordinance No. 565-AC amending Exhibit A to Ordinance No. 464-AC amending the Site Plan Development Review (S001 and S001A) percentage of cost recovery for the service (ACT)

- 6) 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.)

- 7) NPUA ACTION: Approve the minutes of the regular meeting held on May 27, 2014 (ACT)
- 8) NPUA/COUNCIL ACTION: Approve the Needles Public Utility Authority/City Council acting as the Ad-Hoc Rate Study Committee ("Committee") and designate the three Board or Public Utilities Members (Messrs. Pocock, Schneider and Sullivan) appointed August 5, 2014 as part of an advisory body to observe and assist the NPUA/Council in working with staff and the consulting firm performing cost of service studies and rate analysis for electric, water and wastewater (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 9 through 13 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.)

- 9) Approve the warrants register through September 9, 2014
- 10) Approve the minutes of the regular meeting held on May 27, 2014
- 11) Approve filing of a claim for Local Transportation Fund (LTF), State Transit Assistance Fund (STAF), and Measure I Operations and Elderly & Handicapped for the fiscal year 2014-2015
- 12) Waive the reading and adopt 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
(2nd reading - adopt – publish summary)

- 13) Waive the reading and adopt Revised Resolution No. 2014-45 approving a fee increase for all youth and pee wee sports fees and to implement a non-residential fee, effective September 1, 2014

End of Consent Calendar

REGULAR ITEMS

- 14) Resolution No. 2014-47 rescinding Resolution No. 2013-25 and approving a lease agreement with Tri-State Alano Club for lease of the building at 801 Third Street which lease lapsed August 4, 2014 and authorizing a renewal of the existing lease retroactive to August 5, 2014 for a term of three (3) years with a monthly lease payment to be set at \$125.00 per month, all other terms and conditions of the expired lease shall remain in place (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: September 5, 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).