



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

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF NEEDLES, CALIFORNIA  
NEEDLES PUBLIC UTILITY AUTHORITY  
**TUESDAY, FEBRUARY 24, 2015**  
COUNCIL EXECUTIVE SESSION – **5:30 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 Labor Negotiator pursuant to California Government Code §54957.6 – Personnel – Agency Representatives City Manager Rick Daniels – Employee Organization: San Bernardino Public Employees Association (SBPEA)
- b) Conference with Labor Negotiator pursuant to California Government Code §54957.6 – Personnel – Agency Representatives City Manager Rick Daniels – Employee Organization: Needles Unclassified Employees Association (NUEA)
- c) Conference with legal counsel -- anticipated litigation pursuant to Government Code Section 54956.9(d)(2)and(3) - One potential case: Lifepoint Hospitals, Inc and its affiliate Principal Needles, Inc. v City of Needles

### 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.

## **VACANCY**

- 1) Discussion to fill a Council vacancy due to the resignation of Councilmember Jim Lopez with a term to expire December 2016 and/or possible appointment (ACT)

## **PRESENTATION**

- 2) Councilmember Tom Darcy will present the First Green Spirit Award Winner awarded by the Mojave Desert and Mountain Integrated Waste Joint Powers Authority to the Rio Del Sol Inn

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

CALL TO ORDER (Roll Call previously taken)

**PUBLIC APPEARANCE** – Members of the public may address the Needles Public Utility Authority on matters scheduled on the agenda. Please come to the podium at the time the agenda item is announced. A three-minute time limit applies.

- 3) NPUA Action: Approve the minutes of the regular meetings held January 27 and February 10, 2015 (ACT)
- 4) NPUA Action: Receive and File the Fiscal Year 2014 NPUA audit report (ACT)
- 5) NPUA Action: Resolution No. 2-24-15 NPUA adopting a revised statement of policies, dated February 2015, to guide the overall design of electric rates and recommending the City Council adopt and implement same (ACT)  
COUNCIL Action: Resolution No. 2015-13 adopting a revised statement of policies, dated February 2015, to guide the overall design of electric rates (ACT)
- 6) NPUA Action: Authorize Vice Mayor Jeff Williams to attend the 2015 Renewable Energy Summit in Winterhaven, CA on March 11 through March 13, 2015 from budget line item #580-4750-473.54-60 (electric - conservation) to cover the expenses (ACT)

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

- 7) Request by Community Health Partners Inc. to extend the closing date for the land sale until August 31, 2015 – property located at 1401 Bailey Avenue aka Colorado River Medical Center (Agendized at the request of Councilor Darcy) (ACT)

## **PUBLIC HEARINGS**

- 8) Public hearing noticed to consider all evidence and testimony for or against approving amended Final Parcel Map No. 19381, APN 0185-233-56 aka Colorado River Medical Center, subdividing 14+/- acres into 4 parcels, located in the vicinity of 1401 Bailey Avenue; Applicant: City of Needles
  - Staff Report
  - Mayor to open the public hearing
  - Public Comment

- Mayor to close the public hearing
  - Resolution No. 2015-10 approving amended Final Parcel Map No. 19381, APN 0185-233-56, aka Colorado River Medical Center, subdividing 14+/- acres into 4 parcels , located in the vicinity of 1401 Bailey Avenue; Applicant City of Needles: rescinding Resolution No. 2012-45 (ACT)
- 9) Public hearing noticed to consider all evidence and testimony for or against amending the Needles Municipal Code (NMC) Section 99.02 “Building Materials” and Section 99.06.05 “Front, Side, Rear Yards” to Include Setbacks for Accessory Uses and Standards for Shipping Containers as Accessory Uses
- Staff Report
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Ordinance No. 568-AC amending the Needles Municipal Code (NMC) Section 99.02 “Building Materials” and Section 99.06.05 “Front, Side, Rear Yards” to Include Setbacks for Accessory Uses and Standards for Shipping Containers as Accessory Uses (1<sup>st</sup> reading – publish summary) (ACT)
- 10) Public hearing noticed to consider all evidence and testimony for or against approving eligible activities for Community Development Block Grant Funding in Fiscal Year 2015-2016
- Staff Report
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Resolution No. 2015-5 prioritizing and approving the dollar amount of the Needles eligible projects for the Community Development Block Grant Funding in Fiscal Year 2015-2016 (ACT)
- 11) Public hearing noticed to consider all evidence and testimony for or against amending the City of Needles Municipal Code Pertaining to the Regulation of Massage Establishments has been **continued to April 14, 2015**

**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 12 through 24 on the Consent Calendar by affirmative roll call vote. (ACT)

- 12) Approve the warrants register through February 24, 2015
- 13) Approve the minutes of the special meeting held January 26 and the regular meetings of January 27 and February 10, 2015
- 14) Waive the reading and adopt Resolution No. 2015-7 approving Final Parcel Map No. 19438, APN 0660-161-15, a division of approximately 3.90+/- acres into two parcels located on Needles Highway; Applicants: Mr. and Mrs. Rick Seidner and WF Hilton LLC
- 15) Waive the reading and adopt Resolution No. 2015-8 approving Final Parcel Map No. 19449, APN 660-241-08 a division of approximately 58.10+/- acre site into 4 parcels and a remainder parcel, located on the east side of Needles Highway, north of the Rio Vistancia Tract Map and south of the Oasis Storage facility; Applicant: Billy Andrews

- 16) Waive the reading and adopt Resolution No. 2015-9 approving Final Parcel Map No. 19340, APN 0660-251-80, a division of approximately 37.81+/- acre site into 4 parcels and a remainder parcel, located on the south side of Budweiser Road and west side of My Place Road; Applicant: Billy Andrews
- 17) Approve Change Order No. 3 to the Needles Area Transit (NAT) Office & Garage Improvements Project, extending the contract completion date for the NAT Office Improvements by fourteen (14) calendar days due to a delay beyond the contractor's control, in the delivery of the Title 24 lighting package with Malibu Pacific Tennis Courts Inc.
- 18) Waive the reading and adopt Resolution No. 2015-12 approving a Lease Agreement (El Garces Unit Lease) by and between the City of Needles and McDonald Transit Associates, Inc. for occupancy by the Needles Area Transit
- 19) Approve Needles Animal Shelter to distribute donated surplus animal food before its expiration date
- 20) Waive the reading and adopt Resolution No. 2015-6 establishing a policy for insertion of flyers into Utility Bills
- 21) Approve Change Order No. 2 to HS Brown Construction, Inc., for additional scope of work to the project, to include sidewalk infill on the east side of Bailey Avenue between driveways in front of the hospital in the amount of \$32,687.00 for the Bus Stop & Pedestrian Access Improvements 2014 Project using \$27,100 grant funding and accept a private donation of \$6,000.00 to complete the project
- 22) Approve filing of a revised claim for State Transit Assistance Funds (STAF) for the fiscal year 2014-2015 increasing by \$100,000 for the new NAT office and garage construction
- 23) Waive the reading and adopt Resolution No. 2015-11 acknowledging termination of Contract No. 91-1158 and approving a new five year agreement with the County of San Bernardino for participation in the Sheriff's Department Work Release Program
- 24) Waive the reading and adopt Resolution No. 2015-14 authorizing examination of sales, use and transactions tax records

**End of Consent Calendar**

**REGULAR ITEMS**

- |     |                                     |       |
|-----|-------------------------------------|-------|
| 25) | Establishment of an Inland Port     | (ACT) |
| 26) | Council Goals and Mission Statement | (ACT) |

**CITY ATTORNEYS REPORT**

**CITY MANAGERS REPORT**

**COUNCIL REQUESTS**

Councilmember Evans  
Councilmember Frazier  
Councilmember Williams  
Councilmember Darcy  
Councilmember Richardson  
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: February 20, 2015

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).