



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

## A G E N D A

REGULAR MEETING OF THE CITY COUNCIL,  
NEEDLES PUBLIC UTILITY AUTHORITY,  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY  
CITY OF NEEDLES, CALIFORNIA  
**TUESDAY, SEPTEMBER 8, 2015**  
COUNCIL EXECUTIVE SESSION – 5:00 P.M.  
CITY COUNCIL MEETING – 6:00 P.M.  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

Councilmember Frazier will be participating in this meeting via teleconference call from 2050 Sleepy Meadow Lane, Duck Creek, Utah.  
The public shall be given an opportunity to address the legislative body directly from this teleconference location.

### 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 legal counsel – Pending Litigation pursuant to Government Code Section 54956.9(d)(1) – Esposito v. City of Needles et al (Case No. CIVDS1402665)
- b) Conference with legal counsel – Pending Litigation pursuant to Government Code Section 54956.9(d)(1) City of Needles v. Matosantos: (Case No: 43-2013-80001590)
- c) Conference with legal counsel – Pending Litigation pursuant to Government Code Section 54956.9(d)(1) City of Needles v. Lopez et al.: (Case No. CIVDS1500198)
- d) Conference with legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) - One potential case involving claim by Siemens Healthcare Diagnostics Inc.
- e) Conference with real property negotiator pursuant to California Government Code §54956.8 – Property: APN 185-351-11 and APN 185-351-12 located on San Clemente at Casa Linda, Needles, CA; City Negotiator: City Manager Rick Daniels; Negotiating Parties: Travis Phillips; Under Negotiation: possible sale including price and terms of sale
- f) Conference with legal Counsel pursuant to Government Code Section 54956.9(d)(4) - Anticipated Litigation - 2 potential cases
- g) Conference with Labor Negotiator pursuant to California Government Code §54957.6 – Personnel – Agency Representative City Manager Rick Daniels – Employee Organizations: San

Bernardino Public Employees Association (SBPEA) Teamsters Local 1932 and Needles  
Unclassified Employees Association (NUEA)

- h) Conference with Labor Negotiator pursuant to California Government Code Section 54957.6-  
Personnel- Agency representatives Vice Mayor Williams and Council Member Darcy -  
Unrepresented employee: City Manager
- i) Public Employee Performance Evaluation and discussion regarding extending City Manager  
contract per Government Code Section 54957(b)(1) - Position: City Manager

**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.

**RECESS CITY COUNCIL MEETING AND CONVENE A SARDA MEETING**

CALL TO ORDER (Roll Call previously taken)

**PUBLIC APPEARANCE –** Members of the public may address the Successor Agency to the Redevelopment Agency 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.

- 1) Approve the minutes of September 23 and October 14, 2014 (ACT)
- 2) Resolution No. 09-08-2015-SARDA approving the Recognized Obligation Payment Schedule 15-16B for the period of January through June 2016 and approving certain related actions (ACT)

**ADJOURN THE SARDA MEETING AND CONVENE THE CITY COUNCIL MEETING**

CALL TO ORDER (Roll Call previously taken)

**PUBLIC APPEARANCE –** Members of the public may address the City Council and 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.

## **PUBLIC HEARINGS**

- 3) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit to allow a 9,100 square foot general merchandise retail building with a partial steel exterior, at the corner of J Street and Hospitality Lane, also known as Assessor's Parcel Number 0185-211-30; Applicant SimonCRE (Dollar General)
  - Staff Report
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Resolution No. 2015-45 approving a Conditional Use Permit for a 9,100 square foot general merchandise retail building, partially clad with a steel exterior, located on the southeast corner of J Street and Hospitality Lane, APN 0185-211-30 (ACT)
  
- 4) Public hearing noticed to consider all evidence and testimony for or against Tentative Parcel Map No. 19526, a division of 5.176+/- acre parcel into four parcels: Parcel 1, 1.041 acres; Parcel 2, 1.881 acres; Parcel 3, 1.128 acres; Parcel 4, 1.126 acres. Tentative Parcel Map 19526 is located in the CRR (Commercial, Residential, Resort) zone, along Needles Highway, north of Rainbo Beach RV Park, also known as Assessor's Parcel No. 0660-151-05; Applicants Pam and Kevin Ostby
  - Staff Report
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Resolution No. 2015-44 approving Tentative Parcel Map 19526, subdividing 5.176 +/- acres into 4 parcels located east of Needles Highway in the City of Needles; APN 0660-151-05 (ACT)
  
- 5) Public hearing noticed to consider all evidence and testimony for or against increasing various fees charged by the city using the Consumer Price Index (CPI) for All Urban Consumers - West - Size Class B/C, from July 2007 through July 2015 (increases up to 14.6%).
  - Staff Report
  - Mayor to open the public hearing
  - Public Comment
  - Mayor to close the public hearing
  - Resolution No, 2015-46 establishing a revised schedule of certain fees and charges for city services and partially revising Resolution No. 03-28-06-01 (ACT)

## **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 City Council and 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.

- 6) NPUA ACTION: Approve the minutes of April 14, 2015 (ACT)
  
- 7) NPUA ACTION / COUNCIL ACTION: Approve the Annual Depository Statement for fiscal year 2015-2016 for debt service, contract services, purchase payments, utility franchise fees, and reimbursement of non-utility sanitation revenues deposited with the Authority (ACT)
  
- 8) NPUA ACTION: Needles Public Utility Authority proposed capital improvements plan for fiscal years 2016-2019 (ACT)

- 9) NPUA ACTION / COUNCIL ACTION: Authorize the Mayor to execute Exhibit Q Central Arizona Water Conservation District (CAWCD)-Funded Intentionally Created Surplus (ICS) Water Supply from Conserved Water (ACT)
- 10) NPUA ACTION / COUNCIL ACTION: Adjustment in wastewater system operator EUSI, LLC's remuneration by the change in the consumer price index (CPI) December 2012 to December 2014 as per Section 4.1 of the certain Agreement for Wastewater System Operation dated December 1, 2012 (INF)

**ADJOURN THE JOINT MEETING AND RECONVENE THE 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 11 through 17 on the Consent Calendar by affirmative roll call vote. (ACT)

- 11) Approve the warrants register through September 8, 2015 and a hospital related bill for \$3,900 to SBEMP
- 12) Approve the minutes of April 28, 2015
- 13) Waive the reading and adopt Resolution No. 2015-40 adopting the Measure I Five Year Capital Improvement Plan for Fiscal Years 2016 through 2020
- 14) Approve a proclamation declaring October 18-24, 2015 as "Freedom from Workplace Bullies Week"
- 15) Authorize the Sheriff's Department to place anti panhandling signs strategically around town
- 16) Authorize the Mayor to sign an Agreement with Citadel Community Development and authorize the City Manager to enter into agreements for specific individuals and programs
- 17) Waive the reading and adopt Resolution No. 2015-47 declaring certain city-owned properties as surplus and allowing the sale of these properties identified on Exhibit A (approximately 7 acres, a portion of the rodeo grounds, APN 185-233-64) with a broker price opinion (BPO) in lieu of a real estate appraisal, without a master plan regardless of size

**End of Consent**

**REGULAR ITEMS**

**PUBLIC APPEARANCE:** Members of the public may address the City Council and 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.

- 18) Resolution No. 2015-43 approving a lease between the City of Needles, California and National Railroad Passenger Corporation (AMTRAK) for an approximately 2,500 square foot portion of 950 Front Street, Needles, CA 92363 (The El Garces Building) and authorizing the Mayor to execute said agreement on behalf of the City of Needles (ACT)
- 19) Clean Up Needles Committee (DIS)

- 20) Traffic Safety Committee (DIS)
- 21) Establish residency and proximity requirements for emergency responders (DIS)
- 22) Attendance at the International Conference of Shopping Centers Western Region Show in San Diego on September 17-18, 2015 (ACT)
- 23) Resolution No. 2015-42 approving an amendment to the employment agreement between the City of Needles and City Manager Richard Daniels (ACT)

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Gudmundson  
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: September 4, 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).