



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

A G E N D A

REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, JANUARY 12, 2016
COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 P.M.

CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

Councilmember Richardson will be participating in this meeting via teleconference call from 14485 Seneca Road, Unit 183, Victorville, CA 92392.
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 – Anticipated Litigation (significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) (one case)
- b) Conference with Real Property Negotiator regarding sale of surplus city owned property to Mr. James McCann pursuant to Government Code Section 54956.8 (Agency negotiator: City Manager Rick Daniels; Negotiating Parties: City of Needles as Seller and James McCann as Buyer; Under Negotiation: price and terms of payment) – APN 0185-341-10 .51 acres and APN 185-341-11 1.04 acres located by and across the street from McDonalds

EXECUTIVE SESSION – Report by City Attorney

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS
CITY ATTORNEY – Parliamentary Procedure Review

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

(A ten minute time limit per presentation has been established by Municipal Code Section 2-18.)

- 1) Mayor Paget to present a Plaque of Appreciation to Golf Pro JC Bacon for his years of service (INF)
- 2) Ms. Katelyn Harter will be making a presentation regarding “re-thinking school” (INF)

INTERVIEWS

- 3) Interview(s) to be held and possible appointment(s) made to fill vacancies on various Boards and Commissions (ACT)

PUBLIC HEARING

- 4) Public hearing **opened and continued open** at the December 8, 2015 City Council Meeting to the regular meeting of January 12, 2016 to consider all evidence and testimony for or against amending the Needles Municipal Code related to marijuana businesses, cooperatives / collectives, cultivation and transportation adding provisions to Part III, Article VI “Table of Permissible Uses”
 - Staff Report
 - Council Questions of Staff
 - Mayor to re-open the public hearing
 - Public Comment
 - Council Questions of Staff
 - Mayor to close the public hearing
 - Council Discussion/Deliberation
 - Council Action Ordinance No. 574-AC repealing Ordinance No. 564-AC amending Chapter 12A “Marijuana Businesses” of the Needles Municipal Code and amending Section 96.01 “Table of Permissible Uses” of the Needles Zoning Code adding “17.00 Medical Marijuana” (1st reading - post) (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.

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 President/Mayor or any member of the NPUA/City Council may pull an item from the Consent Calendar for discussion. Prior to NPUA/City Council action, a member of the public may address the NPUA/City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 5 through 9 on the Consent Calendar by affirmative roll call vote. (ACT)

- 5) Approve the NPUA minutes of April 28, 2015
- 6) Receive and File the NPUA Audit for Fiscal Year ending June 2015
- 7) Award the bid to Wells Fargo Bank for the NPUA/City's banking needs
- 8) Authorize the Mayor to execute Amendment No. 1 to the California Agreement for the Creation and Delivery of Extraordinary Conservation Intentionally Created Surplus (ICS)
- 9) Waive the reading and adopt Resolution No. 01-12-2016-NPUA and Resolution No. 2016-2 approving the perpetual easement and lease agreement with Global Signal Acquisitions IV, LLC (Crown Castle Towers 09 LLC), approving third amendment to lease agreement with NCWPCS MPL 29-Year Sites Tower Holdings LLC and authorizing execution of final documents, located at 2450 Parkway Extension, APN 0651-121-06, APN 0651-121-22, APN 0185-233-45 and APN 0185-233-65

End of Consent

- 10) NPUA/CITY COUNCIL: Discussion regarding a Benefits Assessment District for the water and wastewater systems in the Rio Buena Vista Subdivision (ACT)
- 11) NPUA/CITY COUNCIL: Accept the Board of Public Utilities recommendation and direct staff to proceed with Option 3 for the North K Street Lift Station (Install new prefabricated fiberglass lift station in an empty lot adjacent to current lift station. Requires purchase of empty lot; backfill wet well to make it into manhole and eliminate current dry well. Allows use of current control panel and completely relocate the lift station out of traffic lanes.) (ACT)
- 12) NPUA/CITY COUNCIL: Authorize the Mayor to execute a consulting agreement with ECCO, Inc. for the proposed 100 MW scalable renewable energy project using funds from the Riverview Energy Project deposit (ACT)

End of Consent

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 13 through 18 on the Consent Calendar by affirmative roll call vote. (ACT)

- 13) Approve the warrants register through January 12, 2016
- 14) Approve the minutes of April 28, 2015
- 15) Waive the reading and adopt Ordinance No. 570-AC amending the Needles Municipal Code with the addition of Section 99.11 "Water Efficient Landscaping" to Article IX "Development Standards" (2nd reading – adopt)
- 16) Award the informal bid to Tri-R Construction for the demolition of the residential structures located at 1302 Sherman Way using \$7,900 of CDBG funds for the abatement of residential buildings

- 17) Authorize the Mayor to execute the Separation Agreement between the City of Needles and Mr. David Brownlee
- 18) Waive the reading and adopt Resolution No. 2016-1 accepting the offer to purchase surplus city owned property submitted by Community Healthcare Partner Inc. in the amount of \$50,000; APN 0185-233-57 (5 acres located on Bailey Avenue between the Hospital and Senior Center)

End of Consent

REGULAR ITEMS - Public appearance (A three minute time limit per person has been established.)

- 19) Authorize the Mayor to execute the "Consent to Assignment and Assumption of Lease" agreement between Assignor Scott Johnson, Assignee Joseph and Loretta LaCarte and Landlord City of Needles for the Rivers Edge Golf Course Concession (ACT)
- 20) Consideration of HR3668, California Minerals, Off-Road Recreation and Conservation Act (DIS)

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: January 8, 2016

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).