



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

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL,  
NEEDLES PUBLIC UTILITY AUTHORITY,  
CITY OF NEEDLES, CALIFORNIA  
**TUESDAY, OCTOBER 25, 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.

Councilmember Darcy will be participating in this meeting via teleconference call from 32335 Live Oak Canyon Road, Redlands, CA 92373.

Vice Mayor Williams will be participating in this meeting via teleconference call from 1247 Lilly Hill Drive, Needles, CA 92363.

The public shall be given an opportunity to address the legislative body directly from these teleconference locations.

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) Public Employee Performance Evaluation pursuant to Government Code Section 54957(b)(1) - Position: City Manager
- b) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8. Property description: APN 0186-031-07 approximately 6.789 acres located north of BNSF Railroad track and east of K Street; City negotiator, City Manager Rick Daniels or designee: Negotiating Parties BNSF Railway Company. Under Negotiation are terms of potential lease of property by the City

### 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.

**PUBLIC HEARING**

- 1) Public hearing noticed to consider all evidence and testimony for or against a proposed General Plan Amendment from a Commercial Resort (CR) designation to a Highway Commercial (CH) designation and a proposed Zone Change from a Commercial Residential Resort (CRR) designation to a Highway Commercial (C-3) designation for the property located at 320 Balboa St., also Known as APN 0660-081-10 through -15: Applicant Mr. Ron Kemper
  - Staff Report
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
  - Council Questions of Staff
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Ordinance Number 587-AC, Approving a proposed General Plan Amendment from a Commercial Resort (CR) designation to a Highway Commercial (CH) designation and a proposed Zone Change from a Commercial Residential Resort (CRR) designation to a Highway Commercial (C-3) designation for the property located at 320 Balboa St., also Known as APN 0660-081-10, 0660-081-11, 0660-081-12, 0660-081-13, 0660-081-14, 0660-081-15.  
**OR**  
Resolution Number 2016-64 Denying a proposed General Plan Amendment from a Commercial Resort (CR) designation to a Highway Commercial (CH) designation and a proposed Zone Change from a Commercial Residential Resort (CRR) designation to a Highway Commercial (C-3) designation for the property located at 320 Balboa St., also Known as APN 0660-081-10, 0660-081-11, 0660-081-12, 0660-081-13, 0660-081-14, 0660-081-15.  
(ACT)

- 2) The two public hearings were combined

**RECESS THE COUNCIL MEETING AND CONVENE A JOINT NPUA AND CITY COUNCIL MEETING  
CALL TO ORDER (Roll Call previously taken)**

**Public Appearance** - A three minute time limit per person has been established.

**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 3 through 5 on the Consent Calendar by affirmative roll call vote. (ACT)

- 3) **NPUA ACTION:** Approve the minutes of July 12, August 9 and August 23, 2016

- 4) NPUA / COUNCIL ACTION: Accept the work completed by Sancon Engineering, Huntington Beach, CA, for the install of a Lining in 12" Ductile Iron that is attached to the S Street Channel Bridge and authorize staff to file a "Notice of Completion" with the San Bernardino County Recorder
- 5) NPUA / COUNCIL ACTION: Approve the abandonment of the Public Utility Easement for parcel 3 and 4 of Parcel Map 15903 located on Road Runner Circle, east side of Park Road off Needles Highway and have staff send abandonment to San Bernardino County Recorder's Office for recording

**End of Consent**

- 6) NPUA / COUNCIL ACTION: Request by Pastor Tom Lamb, Assembly of God Church, to revisit the wastewater rate for the religious organizations customer class (DIS)
- 7) NPUA / COUNCIL ACTION: Accept Merrell Johnson Service Feasibility Assessment for Rio Buena Vista Subdivision; secure a \$10,000 deposit from the Homeowners Association to cover the cost of the district formation for the water and sewer system upgrades; initiate the district formation and that the street system remain privately owned and maintained (ACT)

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

- 8) Approve the warrants register through October 25, 2016
- 9) Approve the minutes of August 9, August 11 and August 23, 2016
- 10) Ratify the action taken by the city manager, authorization for the Needles Rodeo Association Daily License Application for the Department of Alcoholic Beverage Control for their November 5th Annual Colorado River Round Up Jeep Dinner event
- 11) Ratify the action taken by the city manager, authorization for the Fraternal Order of Eagles Aerie 2599 Daily License Application for the Department of Alcoholic Beverage Control for the NDBA/ Chamber of Commerce November 12th Route 66 90th Celebration event
- 12) Affirm Exit Agreement between the City of Needles and John C. (JC) Bacon

**End of Consent**

**REGULAR ITEMS**

- 13) Waive the reading and approve for introduction Ordinance Number 586-AC rescinding Ordinance 571-AC in its entirety and adding a new Section 18-19.1 to Chapter 18 of the Needles City Code relating to general permit conditions and trench repair requirements and adopting the amended "City of Needles, Department of Public Works, General Permit Conditions and Trench Repair Requirements October 2016" by reference (ACT)

- 14) Consideration of canceling the November 22 and December 27 regular council meetings due to the holidays (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: October 21, 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 145. 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).**