

MINUTES

REGULAR MEETING OF THE CITY COUNCIL
NEEDLES PUBLIC UTILITY AUTHORITY
HOUSING AUTHORITY OF THE CITY OF NEEDLES
CITY OF NEEDLES, CALIFORNIA - TUESDAY, APRIL 25, 2023
COUNCIL EXECUTIVE SESSION – 5:00 P.M. - CITY COUNCIL MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS - 1111 BAILEY AVENUE, NEEDLES

CALL TO ORDER

Mayor Jernigan called the meeting to order at 5:02 pm

ROLL CALL

Present: Mayor Jan Jernigan, Council Member Ellen Campbell, Vice Mayor Kirsten Merritt, Council Members JoAnne Pogue, Tona Belt, and Henry Longbrake. Also present; City Manager Rick Daniels, Assistant City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones. Council Member McCorkle arrived at 5:35 pm (after Executive Session).

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS – None

RECESS TO EXECUTIVE SESSION at 5:03 pm

- a) Conference with real property negotiator pursuant to Government Code §54956.8: Agency negotiator City Manager Rick Daniels or his designee. Negotiating Parties are the City of Needles as the potential seller and San Bernardino County as the potential buyer of a portion of the building located at 1111 Bailey Avenue, APN 0185-221-13-0000. Under negotiations are the price and terms
- b) Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code §54956.9(d)(4) (one potential matter)
- c) Conference with real property negotiator pursuant to Government Code §54956.8: Agency negotiator City Manager Rick Daniels or his designee. Negotiating Parties are the City of Needles as the potential seller and David Longnecker as the potential buyer of a portion of the property described as a 50.66-acre vacant parcel, generally located on Ice Plant Road, APN 0660-031-19-0000. Under negotiations are the price and terms

At 5:26 p.m. Executive Session concluded.

Mayor Jernigan called the regular meeting to order at 6:00 p.m.

EXECUTIVE SESSION – City Attorney Pinkney announced no reportable action was taken.

ROLL CALL (Previously Taken)

PLEDGE OF ALLEGIANCE – led by Mayor Jernigan

INVOCATION by Council Member Campbell

APPROVAL OF AGENDA

A motion to approve the agenda was made by Council Member Pogue, second by Council Member Longbrake and carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

CONFLICT OF INTEREST - None

CORRESPONDENCE - None

INTRODUCTIONS – Utility Board Commissioner Terry Campbell, City Treasurer Virginia Tasker and Assistant Utility Manager Rainie Torrance

CITY ATTORNEY - Parliamentary procedures given by City Attorney Pinkney.

PUBLIC APPEARANCE –

Pastor James Jones requested a committee be established to oversee El Garces and suggested a walking tour with displays in the windows showing the history.

Marianne Jones reported on the Museum and the success of tours of El Garces that are conducted by volunteers.

Catherine Travis expressed concern over the approved RV Park and its potential impact on River Road and inquired if an engineering report on the road condition be done prior to construction. She stated that not all residents received the 300' notice.

Sangeeta Vegas, previous owner of River Valley Inn, expressed concern that the City assigned the property over to a Receiver and informed council that the current owner still owes her money.

Mark Hanson expressed concern over the future RV park on River Road.

Jeff West stated that he conducted a CEQA report and a traffic report which concluded there is less than a significant impact for his development and spoke in favor of the future RV Park on River Road.

PRESENTATION

City Manager Rick Daniels reported and Assistant Utility Manager Rainie Torrance gave a PowerPoint Presentation on the Biden Supplemental Environmental Impact Statement (SEIS) regarding the Colorado River Basin. Utility Board Chair Terry Campbell spoke about the importance of preserving our Present Perfected Rights. Considerable discussion ensued.

Council Member McCorkle moved, second by Council Member Pogue to recommend the Mayor execute a Priority of Rights Recommendation Letter regarding Present Perfected Rights. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

RECESSED THE CITY COUNCIL MEETING AND CONVENED A JOINT COUNCIL / NPUA MEETING (Roll Call previously taken) at 6:42 pm

PUBLIC COMMENTS PERTAINING TO THE NPUA / COUNCIL ITEMS - None

NPUA / COUNCIL CONSENT CALENDAR:

Member/Council Member Pogue pulled item 3 for clarification.

Member/Council Member Campbell moved, second by Member/Vice Mayor Merritt to approve NPUA Consent item 2. Motion carried by the following roll call vote:

Ayes: Member/Council Members Jernigan, Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

2) NPUA / COUNCIL: Authorized Simon Sewer Maintenance to complete six (6) Manhole Geopolymer Rehabilitations along Front Street to W. Broadway in the amount of \$36,075 utilizing wastewater asset replacement funds
End of Consent

3) NPUA / COUNCIL: Authorized Southwest Groundwater to purchase and replace the pumping equipment for well #15 not to exceed \$64,528 to be funded by the water department asset replacement fund.

Council Member Pogue received clarification that this is an additional expenditure.

Member/Council Member Campbell moved, second by Member/Vice Mayor Merritt to authorize Southwest Groundwater to purchase and replace the pumping equipment for well #15 not to exceed \$64,528 to be funded by the water department asset replacement fund. Motion carried by the following roll call vote:

Ayes: Member/Council Members Jernigan, Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

RECESSED THE JOINT NPUA / CITY COUNCIL MEETING AND CONVENED A JOINT COUNCIL / HOUSING AUTHORITY OF THE CITY OF NEEDLES (HACN) MEETING

(Roll Call previously taken) at 6:45 pm.

PUBLIC COMMENTS PERTAINING TO THE HACN / COUNCIL ITEMS – None

HACN BOARD OF COMMISSIONERS / COUNCIL CONSENT CALENDAR:

Member/Council Member Campbell moved, seconded by Member/Vice Mayor Merritt to approve HACN Consent items 4 through 6. Motion carried by the following roll call vote:

Ayes: Member/Council Members Jernigan, Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

- 4) HACN/COUNCIL: Awarded bid to Final Touch Construction for the Needles Housing Authority Windows Replacement Project in the amount of \$408,289 plus 10% contingency for a total project cost of \$449,117 using Housing Authority Capital Funds and authorized staff to execute a Public Works Agreement with Final Touch Construction and move forward with the Notice of Award and Notice to Proceed
- 5) HACN/COUNCIL: Waived the reading and adopted Resolution 2023-26 setting time and place for the regular meetings of the Housing Authority of the City of Needles
- 6) HACN/COUNCIL: Authorized an additional MCW1 position to the authorized position list in the Public Works Department to be reimbursed by Housing Authority funds

ADJOURN THE HOUSING AUTHORITY OF THE CITY OF NEEDLES MEETING AND RECONVENE THE CITY COUNCIL MEETING (Roll Call previously taken) at 6:46 pm

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS – None

CONSENT CALENDAR:

Item 15 pulled by Council Member Longbrake for discussion.

Vice Mayor Merritt moved, second by Council Member Campbell to approve the following consent items 7 - 14, and 16 - 17. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

- 7) Approved the warrants register through April 25, 2023
- 8) Approved the minutes of April 11, 2023
- 9) Waived the reading and adopted Resolution 2023-22 approving a Fifteenth Amendment to and Extension of the License between the City of Needles and Bonnie Baker Senior Center for use of

the kitchen and a portion of the dining area in the Needles Senior Citizens Center during the 2023-2024 fiscal year

- 10) Waived the reading and adopted Resolution 2023-23 approving a First Amendment to and Extension of the Agreement to provide operations of a local route deviation transit service between the City of Needles and Transportation Concepts
- 11) Waived the reading and adopted Resolution 2023-24 approving a Second Amendment to and Extension of Agreement for Dial-a-Ride and Dial-a-Ride Medical/Shopper Shuttle Pilot Program Services between the City of Needles and Parking Concepts, Inc. dba Transportation Concepts
- 12) Waived the reading and adopted Resolution 2023-25 approving a First Amendment to Extend the Lease Agreement (El Garces Unit Lease) between the City of Needles and Parking Concepts, Inc. dba Transportation Concepts for Needles Transit operations
- 13) Accepted a Proposal from TKE Engineering, Inc to Provide Professional Consulting Services for the Development Impact Fee Update for a not to exceed an amount of \$68,400 using funds from the Impact Fee account and authorized staff to execute a new task between City and TKE Engineering for said work
- 14) City of Needles receives Prohousing Designation from the California Department of Housing and Community Development (INF)
- 16) Awarded bid to Tony Cossi Construction for the Recreation Center Purchase & Installation of Acoustical Absorptive Wall Panel Project in the amount of \$143,970.00 plus 10% contingency for a total project cost of \$158,367.00 using general fund reserves and authorized staff to execute a Public Works Agreement with Tony Cossi Construction and move forward with the Notice of Award and Notice to Proceed
- 17) Accepted the proposal from the Chamber of Commerce to manage the Business Directory and Near Premise Sign Program transferring oversight to Needles Chamber of Commerce and authorized staff to enter into a Memorandum of Understanding (MOU)

End of Consent

- 15) Waive the reading and adopt Resolution No. 2023-27 amending Resolution No. 2022-46 increasing the 2023 code enforcement legal fee budget line item by \$70,000 using general fund reserves

City Attorney Pinkney recused himself and City Manager Daniels reported. After minimal discussion, Council Member Campbell moved, seconded by Vice Mayor Merritt, to waive the reading and adopt Resolution No. 2023-27 amending Resolution No. 2022-46 increasing the 2023 code enforcement legal fee budget line item by \$70,000 using general fund reserves. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

REGULAR ITEMS

PUBLIC COMMENTS PERTAINING TO THE REGULAR COUNCIL ITEMS – None

- 18) Applicant Mike West has requested an amendment to Resolution No. 2021-47 removing condition #16 which restricts a water feature during a drought to be located at 429 N "K" Street

City Manager Daniels reported and discussion ensued.

Council Member Campbell moved, second by Council Member Longbrake to amend Resolution No. 2021-47 removing condition #16 and allow the use of the water feature located at 429 N "K" Street.

Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

19) Appointment to fill a vacancy on the City Council Visitor Center Subcommittee

Council Member McCorkle moved, second by Council Member Longbrake to appoint Council Member Campbell to fill a vacancy on the City Council Visitor Center Subcommittee. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Belt, and Longbrake
 Noes: Vice Mayor Merritt and Council Member Pogue
 Absent: None

20) Resolution No. 2023- 28 appointing Patrick J. Martinez as the City Manager effective October 2, 2023 through October 1, 2026 setting a base salary of \$197,000 in compliance with SB1436 and incorporate into the salary schedule for FY 2023-2024 budget

Assistant City Manager Martinez recused himself. City Manager reviewed the proposed contract.

Council Member Pogue moved, second by Council Member McCorkle to adopt Resolution No. 2023-28 appointing Patrick J. Martinez as the City Manager effective October 2, 2023 through October 1, 2026 setting a base salary of \$197,000 in compliance with SB1436 and incorporate into the salary schedule for FY 2023-2024 budget. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake
 Noes: None
 Absent: None

CITY ATTORNEYS REPORT – given by City Attorney John Pinkney

CITY MANAGERS REPORT – given by City Manager Rick Daniels

COUNCIL REQUESTS

Councilmember Campbell reported on the City Leaders Summit she and Council Member McCorkle attended. They met with Senator Padilla and Assemblyman Garcia and brainstormed with them about getting a grocery store.

Councilmember McCorkle spoke about the City Leaders Summit and the networking with neighboring communities. She spoke with Assemblyman Garcia about possible subsidies that alleviate the price difference in regulations and requirements for businesses to come to California from Arizona. She thanked Patrick and Rainie for their hard work on behalf of the city.

Vice Mayor Merritt thanked Councilmembers Campbell and McCorkle for the Summit report, congratulated Patrick on his appointment as City Manager and thanked Rainie for the presentation and her hard work on behalf of the city.

Councilmember Pogue congratulated Patrick and reported that we are down to one physician in Needles and need to look at ways to attract additional doctors.

Councilmember Belt thanked Patrick for his hard work and congratulated him on his appointment. Asked about a goal setting session for council and congratulated the city on the upcoming installation of acoustical panels at the Rec Center. She mentioned the visitor center and urged that the city move toward with the process to become a Welcome Center.

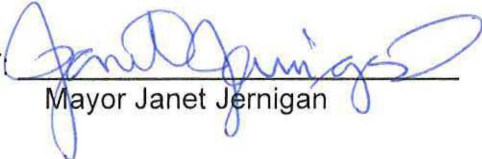
Councilmember Longbrake thanked Ellen and Jamie for attending the summit in Sacramento and thanked Patrick and Rainie for their hard work. He also thanked Wayne at the Chamber of Commerce Visitor Center. He reported that there are homeless living in the tunnel near Aliso and Monterey and a lot of graffiti. He also reported that there was an incident involving a woman with mental health issues recently and that there is a need for more help for people with mental health illnesses.

Mayor Jernigan thanked Patrick and Rainie and reported on the success of the Prom at El Garces over the past weekend.

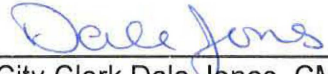
ADJOURNMENT

Mayor Jernigan adjourned the meeting at 7:45 pm

ATTEST:



Mayor Janet Jernigan



City Clerk Dale Jones, CMC