

MINUTES

REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, MARCH 14, 2023, COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 P.M., CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

THE PUBLIC MAY ATTEND THE LIVE TEAMS MEETING log into the City of Needles website at www.cityofneedles.com to access the agenda and Click here to join the meeting
The meetings are being recorded

CALL TO ORDER

ROLL CALL

Present: Mayor Jan Jernigan, Vice Mayor Kirsten Merritt (arrived at 5:09 pm); Council Members Ellen Campbell, Jamie McCorkle, 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.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS (A three-minute time limit per person has been established.)

LATE ADD

Councilmember McCorkle announced that she has a potential conflict with the late addition of the Rio Buena Vista Executive Session item because she lives close to the development and did not participate.

A motion was made by Councilmember Campbell, second by Councilmember Pogue that pursuant to Government Code Section 54954.2 (2) - Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

Motion carried by the following roll call vote:

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

RECESS TO EXECUTIVE SESSION at 5:07 pm

- a) Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4). (one potential case)
- b) Public Employee Performance Evaluation pursuant to Government Code Section 54957 - Title of position: City Clerk
- c) Public Employee Performance Evaluation pursuant to Government Code Section 54957 - Title: City Manager
- d) **Late Add** – Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9(d)(1) (one case: Rio Buena Vista Assoc. Et. Al. v. City of Needles: Case Number CIVSB 2028439)

EXECUTIVE SESSION – Report by City Attorney – No reportable action taken.

ROLL CALL (Previously Taken)

INVOCATION given by Mayor Jernigan

PLEDGE OF ALLEGIANCE led by Councilmember Campbell
 APPROVAL OF AGENDA

A motion was made by Councilmember Belt, second by Councilmember Longbrake to approve the agenda as submitted. Motion carried by the following roll call vote:

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

CONFLICT OF INTEREST Councilmember McCorkle announced that she has a potential conflict with the addition of the Rio Buena Vista Executive Session because she lives close to the development.
 CORRESPONDENCE City Clerk Jones announced communications in opposition to Item No. 12.
 INTRODUCTIONS Mayor announced former Council Members Terral, Kidd and Mayor Williams
 CITY ATTORNEY Parliamentary procedures given.

PUBLIC APPEARANCE – Pastor Jones thanked the council for acting on the Run for the Wall event. Jarod Johnston informed council that he has observed a lot of RV's parked around town. Tim Terral requested item 7 be pulled from consent for further clarification, Mr. Palmer voiced his disappointment of the discussion regarding the veterans and the Run for the Wall event at the last council meeting. Rob Hanson, KTOX, voiced his opinion that the Mayor decision to restrict the use of the El Garces restrooms at the Run for the Wall event was disrespectful to veterans, thanked council for making the right decision and asked for an immediate apology and for her resignation.

- 1) Mayor Jernigan presented Certificates of Appreciation to the Needles Varsity Girls Basketball Team in recognition for outstanding performance competing in the State Championship.

CONSENT CALENDAR: Vice Mayor Merritt pulled item 7 and Councilmember Longbrake pulled item 5 from the Consent Calendar.

A motion was made by Councilmember Campbell, second by Councilmember McCorkle to approve the following Consent Calendar items. Motion carried by the following roll call vote:

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

- 2) Approved the warrants register through March 14, 2023
- 3) Approved the minutes of January 10, January 24, February 14 and February 28, 2023
- 4) Approved the Needles Rodeo Association Daily License Application to the Department of Alcoholic Beverage Control for the Needles Rodeo Association Rodeo, March 31-April 1, 2023 at the Needles Rodeo Grounds
- 6) Accepted Final Change Order #1 for work completed by Christensen Brothers General Engineering Inc on the Phase III Water Service Replacement and Street Improvements Project
- 8) Waived the reading and adopted Resolution No. 2023-20 rescinding Resolution No. 2020-14 Declaration of the Existence of a Local Emergency (COVID-19)
- 9) A public hearing will be held on March 28 amending Chapter 2 "Administration" of the Needles Municipal Code adding Article IX Housing Commission (INF)
- 10) Accepted the resignation of Karen "Kippy" Poulson as City Treasurer and direct staff to come back with a recommended replacement

- 11) City Council, acting as the Needles Housing Authority (NHA) Board, accepting the Housing Authority status report and direct the City Manager to finalize the audits for 2020-21 and 2021-22, develop the NHA budgets, develop and submit the Recovery Plan, and apply sufficient comprehensive fiscal controls consistent with the existing city purchasing and personnel policies
- End of Consent

- 5) Accepted the cost increase for Design Services/CEQA Coordination by the Arizona Department of Transportation (ADOT) for the Bridge Rehabilitation Project
- City Manager Daniels reported.

A motion was made by Councilmember Longbrake, second by Councilmember Campbell to accept the cost increase for Design Services/CEQA Coordination by the Arizona Department of Transportation (ADOT) for the Bridge Rehabilitation Project under the Intergovernmental Agreement (IGA) in the amount of \$14,000 using general fund reserves to be reimbursed by a grant administered by Caltrans Program at 88.53%. Motion carried by the following roll call vote:

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

- 7) Waived the reading and adopted Resolution 2023-19
- City Manager Daniels reported and discussion ensued.

A motion was made by Councilmember Campbell, second by Vice Mayor Merritt to waive the reading and adopt Resolution 2023-19 authorizing a designation for the City of Needles as a Food Desert and direct the city manager to find available grants to assist a private party in building a grocery store.

Motion carried by the following roll call vote:

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

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS - None

- 12) Waived the reading and adopted Ordinance No. 659-AC
- City Manager Daniels reported, and discussion ensued regarding the process for towers less than 50 feet and greater than 50 feet.

A motion was made by Councilmember Campbell, second by Vice Mayor Merritt to waive the reading and adopt Ordinance No. 659-AC amending Municipal Code Section 92.00 "Definitions" and Section 93.04 "Commercial Zones" and Section 96.01 "Table of Permissible Uses" and Section 98.00 "Site Dimensions" and Section 99.03 "Table of Minimum Dwelling Unit Floor Area" and Section 99.05 "Height of Structures, Table of height limits nonresidential zones" and Section 99.06.02 "Common Usable Open Space Area" and Section 99.06.05 "Front, Side, Rear Yards, Table of yards required nonresidential zones" and Section 99.06.09 "Courts" and Section 111.04.27 "Downtown Core Parking Requirements" and Sections 12A-6, 12A-7, 12A-9, 12A-10, 12A-11 of the Cannabis Businesses ordinance and rescinding Ordinance 620-AC replacing Chapter VII "Intensity of Uses".

Motion carried by the following roll call vote:

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

- 13) Approved letters of Support for Legislation AB462 and SB63
- City Manager Daniels reported. Police Chief Tarangle reported. Mr. Hanson and Pastor Jones spoke in favor of support.

A motion was made by Councilmember McCorkle second by Councilmember Campbell to approve letters of Support for Legislation AB462 creating a pilot program in San Bernardino, Riverside, and Orange counties to establish and implement overdose response teams of law enforcement officers to combat the ongoing opioid crisis in San Bernardino County communities; and SB63 establishing two new grant programs for counties to develop and expand homeless and mental health courts and financial grant opportunities to county sheriffs and jail administrators providing programs to reduce homelessness among inmates who are released from custody.

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 - None

CITY MANAGERS REPORT – Report given.

COUNCIL REQUESTS

Councilmember Campbell updated council on the River Tour experience and informed staff that another portion of the cement wall in the S Street Drainage Channel collapsed.

Councilmember McCorkle voiced her opinion that the skate park is amazing and that the city supports the veterans and the Run for the Wall Event.

Vice Mayor Merritt agrees that the skate park is very exciting; concurs with the veterans and thanked Kippy Poulson for her years of service as Treasurer.

Councilmember Pogue spoke about her River Tour experience and announced the Women's Club is having a lunch event this Saturday and is available to the public.

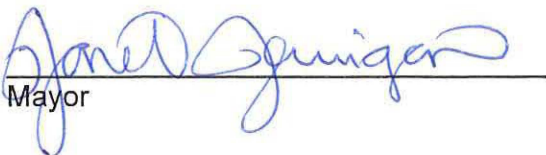
Councilmember Belt apologized if the council offended the veterans, inquired about the Broadway, J St and L St that need to be cleaned up and watered, mentioned weeds need to be addressed, would like to do something for the city volunteers, inquired about forming a community garden, inquired about the recreation gym sound proofing and inquired about the street sweeper schedule.


Councilmember Longbrake thanked the veterans for their service, a recovery center is needed in Needles and asked if there is grant funding available, look into an exemption for contractors working in our city from Arizona and that there are a lot of cars on Balboa so maybe place a no freeway access sign there.

Mayor Jernigan reviewed the success of the Resource Fair and thanked staff members Cheryl Sallis and Jesse Frago for their assistance and the Run for the Wall event will be great.

ADJOURNMENT at 7:38 p.m.

ATTEST


 Mayor


 City Clerk