



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

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL  
NEEDLES PUBLIC UTILITY AUTHORITY  
CITY OF NEEDLES, CALIFORNIA  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

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TUESDAY, FEBRUARY 13, 2024  
COUNCIL EXECUTIVE SESSION – 5:00 PM  
CITY COUNCIL MEETING – 6:00 PM

THE PUBLIC MAY ATTEND VIA TEAMS AND MAY SUBMIT ANY COMMENTS IN WRITING PRIOR TO NOON ON THE DAY OF THE MEETING BY EMAILING [djones@cityofneedles.com](mailto:djones@cityofneedles.com)

**TO JOIN THE LIVE TEAMS MEETING:** log into the City of Needles website at [www.cityofneedles.com](http://www.cityofneedles.com) to access the agenda and [Click here to join the meeting](#)

If asked, enter the following: Meeting ID: 326 395 290#  
OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 326 395 290#  
The meetings are being recorded.

Council Member Campbell will be participating via Teams from 526 Desnok, Needles, CA 92363  
Council Member Pogue will be participating via Teams from Hilton Homewood Suites, 5049 Corporate Woods Drive, Pensacola, FL 32504

CALL TO ORDER  
ROLL CALL

**RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING**

**PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS**

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

**RECESS TO EXECUTIVE SESSION**

**EXECUTIVE SESSION**

- a. Public Employee Discipline/Dismissal/Release Pursuant to Government Code Section 54957.
- b. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): City of Needles v. Minasian, et. al., SB County Case Number CIVSB2328931
- c. Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case adverse to Otana Planet Green "OPG")
- d. NPUA/Council: Conference with legal counsel – anticipated litigation pursuant to Government Code Section 54956.9(d) 2, 3 and/or 4 (regarding potential litigation with Medical Investor Holdings LLC, NCA Management, 3247 AM LLC and 2103 D, LLC related to Cannabis taxes).

**EXECUTIVE SESSION REPORT - by City Attorney**

CALL TO ORDER  
ROLL CALL  
PLEDGE OF ALLEGIANCE

INVOCATION  
APPROVAL OF AGENDA  
CONFLICT OF INTEREST  
CORRESPONDENCE  
INTRODUCTIONS  
CITY ATTORNEY – Parliamentary Procedures

**As a courtesy to those in attendance, we would ask that cell phones be turned off or set in their silent mode. Thank you**

**PUBLIC APPEARANCE** - Persons wishing to address the NPUA / City Council on subjects other than those scheduled are requested to do so at this time. When called by the Mayor, please announce 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 per Municipal Code Section 2-18.)

1. Update on the Chamber of Commerce / Visitor Center (INF)

**PUBLIC COMMENTS PERTAINING TO THE NPUA/COUNCIL ITEMS**

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 Mayor or any member of the NPUA / City Council may pull an item from the Consent Calendar for discussion. Prior to NPUA / 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 2 through 6 on the Consent Calendar by affirmative roll call vote (ACT)

2. Waive the reading and adopt Resolution 2024-8 authorizing an increase in the purchase/set-up fee for electrical onsite materials from \$50,000 to \$90,000
3. Authorize the City Manager to execute the agreement dated August 10, 2020 with 3Degrees Group, Inc. through March 15, 2032 for the purchase of Renewable Energy Certificates "RECs"
4. Approval of New Exhibit to 2007 Lower Colorado Basin ICS Forbearance Agreement
5. Waive the reading and adopt Resolution No. 2024- 9 Certifying the Sewer System Management Plan dated January 2024
6. Accept Atlas Planning Solutions Proposal to Provide Consultant Professional Services for the Local Hazard Mitigation Plan Update for \$60,80 plus 10% contingency for a total not to exceed amount of \$66,198 and authorized staff to execute a Consultant Professional Services Agreement with Atlas Planning Solutions.

**END OF NPUA CONSENT CALENDAR**

**ADJOURN THE JOINT NPUA/COUNCIL MEETING AND RECONVENE THE COUNCIL MEETING** (Roll Call Previously Taken)

**PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS**

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

**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 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 7 through 10 on the Consent Calendar by affirmative roll call vote. (ACT)

7. Approve the Warrants Register through February 13, 2024
8. Approve the Regular Minutes of January 23, 2024 and the Special Meeting Minutes of January 30, 2024
9. Accept Change Order #3 to the Public Works Agreement with Cora Constructors, Inc. for the Lily Hill Water Booster Pump Station project resulting in an increase to the contract in the amount of \$64,658.91 for a new total contract amount of \$2,183,953.66; and authorize staff to execute said Change Order.
10. Hearing on Appeal of City's Notice of Revocation of Cannabis Business License/Permit for the following Cannabis Businesses:  
3247 Needles Highway, Suite E, Needles, CA (2103 D, LLC);  
3247 Needles Highway, Suite A, Needles CA (3247 AM, LLC)  
3241 Needles Highway, Needles, CA (NCA Management Co., LLC)  
3253 Needles Highway, Needles CA (Medical Investor Holdings, LLC)  
HEARING CONTINUED UNTIL March 12, 2024.

## **END OF COUNCIL CONSENT CALENDAR**

### **REGULAR COUNCIL ITEMS**

11. Award the 2024 Edible Food Recovery Grant (ACT)
12. Waive the reading and adopt Resolution 2024-10 Naming the New Walking Trail at Jack to the Marilyn Hohstadt Mathews Trail (ACT)
13. Authorize those interested to attend the League of California Cities (LCC) City Leaders Summit in Sacramento April 17-19, 2024. (ACT)
14. Authorize those interested to attend the 2024 City / County Conference on May 16-17, 2024 in Lake Arrowhead (ACT)
15. Authorize those interested to attend the ICSC Event at the Las Vegas Convention Center on May 19-21, 2024 (ACT)
16. Authorize those interested to attend the Inland Empire Tourism Regional Summit in Riverside at the Marriott Riverside Convention Center, 3400 Market Street on Thursday, April 18 from 9am-5:30pm. (ACT)
17. Consider cancelling the second regular City Council / NPUA / HACN meetings in June, July, and August 2024 (ACT)
18. Authorize repairs to the Needles Aquatic Center not to exceed \$5,933 to be funded by General Fund Reserves (ACT)

## **CITY ATTORNEY REPORT**

### **CITY MANAGER REPORT**

19. MANAGERS REPORT

### **COUNCIL REQUESTS**

Councilmember Campbell  
Councilmember McCorkle  
Vice Mayor Merritt  
Council Member Pogue  
Councilmember Belt

Councilmember Longbrake  
Mayor Jernigan

## **ADJOURNMENT**

**INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL IS  
AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT: [HTTP://WWW.CITYOFNEEDLES.COM](http://www.cityofneedles.com)**

**Posted: February 9, 2024**

*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).*

*I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting.*

*Dated this 9th day of February 2024*

*/s/ Dale Jones, CMC, City Clerk*