



(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 25, 2022**  
COUNCIL EXECUTIVE SESSION – **5:30 P.M.**  
CITY COUNCIL MEETING – **6:00 P.M.**  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

**THE 5:00 P.M. PORTION OF THE CITY COUNCIL MEETING WILL BE RECESSED  
BY THE CITY CLERK TO 5:30 P.M.**

**AUTHORIZED BY AB 361**

**THE MAYOR AND COUNCIL MEMBERS MAY BE ATTENDING THIS MEETING VIA  
\*\*\* MICROSOFT TEAMS \*\*\***

**THE PUBLIC MAY ALSO 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: 894 034 814#  
OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 894 034 814 #  
The meetings are being recorded.**

**THE PUBLIC MAY ATTEND – MASKS ARE ENCOURAGED AND DESIGNATED SEATING**

CALL TO ORDER  
ROLL CALL

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

### **RECESS TO EXECUTIVE SESSION**

- 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 Elks Lodge as the potential buyer of the real property described as 1.17 acres located on Lillyhill Drive west of the Elks Lodge, APN 0185-331-22-0000. Under negotiations are the price and terms.

**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 procedures

**PUBLIC APPEARANCE** – Persons wishing to address the 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.

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

- 1) Interviews / appointments to fill vacancies on various Board and Commissions due to resignations and / or expiration of terms (ACT)
- 2) Extend the Chamber of Commerce lease agreement with amendments – Resolution No. 2021-69 amending Resolution No. 2021-22 approving amending the Lease Agreement with the Chamber of Commerce for the offices located in the Historic El Garces Train Depot **OR**  
Declare the Chamber of Commerce Visitor Center Services Agreement and Lease Agreement in default and request the Council Visitor Center Committee to reassess the project and seek other options (ACT)

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

**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 3 through 6 on the Consent Calendar by affirmative roll call vote. (ACT)

- 3) NPUA / COUNCIL: Authorize TKE Engineering Inc. to develop plans, specifications, bidding assistance, and project management for standby generators for wells 15 and 16 not to exceed \$11,550 to be funded by the Water Capital Improvement Fund
- 4) NPUA / COUNCIL: Authorize Brooks Consulting to develop plans for the 69kV line for future load growth not to exceed \$18,000 to be funded by electric operating expenses
- 5) NPUA / COUNCIL: Authorize Epic Engineering to complete the construction management for the L Street booster station project in an amount not to exceed \$20,904 and an additional \$5,000 for design work for a total cost not to exceed \$25,904 to be partially funded under a Supplemental Environmental Project (SEP) and the balance to be reimbursed by the State Water Resources Control Board

- 6) NPUA / COUNCIL: Authorize Simon Sewer Maintenance to complete three manhole geopolymer rehabilitations in the amount of \$13,500, wastewater plant transfer well no. 1 lift station geopolymer rehabilitation in the amount of \$11,375, and wastewater plant transfer well no. 2 lift station geopolymer rehabilitation in the amount of \$11,375 for a total project cost not to exceed \$36,250 to be funded by Wastewater Asset Replacement Funds

**End of Consent**

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

**PUBLIC HEARINGS**

- 7) Public hearing noticed to consider all evidence and testimony for or against approval of the application from Mr. John E. Bistagne representative for "Route 66 Farms LLC", for a Conditional Use Permit for a two-phase, cannabis cultivation facility, phase one existing building 1, 4,520 sq. ft. and phase two, a new two story 14,324 sq. ft. building located at 315 Balboa in a C-3 Highway Commercial Zone, also known as Assessor's Parcel Number 0660-081-21
- Staff Report
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
    - ◆ Applicant Comments
    - ◆ Comments in Favor
    - ◆ Comments Opposed
    - ◆ Applicant Rebuttal
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Resolution No. 2022-13 approving a Conditional Use Permit for a two-phase development of a cannabis cultivation facility totaling 19,340 sq. ft. located at 315 Balboa in a C-3 Highway Commercial Zone, APN 0660-081-21 (ACT)
- 8) Public hearing noticed to consider all evidence and testimony for or against approval of an application from Mr. Gregory Lucas to change the General Plan designation for 109 N "L" Street, also known as APN 0185-111-84-0000 from "Medium Density Residential" to "Industrial". Said property is located near the BNSF railroad underpass at Front Street and "K" Street.
- AND**
- Public hearing noticed to consider all evidence and testimony for or against approval of an application from Mr. Gregory Lucas to change the Zoning designation for 109 N "L" Street, also known as APN 0185-111-84-0000 from "Multiple Family Residential" (R-3) to "Light Manufacturing" (M-1). Said property is located near the BNSF railroad underpass at Front Street and "K" Street
- Staff Report
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
    - ◆ Applicant Comments
    - ◆ Comments in Favor
    - ◆ Comments Opposed
    - ◆ Applicant Rebuttal
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Resolution No. 2022-09 approving a proposed General Plan amendment from a Residential Medium Density (RM) designation to an Industrial Designation and approving a proposed zone change from a Multi-Family Residential (R-3) to Light Manufacturing (M-1) for the parcel located at 109 N "L" Street, APN 0185-111-084-0000 (ACT)

- 9) Pulled from agenda
- 10) Public hearing noticed to consider all evidence and testimony for or against approval of an application from Mr. Gregory Lucas for a Conditional Use Permit for a cannabis cultivation facility in the "Light Manufacturing" (M-1) zone, at 109 N "L" Street, also known as APN 0185-111-84-0000. Said property is located near the BNSF railroad underpass at Front Street and "K" Street.
  - Staff Report
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
    - ◆ Applicant Comments
    - ◆ Comments in Favor
    - ◆ Comments Opposed
    - ◆ Applicant Rebuttal
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Resolution No. 2022-11 approving a Conditional Use Permit for a 2-phase cannabis cultivation facility located at 109 N "L" Street, APN 0185-111-084-0000 and the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (ACT)
- 11) Public hearing noticed to consider all evidence and testimony for or against approval of an application from Mr. Gregory Lucas for a Conditional Use Permit for a cannabis distribution facility in the "Light Manufacturing" (M-1) zone, at 109 N "L" Street, also known as APN 0185-111-84-0000. Said property is located near the BNSF railroad underpass at Front Street and "K" Street.
  - Staff Report
  - Council Questions of Staff
  - Mayor to open the public hearing
  - Public Comment
    - ◆ Applicant Comments
    - ◆ Comments in Favor
    - ◆ Comments Opposed
    - ◆ Applicant Rebuttal
  - Mayor to close the public hearing
  - Council Discussion / Deliberation
  - Resolution No. 2022-12 approving a Conditional Use Permit for a 440 sq. ft. cannabis distribution facility located at 109 N "L" Street, APN 0185-111-084-0000 and adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (ACT)
- 12) Application from Mr. Curtis Devine, representative for Mohave Cannabis Club, for a Conditional Use Permit for a cannabis retail business, located at 1409 Needles Highway and 113 Needles Highway, in the C-2 General Commercial Zone, APN 0185-066-19-0000 and 0185-066-23-0000 **has been continued to February 8, 2022**

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

**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 25, 2022
- 14) Authorize the City Manager to execute an Independent Contractor Consulting Agreement with Registered Nurse (RN) Patricia Scott to administer Employee Covid Rapid Tests not to exceed \$100/hour to be funded by each department being tested and reimbursed by the city's second allocation of Cares Act Funding expected in June 2022
- 15) Authorize payment to Daniell's Septic in the amount of \$425 for the Holiday Fun Fair event using funds from account 101-1030-414-61.45 (customer/employee relation)
- 16) Waive the reading and adopt Resolution No. 2022-14 approving a Professional Services Agreement with Mark A. Marnati as the City of Needles Hearing Officer for an amount not to exceed \$10,000 using General Funds and authorize the mayor to sign the agreement
- 17) Waive the reading and adopt Ordinance 645-AC amending Chapter 4, Animal Control, related to un-spayed and un-neutered cats (2nd reading – publish)
- 18) Resolution No. 2022-08 authorizing the California Department of Water Resources Grant Application, Acceptance and Execution for the City of Needles Golf Course Irrigation Efficiency Project Phase 1 and 2

#### **End of Consent**

#### **REGULAR ITEMS**

- 19) Discussion regarding First Beach Park Design using funds from the Clean California Local Grant Program if awarded (ACT)

#### **CITY ATTORNEYS REPORT**

#### **CITY MANAGERS REPORT**

#### **COUNCIL REQUESTS**

Councilmember Campbell  
Councilmember Evans  
Councilmember Merritt  
Vice Mayor Paget  
Councilmember Belt  
Councilmember Longacre  
Mayor Williams

#### **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 21, 2022

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 21st day of January 2022

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Dale Jones, CMC, City Clerk