



(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, MAY 24, 2022
COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

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**

**TO JOIN 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](#)**

If asked, enter the following: Meeting ID: 679 735 383#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 679 735 383#
The meetings are being recorded. - MASKS ARE ENCOURAGED**

CALL TO ORDER
ROLL CALL

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

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

RECESS TO EXECUTIVE SESSION

- a) COUNCIL: 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 William Cavanaugh as the potential buyer of a portion of the property described as a 4.59 acre vacant parcel, generally located South of W. Broadway Street and West of the S Street Flood Control Channel, APN 0185-071-11. Under negotiations are the price and terms
- b) NPUA / COUNCIL: Conference with Legal Counsel regarding potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4) one potential case

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

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.

- 1) NPUA / COUNCIL: Direction to proceed with the budget process and schedule the matter for a public hearing and action on June 14, 2022 for the fiscal year ending June 30, 2023 (ACT)
- 2) NPUA / COUNCIL: Accept the bid from Cora Construction for Base Bid in the amount of \$2,086,775 to construct a new Lillyhill Water Booster Station on Lillyhill & Clary Drive and authorize staff to issue a Notice of Award and Notice to Proceed to be reimbursed by a grant from the California State Water Resources Control Board (ACT)

ADJOURN THE JOINT NPUA / COUNCIL MEETING - RECONVENE THE CITY COUNCIL MEETING

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

- 3) Public hearing noticed to consider all evidence and testimony for or against approval of an application from MSB Facilities Representative for “MSB LLC”, for Amending Resolution No. 2017-12, of a Conditional Use Permit adding a second 20,000 Sq. Ft. Building for Cannabis Cultivation Facility in the C-1 Neighborhood Commercial Zone, located at 1105 Lillyhill Drive, Also known as APN’s 0186-191-57-0000 and 0186-191-50-0000. Formally known as APN’s 0186-191-50-0000 and 0186-191-53-00000: Applicant MSB Facilities
 - 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. 2022-43 approving an amendment to Resolution No. 2017-12 for a Conditional Use Permit adding a 20,000 Sq. Ft. Second Building for Cannabis Cultivation located at 1105 Lillyhill Drive, APN’s 0186-191-57-0000 and 0186-191-50-0000 in the Neighborhood Commercial (C-1) zone; formally known as APN’s 0186-191-50-0000 and 0186-191-53-0000, in the C-1 Neighborhood Commercial Zone (ACT)

- 4) Public hearing noticed to consider all evidence and testimony for or against approval of an application from Edward Andrade Representative for "209 I Street, Inc", for a Conditional Use Permit for a 25,782 Sq. Ft. cannabis cultivation facility in the C-2 General Commercial Zone, located at 209 I Street, Also known as APN 0186-094-51-0000 formerly known as APN's 0186-094-01-0000, 0186-094-02-0000, 0186-094-34-0000, 0186-094-35-0000; Applicant Edward Andrade
- 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. 2022-42 approving a Conditional Use Permit for a 25,782 Sq. Ft. cannabis cultivation facility in the C-2 General Commercial Zone, located at 209 I Street, also known as APN 0186-094-51-0000 formerly known as APN's 0186-094-01-0000, 0186-094-02-0000, 0186-094-34-0000, 0186-094-35-0000 (ACT)

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 5 through 13 on the Consent Calendar by affirmative roll call vote. (ACT)

- 5) Approve the Warrants Register through May 24, 2022
- 6) Authorize the city manager to declare items with a proposed value of \$1,000 or less as surplus property and authorize for sale
- 7) Approve final balancing Change Order #5 in an amount not to exceed \$8,040 for work completed by Christensen Brothers General Engineering Inc. on the Phase II Water Service Replacement and Street Improvements Project
- 8) Waive the reading and adopt Resolution No. 2022-41 approving an Agreement between the City of Needles and Needles Unified School District for a Sheriff's Service Specialist for the 2022-2023 school year using COPS funding in the amount of \$91,593 of which half is to be reimbursed by the School District
- 9) Waive the reading and adopt Resolution No. 2022-40 approving a Fourteenth 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 2022-2023 fiscal year
- 10) Waive the reading and adopt Resolution No. 2022-44 Receiving and Submitting the City of Needles General Plan and Housing Element Annual Progress Reports for the 2021 Calendar Year to the California Department of Housing and Community Development (HCD) and to the Governor's Office of Planning and Research (OPR)

- 11) Accept Change Order #2 with Pacific Play Systems for installation of a 2-bay swing set not to exceed \$8,950 to be funded by the Statewide Park Development and Community Revitalization Duke Watkins Grant No. C9803078
- 12) Accept the bid of Phillips Excavation Inc to install a 50 ft X 30 ft shade structure over the new playground equipment at Duke Watkins Park not to exceed \$29,000 and authorize staff to issue a Notice of Award and Notice to Proceed to be funded by a grant received from the State of California Department of Parks and Recreation Statewide Park Development and Community Revitalization for Duke Watkins Park
- 13) Award Reinke Heating and Air Conditioning Inc a bid to install a 20-ton HVAC unit at the Recreation Center not to exceed \$36,000 of which \$25,000 is budgeted and the remaining balance of \$11,000 to be covered by general fund reserves

End of Consent

REGULAR ITEM

- 14) Approve the Twenty Sixth Amendment to Contract No. 99-376 with the County of San Bernardino in the total amount of \$3,369,365 providing for law enforcement services by amending Schedule A for the 2022-2023 fiscal year and authorize the Mayor to sign same (ACT)

Provide direction as to the sheriff's department request for an additional 40 Patrol Hours per week: plus an increase in the positions of lieutenant, sergeant, office specialist, HT. general county services and startup cost at an additional cost of \$387,353 (DIS)
- 15) Provide staff direction on proposed ballot measure to establish a Transient Occupancy Tax for Short Term Rental Units (ACT)
- 16) Provide staff direction on proposed ballot measure to amend Chapter 20 of the Needles Municipal Code establishing a tax on cannabis and hemp business activities within the City and Suspending Article VIII (Current Marijuana Business Tax) (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 May 20, 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 20th day of May 2022

Dale Jones, CMC, City Clerk