



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

AGENDA AMENDED

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

**TUESDAY, OCTOBER 10, 2023
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

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: 936 974 335#

**OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 936 974 335#
The meetings are being recorded.**

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. Potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
- One Potential Case
- b. Conference with Legal Counsel – Existing Litigation (Gov't Code § 54956.9(d)(1))
In re: City of Needles v. John W. Laswell, et al. – 1311 Broadway
California Superior Court-County of San Bernardino (Case No. CIVSB2318161)
- c. Conference with Legal Counsel – Existing Litigation (Gov't Code § 54956.9(d)(1))
In re: City of Needles v. Goldwin, LLC, et al. – 1707 Needles Highway
California Superior Court-County of San Bernardino (Case No. CIVSB2300896)

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.

PRESENTATIONS

(A ten-minute time limit per presentation has been established per Municipal Code Section 2-18.)

1. Administer Oath of Office to Patrick Martinez, City Manager and Rainie Torrance, Utility Manager
2. Presentation by Institute for Local Governments (ILG) 2023 Beacon Spotlight Award to the City of Needles

PUBLIC HEARINGS

3. Public hearing noticed to consider all evidence and testimony for or against City Council Resolution 2023-55 approving an Amendment to City Council Resolution 2022-75 adding Cannabis Consumption to the existing 2,399 Sq. Ft. Retail Cannabis Business to be located at 2701 Columbus Drive also known as APN 0660-081-40-0000 in the C-2 General Commercial Zone.
 - 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 2023-55 approving an Amendment to City Council Resolution 2022-75 adding Cannabis Consumption to the existing 2,399 Sq. Ft. Retail Cannabis Business to be located at 2701 Columbus Drive also known as APN 0660-081-40-0000 in the C-2 General Commercial Zone.
(ACT)
4. Public hearing noticed to consider all evidence and testimony for or against Ordinance No 663-AC amending the Needles Municipal Code (NMC) sections of the Zoning Ordinance as follows: Section 94 "Permits", Section 96 "Uses", Section 97 "Intensity of Uses", Section 98 "Site Requirements", Section 99 "Development Standards", Section 111 "Vehicular Provisions", Section 112 "Special Requirements for Certain Users", Section 115 "Nonconforming Situations", Needles Municipal Code Chapter 19 "Subdivision of Land"
 - Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Ordinance No. 663-AC Amending the Needles Municipal Code (NMC) sections of the Zoning Ordinance as follows: Section 94 "Permits", Section 96 "Uses", Section 97 "Intensity of Uses", Section 98 "Site Requirements", Section 99 "Development Standards", Section 111 "Vehicular Provisions", Section 112 "Special Requirements for Certain Users", Section 115 "Nonconforming Situations", Needles Municipal Code Chapter 19 "Subdivision of Land"
(ACT)

5. Resolution 2023-56 approving Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two Family Residential Zone), also known as APN 0185-233-55, located behind 1335 Lilly Hill Drive, and consider possible sale
 - 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 2023-56 approving Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two Family Residential Zone), also known as APN 0185-233-55, located behind 1335 Lilly Hill Drive, and consider possible sale (ACT)

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 6 through 9 on the Consent Calendar by affirmative roll call vote (ACT)

6. Accept the annual report to the California Energy Commission Power Content Label for year ending December 31, 2022
7. Authorize the purchase of a Terex TC55 Optima 2023 Freightliner bucket truck at a cost not to exceed \$243,785 utilizing electric vehicle replacement funds
8. Approve a 3.6% cost-of-living (COLA) increase in water and wastewater basic service rates as of November 1, 2023
9. Approve a 3.6% cost-of-living (COLA) increase in electric basic service charge rate as of November 1, 2023, approve an over-hydro rate of \$0.1467 effective November 1, 2023 ; and approve the methodology to calculate the annual electric base rate and the power cost adjustment rate based on the rate calculation spreadsheet

END OF NPUA CONSENT CALENDAR

ADJOURN THE JOINT NPUA/COUNCIL MEETING AND CONVENE A JOINT COUNCIL/HOUSING AUTHORITY BOARD OF COMMISSIONERS MEETING (HACN)

CALL TO ORDER (Roll Call Previously Taken)

PUBLIC COMMENTS PERTAINING TO THE HACN/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 10 through 16 on the Consent Calendar by affirmative roll call vote. (ACT)

10. Approve the Warrants Register of September 26, 2023 and October 10, 2023

11. Approve the Minutes of the July 15, 2023 Goal Setting Session *(To be emailed to Council)*
12. Ratify the City Manager's Signature for the California for All Animals Statewide Animal Shelter Services Agreement dated October 5, 2023
13. Waive the reading and adopt Resolution No. 2023-43 renaming the Lillyhill Booster Station to the William "Bill" M. Claypool III Booster Station
14. Award the base bid for the public restroom sewer line repair project to New Power Contracting for building mechanics for a total bid amount of \$24,750 plus 10% contingency for a total project cost of \$27,225 and authorize staff to execute a public works agreement with the contractor and issue a Notice of Award and Notice to Proceed
15. Resolution 2023-57 Authorizing City Manager to Execute the Program Supplement No. F0004 to Administering Agency-State Agreement for Federal Aid Projects with the State of California Department of Transportation (Caltrans) for the administration of Federal Aid funds for the Obornolte Water Service Replacement and Street Improvements project.
16. Waive the reading and adopt Ordinance No. 664-AC amending Section 13-44 to prohibit stopping, standing or parking at the Electric Vehicle Charging Stations unless the vehicle is connected for electric charging violators are subject to towing (2nd reading – publish)

END OF COUNCIL CONSENT CALENDAR

REGULAR COUNCIL ITEMS

17. Provide staff direction based on the Aquatic Center Audit and Summary of Findings (ACT)
18. Mission Statement and Goals for Fiscal Year 2023-2024 (DIS)
19. Accept the Memorandum of Understanding with Janet Jernigan for the El Garces Rental Program (ACT)
20. Visitor Center Services Agreement Amendment (ACT)
21. Employee Appreciation Event (ACT)

CITY ATTORNEY REPORT

CITY MANAGER REPORT

State of Cannabis - Update

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: October 6, 2023

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 6th day of October, 2023

/s/ Dale Jones, CMC, City Clerk