

## MINUTES

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

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**TUESDAY, OCTOBER 24, 2023  
COUNCIL EXECUTIVE SESSION – 5:00 PM  
CITY COUNCIL MEETING – 6:00 PM**

**CALL TO ORDER** - Mayor Jernigan called the meeting to order at 5:02 pm

**ROLL CALL**

**PRESENT**

Council Member Ellen Campbell  
Council Member Jamie McCorkle  
Vice Mayor Kirsten Merritt  
Mayor Janet Jernigan  
Council Member JoAnne Pogue  
Council Member Tona Belt  
Council Member Henry Longbrake (via Teams)

Also in attendance were City Manager Patrick Martinez, City Attorney John Pinkney (via Teams), City Clerk Dale Jones, and Assistant City Clerk Candace Clark

**RECESSED THE CITY COUNCIL MEETING AND CONVENED A JOINT COUNCIL / NPUA MEETING  
PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS - None**

**RECESSED TO EXECUTIVE SESSION** at 5:03 pm

**EXECUTIVE SESSION** - Item a pulled from Executive Session

- a. Potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4)  
-(One Potential Case) – **Item pulled from the agenda**

- b. Conference with legal counsel – existing litigation-Paragraph (1) of subdivision (d) of Section 54956.9 – Name of Case: In re: Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2-18-mn-2873-RMG -

Council Member Pogue moved, second by Council Member Campbell to opt out of a class action settlement. Motion carried by the following roll call vote:

Ayes: Member/Council Members Campbell, McCorkle, Merritt, Jernigan, Pogue, Belt, and Longbrake

Noes: None

Absent: None

Executive Session concluded at 5:25 p.m.

**EXECUTIVE SESSION** - Report given by City Attorney John Pinkney as mentioned above.

**ROLL CALL**

**PRESENT**

Council Member Ellen Campbell  
Council Member Jamie McCorkle

Vice Mayor Kirsten Merritt  
 Mayor Janet Jernigan  
 Council Member JoAnne Pogue  
 Council Member Tona Belt  
 Council Member Henry Longbrake (via Teams)

**PLEDGE OF ALLEGIANCE** led by Mayor Jernigan

**INVOCATION** given by Council Member Campbell

**APPROVAL OF AGENDA**

Council Member Campbell moved, second by Vice Mayor Merritt to approve the agenda. 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** - Council Member Longbrake declared a conflict of interest on Public Hearing Item 3 because he cannot give a fair and unbiased opinion. Council Member Pogue declared a conflict on Public Hearing Item 3 because she spoke against it during the Planning Commission Public Hearing.

**CORRESPONDENCE** - None

**INTRODUCTIONS** - Mayor Jernigan acknowledged former Council Member Tim Terral

**CITY ATTORNEY** – Parliamentary Procedures given by City Attorney Pinkney

**PUBLIC APPEARANCE** - None

**PUBLIC COMMENTS PERTAINING TO THE NPUA/COUNCIL ITEMS** - None

- 1) Accept Change Order No. 1 (Final) not to exceed \$26,605.26 funded from the project contingency fund for work completed by Phillips Excavating, Inc. for the Water Meter Replacement Project

City Manager Martinez reported.

Motion made by Member / Council Member Campbell, second by Member / Council Member McCorkle to accept Change Order No. 1 (Final) not to exceed \$26,605.26 funded from the project contingency fund for work completed by Phillips Excavating, Inc. for the Water Meter Replacement Project and authorize staff to execute said Change Order and Accept the Notice of Completion for the work. Motion carried by the following roll call vote:

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

**ADJOURNED THE JOINT NPUA/COUNCIL MEETING AND CONVENED A JOINT COUNCIL/HOUSING AUTHORITY BOARD OF COMMISSIONERS MEETING (HACN)** at 6:11 pm

**PUBLIC COMMENTS PERTAINING TO THE HACN/COUNCIL ITEMS** - None

- 2) Housing Authority of the City of Needles Update given by City Manager Patrick Martinez. Council asked questions and minimal discussion ensued.

City Manager Martinez reviewed.

**ADJOURNED THE HOUSING AUTHORITY OF THE CITY OF NEEDLES MEETING AND RECONVENED THE CITY COUNCIL MEETING** at 6:17 pm

Council Member Pogue left the room and Council Member Longbrake disconnected from the Teams call as they both declared conflicts for Public Hearing Item 3.

## **PUBLIC HEARING**

- 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

Council Member Longbrake declared a conflict of interest because he cannot give a fair and unbiased opinion. Council Member Pogue declared a conflict she spoke against in opposition at the Planning Commission Public Hearing and both left the room.

City Manager Martinez reported and gave a PowerPoint presentation, council asked the applicant questions and discussion ensued.

Mayor Jernigan opened the public hearing at 6:35 pm

No Public Comment

Mayor Jernigan closed the public hearing at 6:35 pm

Council Member Belt moved, second by Council Member Campbell to waive the reading and adopt 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. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, and Belt

Noes: None

Absent: Council Members Longbrake and Pogue

## **COUNCIL CONSENT CALENDAR**

Vice Mayor Merritt moved, second by Council Member Campbell to approve Items 4 through 6 on the Consent Calendar. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

- 4) Approved the Warrants Register through October 24, 2023
- 5) Approved the minutes of September 12, 2023
- 6) Accepted Change Order No. 1 (Final) not to exceed \$1,821.98 for work completed by New Power Contracting for Building Mechanicals for the Public Restroom Sewer Line Repair project using General Fund Reserves transferred to the Golf Course Pro Shop Building Maintenance/Repair fund and authorized staff to execute said Change Order and Accept the Notice of Completion for the work

## **END OF COUNCIL CONSENT CALENDAR**

## **REGULAR COUNCIL ITEMS**

- 7) 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"

City Manager Martinez reported.

Council Member Belt moved, second by Council Member Campbell to waive the reading and adopt 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". Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

- 8) Resolution No. 2023-58 authorizing a grant anticipation note application for the "Rural Community Assistance Corporation (RCAC) loan program

City Manager Martinez reported and discussion ensued.

Council Member Campbell moved, second by Council Member Pogue to waive the reading and adopt Resolution No. 2023-58 authorizing a grant anticipation note application for the "Rural Community Assistance Corporation (RCAC) loan program. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

- 9) Cancel the regular City Council / NPUA / HACN meetings on Tuesday, November 28 and Wednesday December 27, 2023,

City Manager Martinez reported.

Council Member Campbell moved, second by Council Member McCorkle to cancel the regular City Council / NPUA / HACN meetings on Tuesday, November 28 and Wednesday December 27, 2023, due to a potential lack of quorum because of the Thanksgiving and Christmas Holidays. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, and Longbrake

Noes: None

Absent: None

#### **CITY ATTORNEY REPORT**

Given by City Attorney Pinkney

#### **CITY CLERK REPORT**

Given by City Clerk Jones

#### **CITY MANAGER REPORT**

City Manager Martinez gave the City Manager's Report

#### **COUNCIL REQUESTS**

**Councilmember Campbell** - had no requests

**Councilmember McCorkle** - Asked about a cap on cannabis businesses; requested an updated street paving schedule; asked for the street cleaning schedule; thanked the city for the detour signs around the K Street bridge; asked about looking into a Route 66 pass through sign.

**Vice Mayor Merritt** - Inquired about the odor at the Lilly Hill grow facility.

**Council Member Pogue** - Commented on the detour signs around the K Street bridge; reported that she had a conversation with Assemblyman Garcia last week regarding possible border city exemptions for regulations; reported that Rite Aid bankruptcy list does not include the Needles location.

**Councilmember Belt** - asked about moving forward with the California Welcome Center

**Councilmember Longbrake** - had no requests

**Mayor Jernigan** - reported on the League of California Cities Annual Conference and the sessions she attended; reported on the numerous meetings she has attended and reminded everyone of the Fort Mojave Tribal Days events, St Vincent de Paul dinner and Homecoming.

#### ADJOURNMENT

Mayor Jernigan adjourned the meeting at 7:17 pm

ATTEST:

  
Mayor Janet Jernigan

  
City Clerk Dale Jones, CMC