MINUTES
REGULAR MEETING OF THE CITY COUNCIL,NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, SEPTEMBER 28, 2021,COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 P.M.,CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES
THE MAYOR AND COUNCIL MEMBERS MAY BE ATTENDING THIS MEETING VIA
*** MICROSOFT TEAMS ***
The meetings are being recorded.

CALL TO ORDER at 5:08 p.m.
ROLL CALL
Present: Mayor Jeff Williams, Council Members Ellen Campbell, Wade Evans, Kirsten Merritt, Edward T. Paget. M.D., Tona Belt and Zachery Longacre. Also present City Manager Rick Daniels; Assistant City Manager Patrick Martinez, City Attorney John Pinkney via Teams and City Clerk Dale Jones.

RECESSED THE CITY COUNCIL MEETING AND CONVENED A JOINT COUNCIL / NPUA MEETING at 5:09 p.m.

CALL TO ORDER (Roll Call previously taken)
PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS – None
RECESS TO EXECUTIVE SESSION at 5:09 p.m.

a) NPUA /COUNCIL: Conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9(d)(1) (one case: Rio Buena Vista Assoc. Et. Al. v. City of Needles: Case Number CIVSB 2028439);
b) COUNCIL: Public Employee Performance Evaluation pursuant to Government Code Section 54957 – Employee Title: City Manager;
c) COUNCIL: Conference with Labor Negotiator pursuant to Government Code Section 54957.6: Agency designated representative: City Manager Rick Daniels: Employee Organizations: NUEA and Teamsters Local 1932;
d) COUNCIL: Conference with Labor Negotiator pursuant to Government Code Section 54957.6: Agency designated representative: City Manager Rick Daniels: Unrepresented Employee: Assistant City Manager/Development Services Director.

EXECUTIVE SESSION – Report by City Attorney – No reportable action

RECESSED THE JOINT COUNCIL / NPUA MEETING AND RECONVENED THE CITY COUNCIL MEETING at 6:02 pm.
CALL TO ORDER (Roll Call previously taken)

CALL TO ORDER
ROLL CALL
Present: Mayor Jeff Williams, Council Members Ellen Campbell, Wade Evans, Kirsten Merritt, Edward T. Paget. M.D., Tona Belt and Zachery Longacre.
INVOCATION Mayor Williams
PLEDGE OF ALLEGIANCE Councilmember Evans
APPROVAL OF AGENDA
Councilmember Belt moved, seconded by Councilmember Longacre, to approve the agenda.
Motion carried by the following roll call vote:
Ayes: Council Members Campbell, Evans, Merritt, Paget, Belt and Longacre
Noes: None
Absent: None

CONFLICT OF INTEREST Councilmember Longacre declared a conflict of interest on agenda item 13 because he was offered a job by another competitor.
CORRESPONDENCE submitted by Utility Board Member Schneider and Chair Campbell reflecting their opinions on agenda item 14.
INTRODUCTIONS - None
CITY ATTORNEY Parliamentary procedures - None

PUBLIC APPEARANCE – Judy Thornton updated council on Needles Tourism events. Pam Blake gave a visitor center update.

PRESENTATION

1) Fire District Update by Scott Tuttle, Assistant Chief, San Bernardino County Fire District (INF)

PUBLIC HEARINGS

2) Public hearing - held noticed to consider all evidence and testimony for or against approving Tentative Parcel Map No. 20388, subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two-Family Residential) Zone, located in the vicinity of Lillyhill Dr. and Casa Linda St, APN 0185-233-55:
Assistant City Manager left the room due to a conflict because he lives in close proximity to the property in addition to Councilmember Belt and Mayor Williams.
City Manager Daniels reported and considerable discussion ensued.
Mayor to open the public hearing at 6:33 p.m.
Public Comment
Applicant Comments – Tim Terrall addressed council.
Comments in Favor
Comments Opposed - Ms. Worth spoke in opposition. Richard and Debbie Parnell voiced their concern regarding losing access to their property from the back. Katheryn spoke in opposition concerned she will lose access from the back of their property and how it might affect their property value. Shawn Gudmundson voiced his opinion that the other property owners should not lose access to their property.
Applicant Rebuttal
Mayor to close the public hearing at 6:34 p.m.
Council Discussion / Deliberation – Continued discussion ensued.
Councilmember Campbell moved, seconded by Councilmember Longacre, to adopt Resolution No. 2021-41 as amended approving Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R-2 (Two-Family Residential) Zone, APN 0185-233-55
Motion **failed** by the following roll call vote:
Ayes: Council Members Campbell, Evans and Longacre
Noes: Councilmember Merritt
Absent: Councilmember Belt and Mayor Williams

3) Public hearing held - noticed to consider all evidence and testimony for or against a Conditional Use Permit for a two-phase cannabis cultivation facility, phase one existing building, 4,700 square feet, and phase two, a new 10,800 sq. ft. building, at 1150 W. Broadway, also known as Assessor's Parcel Number 0186-093-18-0000 in the C-2 General Commercial Zone: Applicant Albert Sekoian, representative for Califa Harvest LLC
Assistant City Manager gave a PowerPoint presentation and discussion ensued.
Council Questions of Staff
Mayor to open the public hearing at 7:09 p.m.
Public Comment
Applicant Comments - Albert Sekoian responded to council questions.

Public Comments - Cheryl Montanez informed council that the proposed building will be beautiful, no one will know it is a cannabis business, that it is zoned for cannabis and the applicant has spent thousands of dollars to bring before the planning commission and council. Steve Moffitt commented that the city still does not have a grocery store however there is cannabis everywhere, what message are we sending the kids? Shawn Gudmundson agrees with Cheryl's comments and there should be a way to inform the applicant that there is a good possibility his application would not be approved before he spends thousands of dollars. Mary Ann Jones voiced her concern regarding the location. Barbara Beard voiced her opinion that it appears a lot of time and planning went into this project and it will be beautiful.
Mayor to close the public hearing at 7:21 p.m.
Council Discussion / Deliberation ensued.
Councilmember Campbell moved, seconded by Vice Mayor Paget, to waive the reading and adopt Resolution No. 2021-59 as amended approving a Conditional Use Permit for a two-phase cannabis cultivation facility totaling 15,500 sq. ft. located in the C-2 (General Commercial) Zone at 1150 W, Broadway, APN 0186-093-18-0000. Motion carried by the following roll call vote:
Ayes: Council Members Campbell, Merrit, Paget and Williams
Noes: Council Members Evans, Belt and Longacre
Absent: None

4) Public hearing held - noticed to consider all evidence and testimony for or against a Conditional Use Permit for a 258 sq. ft. cannabis distribution facility, located at 1150 W. Broadway, also known as Assessor's Parcel Number 0186-093-18-0000, in the C-2 General Commercial Zone: Applicant Albert Sekoian, representative for Califa Harvest LLC
Mayor to open the public hearing at 7:30 p.m.
Mayor to close the public hearing at 7:30 p.m.
Councilmember Campbell moved, second by Vice Mayor Paget, to waive the reading and adopt Resolution No. 2021-60 as amended approving a Conditional Use Permit for a 258 sq. ft. cannabis distribution facility, building C2, located at 1150 W. Broadway, APN 0186-093-18
Motion carried by the following roll call vote:
Ayes: Council Members Campbell, Merrit, Paget and Williams
Noes: Council Members Evans, Belt and Longacre
Absent: None

5) Public hearing noticed to consider all evidence and testimony for or against approving an Ordinance amending Chapter 6, Adding Article X, Entitled "Violation Penalty", in the Needles Municipal Code adding penalties for work without permits has been **continued to October 12, 2021 council meeting**

6) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit for a two-phase development of a cannabis cultivation facility totaling 19,340 sq. ft. located at 315 Balboa Place, APN 0660-081-21 in a C-3 Highway Commercial Zone has been **continued to October 26, 2021 council meeting**

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS None

CONSENT CALENDAR:
Councilmember Campbell moved, second by Councilmember Longacre to approve the consent calendar items. Motion carried by the following roll call vote:
Ayes: Council Members Campbell, Evans, Merritt, Belt and Longacre
Noes: None
Absent: Vice Mayor Paget out of the room

7) Approved the warrants register through September 28, 2021

8) Waived the reading and adopted Resolution No. 2021- 56 waiving the sealed bid process and accepting a quote from Vigilant Solutions LLC in the amount of $19,321.25 for purchase and installation of a license plate reader to be installed on a 2021 ATS/ATS-5 radar trailer using community oriented policing services (COPS) grant funds

9) Received and filed the Transportation Development Act Triennial Performance Audit for Fiscal Years 2018-2020 for the Needles Transit Services

10) Authorized the city manager to execute the Unsubsidized Work Experience/Community Service Training (WEX) Memorandum of Understanding (MOU) with the County of San Bernardino Transitional Assistance Department

11) Waived the reading and adopted Resolution No. 2021-58 approving the repair and replacement of the Colorado River Bridge Deck and existing guardrails of the SR-95 Needles Bridge, also known as California Bridge No. 54C03949, Arizona Structure No. 2435, State Route 95

12) Authorized the mayor to execute the Cooperative Agreement between the City of Needles and the County of San Bernardino for the Needles Highway Improvements Segment 1B

End of Consent

Break at 7:33 p.m. – resumed at 7:39 p.m.

REGULAR ITEMS

13) Request to reconsider Resolution No 2021-53

Councilmember Longacre declared a conflict of interest because he was offered a job by another competitor and left the room.

City Attorney Pinkney reported and discussion ensued.

Councilmember Evans moved, second by Councilmember Campbell to reconsider Resolution No 2021-53 and if approved motion to adopt Resolution No. 2021-53 as amended approving a Conditional Use Permit for a 1,102 square foot cannabis retail business to be housed within the existing Mobil Gas Station building, located at 1005 E. Broadway, APN 0186-214-07, in the C-2 General Commercial Zone.

Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Evans, Merritt and Belt
Noes: None
Absent: Vice Mayor Paget and Councilmember Longacre

14) Discussion regarding creation of a new Electric Rate Stabilization Fund with the monies from the marijuana tax currently deposited into the Economic Development Fund

Councilmember Campbell, second by Vice Mayor Paget **to table** item and create an ad hoc committee consisting of Councilmembers Evans, Paget and Campbell.

Motion carried by the following roll call vote:

Ayes: Council Members Campbell, Merritt, Belt, Paget and Longacre
Noes: Councilmember Evans
Absent: None

15) Discussion regarding an employee appreciation event

City Manager Daniels reported and discussion ensued.

Council consensus is to hold the event on Friday, December 10 at the El Garces.

CITY ATTORNEYS REPORT - None

CITY MANAGER reported

COUNCIL REQUESTS

Councilmember Campbell need to work on the general plan and Army Road needs improvements.
Councilmember Merritt reported on the League of California City's conference
Vice Mayor Paget reported on the SBCTA meeting
Councilmember Belt inquired about the playground equipment, Chamber of Commerce update and ability to pay on line at the Recreation Center.
Councilmember Longacre inquired about the J Street weeds and restrooms at the golf course need improvements.

ADJOURNMENT at 8:21 p.m.

ATTEST

Mayor Williams

City Clerk Jones