



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

AGENDA

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

TUESDAY, OCTOBER 24, 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: 569 268 755#

OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 569 268 755#

The meetings are being recorded.

Councilmember Longbrake will be participating via teleconference from Quality Inn,
710 W. Kimberly Avenue, Placentia, CA 92870

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-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

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.

PUBLIC COMMENTS PERTAINING TO THE NPUA / COUNCIL ITEMS

A three-minute time limit per person has been established.

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 and authorize staff to execute said Change Order and Accept the Notice of Completion for the work (ACT)

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

CALL TO ORDER (Roll Call previously taken)

PUBLIC COMMENTS PERTAINING TO THE HACN ITEM

A three-minute time limit per person has been established.

2. Housing Authority of the City of Needles Update (INF)

ADJOURN THE HOUSING AUTHORITY (HACN) MEETING AND RECONVENE COUNCIL MEETING

CALL TO ORDER (Roll Call previously taken)

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
 - 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)

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

4. Approve the Warrants Register through October 24, 2023
5. Approve the minutes of September 12, 2023
6. Accept 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 authorize 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" (2nd reading – adopt) (ACT)
8. Resolution No. 2023-58 authorizing a grant anticipation note application for the "Rural Community Assistance Corporation (RCAC) loan program (ACT)
9. Consider cancelling 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 (ACT)

CITY ATTORNEY REPORT

CITY CLERK REPORT

CITY MANAGER REPORT

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 20, 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 20th day of October, 2023

/s/ Dale Jones, CMC, City Clerk



Request for Board Action City of Needles, California

Item 1.

☒ CITY COUNCIL ☐ UTILITY BOARD ☒ NPUA ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Accept Change Order No. 1 (Final) with Phillips Excavating, Inc. for the Water Meter Replacement Project and Accept the Notice of Completion for the work.

Background: This project is a continuation of the overall Advanced Meter Infrastructure (AMI) project to design, license and install smart electric and water meters within the City of Needles utility network. This portion of the project was to contract the replacement/installation of water meters that were previously purchased by the City.

In January 2023, the Water Meter Replacement Project was advertised for bids with bids opened on February 1, 2023. On February 14, 2023, Phillips Excavating Inc. was awarded the Base Bid in the amount of \$561,305.00 with a 10% contingency for a total project cost of \$617,437.00.

During construction, the total number of meters to be installed were increased from the original bid and miscellaneous parts were required to complete the project. Therefore, a portion of contingency funds were utilized to cover the costs.

The contractor completed the project utilizing the total base bid amount of \$561,305 plus \$26,605.26 of contingency funds for a total contract amount of \$587,910.26.

By issuance of this Change Order, the overall total project cost was reduced by \$29,526.74 from the original approval.

Fiscal Impact: Change Order #1 (Final) results in a net increase of \$26,605.26 to the contract with Phillips Excavating, Inc. being funded from the project contingency resulting in a final contract amount of \$587,910.26.

 Finance Dept.

Recommendation: Accept Change Order No. 1 (Final) 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.

Submitted By: Kathy Raasch, Projects Manager

City Management Review:  **Date:** 10/19/2023

Approved: ☐ Not Approved: ☐ Tabled: ☐ Other: ☐

AGENDA ITEM: 1

CITY OF NEEDLES
CHANGE ORDER

PROJECT: Water Meter Replacement Project

Change Order No. 1

OWNER: City of Needles

CONTRACTOR: Phillips Excavating, Inc.

FOLLOWING CHANGES ARE MADE TO THE CONTRACT:

Description of Changes	Decrease Contract Price	Additional Meters	Increase Contract Price
1. 5/8 x 3/4" Meters		50	\$15,000.00
2. 1-1/2" Meters		35	\$12,250.00
3. 2" Meters	3,200.00	(8)	
3. Additional Parts			\$ 2,555.26

JUSTIFICATION:

1. The original quantity of 5/8 x 3/4" meter was approximate, therefore after deployment, fifty (50) additional residential meters were purchased by the City and installed by the contractor per unit price in the bid.
\$15,000.00 increase from project contingency.
2. The original quantity of 1-1/2" water meters was approximate, therefore after deployment, thirty-five (35) additional residential meters were purchased by the City and installed by the contractor per unit price in the bid.
\$12,250.00 increase from project contingency.
3. The original quantity of 2" meters was reduced from the original bid quantity by 8 meters.
\$3,200.00 decrease in contract price.
4. Miscellaneous gaskets, nuts, bolts and fittings required to complete water meter installations.
\$2,555.26 increase from project contingency.

Original Contract Price	\$561,305.00
Previous Change Order(s) Amount	\$0.00
Original Contract Price plus previous Change Orders	\$561,305.00
Contract Price Due This Change Order	\$26,605.26
New Contract Price	\$587,910.26

CHANGE IN CONTRACT TIME

Contract Time will be (Increased)	Adjusted Date for Completion of all Work	Calendar Days
N/A	N/A	N/A

APPROVALS
REQUI RED

Requested by:

Kathy Raaseh
Signature (Project Manager)

Date: 10-18-23

Contractor Acceptance:

Melody Phillips Pres.
Signature (Contractor)

Date: 10-17-23

Approved by:

Signature (City Manager)

Date: 10/24/23
CC meeting

CHANGE ORDER

RECORDING REQUESTED BY:

City of Needles
817 Third Street
Needles, CA 92363

Item 1.

AND WHEN RECORDED MAIL TO:

City of Needles
817 Third Street
Needles, CA 92363

No fee per Govt. Code § 27383

~ SPACE ABOVE FOR RECORDER'S USE ONLY ~

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

The undersigned is OWNER or AGENT OF THE OWNER of the interest or estate stated below in the property hereinafter described.

The full NAME of the OWNER is CITY OF NEEDLES

The ADDRESS of the OWNER is 817 THIRD STREET, NEEDLES, CA 92363

The NATURE OF THE INTEREST or estate of the undersigned is In FEE

Street Address / APN (if applicable) VARIOUS LOCATIONS

The full name(s) and address(es) of all persons, if any, who hold such interest or estate with the undersigned as joint tenants or as tenants in common are:

Contractor's Name

Contractor's Address:

Phillips Excavating, Inc.

805 E. Broadway Ave

The property on which said work of improvement was completed is in the City of **Needles**, County of **San Bernardino**, State of **California**, and was approved by the Needles City Council by minute action at the 10/24/2023 meeting and is DESCRIBED AS FOLLOWS:

Improvement on the property hereinafter described and COMPLETED on 09/30/2023
Improvements described as

Installation of approximately 1,822 Smart meters through out City of Needles Water service area.

I, Patrick Martinez am the City Manager
(Name of below signor) (Owner, President, Authorized Agent, Partner, etc.)

the declarant of the foregoing Notice of Completion. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 10/25/2023

Signature: _____

Patrick Martinez, City Manager, City of Needles

Notice of Completion 10-17-2023



City of Needles, California

Request for City Council Action

Item 2.

☐ CITY COUNCIL ☐ NPUA ☒ HACN ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Housing Authority of the City of Needles Update

Background: On April 25, 2023, HACN awarded the bid to Final Touch Construction for a total project cost of \$449,118.

- HACN has completed the installation of the 302 windows.
- 78 of the 156 doors have been installed. The doors were on backorder and anticipated completion to be completed within the next few weeks.

On August 1, 2023, HACN opened the waiting list for Section 8 Housing Choice Vouchers. HACN had successfully issued all Section 8 Vouchers.

On October 16, 2023, the U.S. Department of Housing and Urban Development issued the Section 8 Management Assessment Program (SEMAP) certification for the Housing Authority of the City of Needles. The overall performance rating is Standard which makes us in compliance. HACN received 110 points out of 135 possible points. The four areas where HACN had lost points, a corrective action plan to ensure compliance with program rules has been drafted and will be submitted to HUD (Exhibit A).

The HACN Staff has been notified that two of the commissioners are stepping down from the Housing Commission. Staff has placed an ad in the paper and is actively pursuing candidates to fill the vacancies. One of the candidates must be a resident of Public Housing and 62 years of age or older. The second candidate can be an at large appointment.

U.S. Department of Housing and Urban Development issued Technical Assistance to the HACN staff. The scope of work includes updated the Policies and Procedures for HACN. Additionally, HACN has added a second maintenance worker Lorange Deleon to help provide a high level of services for our program residents.

Attached Exhibits:

- Exhibit A SEMAP Letter and Corrective Action Plan

Fiscal Impact: None

Recommended Action: Information Only

Submitted By: Angelica Deermer, HACN Housing Manager
Patrick J. Martinez, City Manager

City Management Review: _____ **Date:** _____

Approved: ☐ Not Approved: ☐ Tabled: ☐ Other: ☐

Agenda Item: 2



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
300 North Los Angeles Street, Suite 4054
Los Angeles, CA 90012

OFFICE OF PUBLIC HOUSING

October 16, 2023

Mr. Patrick Martinez
Executive Director
Housing Authority of the City of Needles
908 Sycamore Drive
Needles, California 92363

Subject: SEMAP Certification

Dear Mr. Martinez:

Thank you for completing your Section 8 Management Assessment Program (SEMAP) certification for the **Housing Authority of the City of Needles**. We appreciate your time and attention to the SEMAP assessment process. SEMAP enables HUD to better manage the Section 8 tenant-based program by identifying PHA capabilities and deficiencies related to the administration of the Section 8 program. As a result, HUD will be able to provide more effective program assistance to PHAs.

The Housing Authority of the City of Needles' final SEMAP score for the fiscal year ended **6/30/2023** is **81**. The following are your scores on each indicator:

Indicator	1	Selection from Waiting List (24 CFR 982.54(d)(1) and 982.204(a))	15
Indicator	2	Reasonable Rent (24 CFR 982.4, 982.54(d)(15), 982.158(f)(7) and 982.507)	20
Indicator	3	Determination of Adjusted Income (24 CFR part 5, subpart F and 24 CFR 982.516)	20
Indicator	4	Utility Allowance Schedule (24 CFR 982.517)	5
Indicator	5	HQS Quality Control (24 CFR 982.405(b))	0
Indicator	6	HQS Enforcement (24 CFR 982.404)	10
Indicator	7	Expanding Housing Opportunities	0
Indicator	8	Payment Standards (24 CFR 982.503)	0
Indicator	9	Timely Annual Reexaminations (24 CFR 5.617)	10
Indicator	10	Correct Tenant Rent Calculations (24 CFR 982, Subpart K)	5
Indicator	11	Pre-Contract HQS Inspections (24 CFR 982.305)	5
Indicator	12	Annual HQS Inspections (24 CFR 982.405(a))	0
Indicator	13	Lease-Up	20
Indicator	14	Family Self-Sufficiency (24 CFR 984.105 and 984.305)	NA
Indicator	15	Deconcentration Bonus	NA

Your overall performance rating is **Standard**. Your PHA has earned a total of **110** points out of **135** possible points.

We have recorded that your PHA has been rated zero on at least one of the performance indicators. Please take the necessary corrective action to ensure compliance with program rules. For each zero rating, you must send HUD a written report describing the corrective action taken within 30 calendar days of the date of this letter or HUD may require a written corrective action plan. HUD regulation 24 CFR 985.104 states a PHA may appeal its overall performance rating to HUD by providing justification for the appeal reasons.

Thank you for your cooperation with the SEMAP process. Should you have any questions regarding this matter, please contact Alicia E. Salcido, Portfolio Management Specialist, at Alicia.E.Salcido@hud.gov.

Sincerely,

Meena Bavan

Meena S. Bavan
Director
Office of Public Housing



City of Needles

Housing Authority

908 Sycamore Drive, Needles, California 92363
(760) 326-3222 • FAX (760) 326-2741
www.cityofneedles.com

Mayor, Janet Jernigan
Vice Mayor Kirst
Councilmember Item 2.
Councilmember Ellen Campbell
Councilmember Jamie McCorkle
Councilmember JoAnne Pogue
Councilmember Henry Longbrake

City Manager Patrick Martinez

October 17, 2023

U.S. Department of Housing and Urban Development
Attn: Alicia Salcido, PMS
300 North Los Angeles Street, Suite 4054
Los Angeles, CA 90012

RE: FY 2022-2023 SEMAP Certification

To Ms. Salcido,

Thank you for providing the Housing Authority of the City of Needles with its SEMAP indicator scores. We would like to take this opportunity to address and correct all deficiencies identified with this certification.

Indicator 5- HQS Quality Control: The Housing Authority of the City of Needles has been down to only one person on maintenance staff for most of the FY 22-23. Also, during a majority of this time, the HA had not resumed HQS Inspections post COVID-19 restrictions. These factors resulted in many inspections not being performed in a timely matter, and those that had been conducted were not reviewed via QC due to lack of HA staff.

The Housing Authority of the City of Needles now has two full time Maintenance employees. One has already undergone HQS Inspection as well as NSPIRE training. The second was hired recently and will be attending these trainings in the near future. Moving forward HA will conduct QC reviews.

Indicator 7- Expanding Housing Opportunities: The Housing Authority of the City of Needles currently provides all voucher holders with a 'Housing Contact' list. These prospective landlords have either expressed interest in renting to Section 8 participants or already are/have been landlords for Section 8 participants. Additionally, each voucher holder receives a notice of portability, and the portability process is explained. Both forms are provided at the time of voucher issuance.

The HA was unclear about the applicability of this indicator and improperly reported for this section of the certification. In the future the HA will ensure it correctly reports Expanding Housing Opportunities. We are grateful for this learning opportunity and have updated our list Housing Contact list to include neighboring Housing Authorities, per 24 CFR 985.3 (E), as previously we had this list available by request and it was not provided at each voucher issuance.

The Housing Authority of the City of Needles currently has policies in our Administrative Plan for Owner recruitment and retention (Chapter 13-I.A.) The HA is already in the process of updating the Admin Plan and will review this Chapter for

any potential changes. In the meantime, HA will continue efforts to seek out new landlords, including holding recruitment/information meeting as stated in the Admin plan as this has not been held post covid.

Indicator 8- Payment Standards: The Housing Authority of the City of Needles has been advised that payment standards have been calculated incorrectly, which resulted in the use of payments standards at 89% instead of 90%. Now that this has been brought to our attention, we have updated the current FY payments standards and will ensure that we use proper calculations to keep payment standards within the basic range of 90% - 110%.

Indicator 12- Annual HQS Inspections: As mentioned previously, the Housing Authority did not resume post covid inspections in a manner that may be considered timely, largely due to staffing issues. The Housing Authority has been actively working to make great strides in performing not just at acceptable standard but is striving to exceed what is considered acceptable. The Housing Authority now has the staff needed to conduct these inspections properly and has been conducting inspections within 90 days prior to the effective date of the annual reexamination

Below please find a list of documentation provided for each indicator.

Thank you for your attention to this matter,

Attachments:

18- Revised payment standard/ Income limit chart



City of Needles Housing Authority

908 Sycamore Drive, Needles, California 92363
(760) 326-3222 • FAX (760) 326-2741

www.cityofneedles.com

Mayor, Janet Je
Vice Mayor Kirsten I
Councilmember Tona Belt
Councilmember Ellen Campbell
Councilmember Jamie McCorkle
Councilmember JoAnne Pogue
Councilmember Henry Longbrake
City Manager Patrick Martinez

Item 2.

FAIR MARKET RENTS

for the Section 8 Voucher Program San Bernardino County, California

As set by HUD- released August 31, 2023

Adopted effective December 1, 2023 for use through FY 23-24

Number of Bedrooms	FMR	Payment Standard
0	\$1517	\$1365 (90% of FMR)
1	\$1611	\$1450 (90% of FMR)
2	\$2010	\$1809 (90% of FMR)
3	\$2707	\$2436 (90% of FMR)
4	\$2922	\$2974 (90% of FMR)

INCOME LIMITS

As set by HUD - Effective 04/18/2022

No. of Family Members	30% of Median Extra Low Income	Very Low Income 50%	Low Income 80%
1	\$ 19,600	\$ 32,650	\$ 52,200
2	\$ 22,400	\$ 37,300	\$ 59,650
3	\$ 25,200	\$ 41,950	\$ 67,100
4	\$ 30,000	\$ 46,600	\$ 74,550
5	\$ 35,140	\$ 50,350	\$ 80,550
6	\$ 40,280	\$ 54,100	\$ 86,500
7	\$ 45,420	\$ 57,800	\$ 92,450
8	\$ 50,560	\$ 61,550	\$ 98,450

NEEDLES HOUSING AUTHORITY FLAT RENT FY 2018 on all new move-ins and reviews processed after 01/9/2018 Adopted Board of Commissioners 01/09/2018 - Resolution #796 Posted in office window 01/11/2018

CA022000001	1 BEDROOM	2 BEDROOM	3 BEDROOM	4 BEDROOM
FLAT RENT CY 2022	\$420	\$473	\$515	\$602

Per HUD letter dated 12/17/2017. The rents above are inclusive of utility expenses, therefore there should be no additional adjustment for utility expenditures

THE HOUSING AUTHORITY OF THE CITY OF NEEDLES, CALIFORNIA

908 Sycamore Drive • Needles, California 92363
Telephone (760) 326-3222 • Fax (760) 326-2741

Item 2.

Contacts for Housing in Needles, California

APARTMENTS

Coronado Court
1017 Coronado, #6C
Needles, CA 92363
760-326-3304
1 & 2 Bedroom

Terrace View
1501 Lily Hill Drive
Needles, CA 92363
760-326-4813
1 & 2 Bedroom

River Gardens
1970 Clary Drive
Needles, CA 92363
760-326-5047
2 & 3 Bedroom

PRIVATE PARTIES

Teri Love
714.693.2457

Frank Trotechaud
702.606.6954

Darlene Davis
909.991.5565
909.862.7733 Office

Helen Cox
760.326.4216

Tina McGee
760.985.4050

Tamaria Baker
760.267.7515

Cliff & Toni McDonald
928.788.4107

Lydia Hernandez
562.897.6387

Charlotte Schroeder
714.719.9770

Leilani Reves
760.843.3826
760.628.9878

Edna Wilde
928-768-3195

Ampie Young
818.249.1186

Virginia Clerico
760.326.4242

Lori McClure
951.712.1904

Bob Rowe
951.897.4227

Helen Elrod
928.763.1920

Tim Morgan
310.993.7700

Danny Brayboy
310.503.6906

Susan Velasquez
951.515.8931

Syliva Polen
626.422.3709

Don McCone
928.404.3880

James Campbell
858.750.0710

PUBLICATIONS

Needles Desert Star
Published every Wednesday.

Mohave Valley Daily News
Published daily, except
Saturdays.
www.mohavedailynews.com

I 7(A)

THE HOUSING AUTHORITY OF THE CITY OF NEEDLES, CALIFORNIA

908 Sycamore Drive • Needles, California 92363
Telephone (760) 326-3222 • Fax (760) 326-2741 • TDD (760) 326-5868
nha@citlink.net

Item 2.

NEIGHBORING HOUSING AUTHORITIES

Name and Address of Housing Authority	Distance in Miles from Needles Housing Authority
Housing Authority of the County of San Bernardino 672 S. Waterman Ave. San Bernardino, CA 92408 Phone (909) 890-9533 Fax (909) 890-5333	215
Housing Authority of the County of San Bernardino - Victorville Office 15465 Seneca Rd. Victorville, CA 92392 Phone (760) 243-1043 Fax (760) 243-2123	177
Housing Authority of the County of San Bernardino - Ontario Office 424 N. Lemon Ave. Ontario, CA 91764 Phone (909) 890-5360 Fax (909) 983-5002	223
Mohave County Housing Authority 700 W. Beale Street Kingman, AZ 86401 Phone (928) 753-0723 Fax (928) 753-0776	62 Contacts: Danya Heard Jennifer Burch
Mohave County Housing Authority - Bullhead City Office 720 Hancock Rd. Bullhead City, AZ 86442 Phone (928) 758-0702 Fax (928) 758-0737	22 Contact: Jennifer Rossini
Mohave County Housing Authority - Lake Havasu City Office 2001 College Drive, Ste. 122 Lake Havasu City, AZ 86403 Phone (928) 453-0710	40 Contact: Toni Ambrose
Southern Nevada Regional Housing Authority 340 N. 11 th St. Las Vegas, NV 89101 Phone (702) 477-3100 Fax (702) 435-3039	111



City of Needles Housing Authority

908 Sycamore Drive, Needles, California 92363
(760) 326-3222 • FAX (760) 326-2741
www.cityofneedles.com

Mayor, Janet
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Councilmember Ellen Campbell
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Item 2.

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Needles, CA 92363
760-326-4813
1 & 2 Bedroom

River Gardens
1970 Clary Drive
Needles, CA 92363
760-326-5047
2 & 3 Bedroom

PUBLICATIONS

Needles Desert Star
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Mohave Valley Daily News
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Saturdays.
www.mohavedailynews.com

PRIVATE PARTIES

Teri Love
714.693.2457

Frank Trotechaud
702.606.6954
Darlene Davis
909.991.5565
909.862.7733 Office

Helen Cox
760.326.4216

Tina McGee
760.985.4050

Tamaria Baker
760.267.7515

Cliff & Toni McDonald
928.788.4107

Lydia Hernandez
562.897.6387

Charlotte Schroeder
714.719.9770

Leilani Reyes
760.843.3826
760.628.9878
Edna Wilde
928-768-3195

Ampie Young
818.249.1186

Virginia Clerico
760.326.4242

Lori McClure
951.712.1904

Bob Rowe
951.897.4227

Helen Elrod
928.763.1920

Tim Morgan
310.993.7700

Danny Brayboy
310.503.6906

Susan Velasquez
951.515.8931

Syliva Polen
626.422.3709

Don McCone
928.404.3880

James Campbell
858.750.0710

NEIGHBORING HOUSING AUTHORITIES

**Housing Authority of
County of San Bernardino**
15465 Seneca Rd
Victorville, CA 92392
760.243.1043

672 S. Waterman Ave
San Bernardino, CA 92408
909.890.9533

424 N. Lemon Ave
Ontario, CA 91764
909.890.5360

**Mohave County
Housing Authority**
700 W. Beale Street
Kingman, AZ 86401
928.753.0723

**Southern Nevada Regional
Housing Authority**
340 N 11th St
Las Vegas, NV 89101
702.477.3100

I7(c)

PART I. OWNERS IN THE HCV PROGRAM

13-I.A. OWNER RECRUITMENT AND RETENTION [HCV GB, pp. 2-4 to 2-6]

Recruitment

PHAs are responsible for ensuring that very low income families have access to all types and ranges of affordable housing in the PHA's jurisdiction, particularly housing outside areas of poverty or minority concentration. A critical element in fulfilling this responsibility is for the PHA to ensure that a sufficient number of owners, representing all types and ranges of affordable housing in the PHA's jurisdiction, are willing to participate in the HCV program.

To accomplish this objective, PHAs must identify and recruit new owners to participate in the program.

NHA Policy

The PHA will conduct owner outreach to ensure that owners are familiar with the program and its advantages. The PHA will actively recruit property owners with property located outside areas of poverty and minority concentration. These outreach strategies will include:

- Distributing printed material about the program to property owners and managers

- Contacting property owners and managers by phone or in-person

- Holding owner recruitment/information meetings at least once a year

- Participating in community based organizations comprised of private property and apartment owners and managers

- Developing working relationships with owners and real estate brokers associations

Outreach strategies will be monitored for effectiveness, and adapted accordingly.



City of Needles, California Request for City Council Action

Item 3.

☒ CITY COUNCIL ☐ NPUA ☐ HACN ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: City Council Resolution No. 2023-55
A Resolution of the City Council of the City of Needles 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.

Background: Applicant, Jesse Dean Brown, representative for Needles Flower Refinery is proposing to construct a 2,399 square foot retail cannabis business. On September 1, 2021, the Needles Planning Commission approved Conditional Use Permit Resolution No. 09-01-2021-2 PC recommending approval of a 24,242 Sq. Ft. cannabis cultivation building. The applicant amended Resolution 09-01-2021-2 to reduce the cultivation area by 2,511 sq. ft. (Attachment A, *Project Location*) and construct a 2,399 Sq. Ft. cannabis retail business located at 2701 Columbus Drive through CUP 10-19-2022-1 as shown in Attachment B-1. On July 14th, 2023, the Planning Department received new site and interior drawings required by the conditions of approval to be submitted prior to receiving a building permit for tenant improvement on the existing approved dispensary use to add a cannabis consumption lounge to the approved retail cannabis business. The project site is currently developed with two existing cannabis cultivation facilities (Building 1 and Building 2). This cannabis retail project will be Phase 1 of the third building, with the 21,731 future cultivation facility being built within 12 months. As shown in Attachment B-2, *Proposed Site Plan*, the proposed 2,399 square foot retail cannabis business would be constructed adjacent to the proposed 21,731 future cultivation facility and include a consumption lounge as an ancillary additional use to the retail space.

The applicant has demolished and removed the previously existing 2,810 square foot building (formally owned and operated by the Taco Bell franchise). The two properties have been merged into one parcel APN 0660-081-40-0000 which will contain Buildings 1, 2, and 3. The project is located within the General Plan Commercial land use designation and within the General Commercial (C-2) zoning designation.

As shown in Attachment C-1 and C-2, *Floor Plans*, the proposed retail cannabis business would be the first phase of the third building and be built before the cultivation facility and be completely partitioned off. As shown in Attachment D1, the previously approved floorplan is being amended to include a consumption lounge. As such, the additional cannabis use within the existing cannabis business will not require additional services for sewer and water. The retail business would contain a Customer Check-In Room (50 sq. ft.), a Retail Floor (155 sq. ft.), a Customer Seating Area (225 sq. ft.), a Vault Room (228 sq. ft.), an Office (75 sq. ft.), a foyer (160 sq. ft.), and a Break Room (63 sq. ft.) and bathrooms. Access to the site is unchanged and is provided via Columbus Drive and would provide a total of 31 onsite parking spaces including one (1) Americans with Disability Act (ADA) parking space.

Hours of operation for the consumption cannabis business would be from 10 am to 7 pm, seven days a week and would employ a total of 6 employees under three shifts. Traffic from this Retail and Consumption Lounge Cannabis Business is expected to generate 10-20 vehicle trips per day.

On October 4, 2023, the Planning Commission held a duly noticed and advertised public hearing for the amendment to Resolution No. 2022-75 adding a Cannabis Consumption to the existing 2,399 Sq. Ft. Retail Cannabis Business to be located at 2701 Columbus Drive. The addition of a consumption lounge was recommended for approval by unanimous vote.

Conditional Use Permit Findings.

In accordance with Section 94.07, the Planning Commission must make the following findings for a Conditional Use Permit:

- A. *That the requested permit is within its jurisdiction according to the table of permissible uses.*

FINDING: The project site is zoned General Commercial (C-2) and a consumption lounge is permitted in the C-2 Zone with a Conditional Use Permit (CUP) and a Regulatory License in accordance with City Code Section 12A.

- B. *The Application is Complete*

FINDING: The Applicant has submitted a complete application and has provided the required Site, Floor, Elevation, Rendering and Landscape Plans for the proposed construction of a two-story 2,399 cannabis consumption business within the permitted cannabis business.

- C. *The development is in general conformity with the Needles General Plan.*

FINDING: The proposed project, a cannabis consumption business, is consistent with uses identified in the General Plan Commercial designation through the adoption of Ordinance No. 629-AC, which allows for cannabis consumption businesses to operate within the General Commercial (C-2) designated zone, thereby providing consistency with the General Plan. The project site is in a developed area of the city. The conditions of approval require the cannabis consumption within the proposed 2,399 square foot cannabis business. The proposed cannabis consumption business is in addition to the previously approved cannabis retail and cultivation businesses.

- D. *The development is in harmony with the area in which it is located.*

FINDING: The project site is located in a developed portion of the city. The project site is located on a developed 2.17-acre parcel. The project has involved the demolition and removal of the previously existing 2,810 square foot building for the proposed construction of a two-phase project. Phase I includes the construction

of a proposed 2,399-cannabis consumption business within an already approved cannabis retail business within Building 3. The Project site was previously entitled through CUP 10-19-2022-1 PC for a 2,399 sq. ft. cannabis retail business and is adding cannabis consumption to Phase I. Phase II includes the development of a 21,731 Sq. Ft. Cannabis Cultivation Facility. The project is located in a partially developed area with open desert to West (beyond Buildings 1 and 2) a fast-food restaurant to the South, and Interstate 40 to the North and East.

Traffic from this cannabis consumption business will include 5 additional parking spaces for the cannabis consumption business to the already approved 3 parking spaces for the cannabis business. On-site parking will include 30 onsite parking spaces through the completion of the entire project. The proposed exterior design and color tone of building three (3) business will include architectural enhancements to match and complement the existing exterior design and color tone of the existing two buildings (Buildings 1 and 2).

E. The development will not materially endanger the public health or safety.

FINDING: The project is located in a developed area of the City. Conditions of approval have been placed on the project to ensure appropriate lighting and security systems for the 2,399 square foot cannabis consumption business are in place for health and safety purposes.

F. The development will not substantially injure the value of adjoining or abutting properties.

FINDING: The project site is zoned General Commercial (C-2). The area to the North across Interstate 40 freeway is zoned Highway Commercial (C-3), to the South zoned General Commercial (C-2), to the East, across Interstate 40 freeway zoned General Commercial (C-2), Two-Family Residential (R-2), and Commercial Residential Resort (CRR) and to the West zoned Open Space (O) and General Commercial (C-2). The project has been conditioned to install landscaping with plant species in accordance with the City's adopted planting palette. These requirements would assist in maintaining the value of adjoining and/or abutting properties. The Project will add a cannabis consumption business to the already permitted cannabis business.

Public Notification: A public hearing notice was published in the Needles Desert Star on Wednesday, September 20, 2023. Notices were also sent to property owners within 300 feet of the proposed project and posted in two conspicuous locations.

Fiscal Impact:

1. The 10% of gross sales of medical cannabis business tax (voter approved 2012).
2. Valuation of new buildings – added to city tax rolls.
3. NPUA – electric/water/sewer usage revenue.
4. Recurring business license and permitting fees.

5. A 25% State tax – a portion of which will be passed to local government, as enacted by the approval of Proposition 64 in November 2016.
6. Statewide 10% sales tax, the city's share is 1%.

Environmental: This project is categorically exempt under Section 15332(a-e), Class 32. A project is considered exempt from CEQA under Class 32 if it is consistent with the applicable General Plan designation and policies, and applicable zoning; occurs within city limits on a project site of no more than five acres in size; has no value as habitat for endangered, rare or threatened species; does not result in significant effects of relating to traffic, noise, air quality or water quality and can be adequately served by all required utilities and public services. This project is also categorically exempt under Section 15301, Class 1(l). A project is considered exempt from CEQA under Class 1(l) if it involves the demolition and removal of individual small structures listed in this subdivision where the project contains either a store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use. Section 15301 exempts the conversion of existing facilities involving negligible or no expansion of use beyond that of the existing use. Section 15302 exempts replacement or reconstruction where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The project adds a new use, consumption lounge, which only requires tenant improvements within the existing and approved site plan building footprint.

- Fiscal Impact:**
1. The 10% of gross sales of medical cannabis business tax (voter approved (2012)).
 2. Valuation of new buildings – added to city tax rolls.
 3. NPUA – electric/water/sewer usage revenue.
 4. Recurring business license and permitting fees.
 5. A 25% State tax – a portion of which will be passed to local government, as enacted by the approval of Proposition 64 in November 2016.
 6. Statewide 10% sales tax, the city's share is 1%.

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Recommended Action: Approve Resolution 2023-55, Approving an Amendment to Resolution No. 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.

Submitted By: Patrick Martinez, City Manager
Nancy Huff, Development Services Director

City Management Review: _____ **Date:** _____

Approved: ☐ Not Approved: ☐ Tabled: ☐ Other: ☐

Agenda Item: 3

RESOLUTION 2023-55

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES
APPROVING 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.**

WHEREAS, the City Council wishes to assist property owners in their efforts to build in the City in a reasonable manner that does not create a hazard to health, safety, and welfare or degrade property values or create incompatibility with surrounding uses; and

WHEREAS, on November 22, 2022, City Council Ordinance No. 656-AC was approved allowing cannabis cultivation in zones C1, C2, C3, M1 and M2, with a Conditional Use Permit and Regulatory Permit; and

WHEREAS, the parcel being considered for cannabis cultivation is currently zoned C-2 "General Commercial" for APN 0660-081-40-0000; and

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star on September 20, 2023, at least 10 days prior to said meeting, and notices were sent to property owners within a 300-foot radius of the subject property specifying the date, time and location of the public hearing; and

WHEREAS, on October 4, 2023, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to the Conditional Use Permit **RESOLUTION 10-04-2023-2 PC**; and was recommended for approval unanimously, and,

WHEREAS, Conditional Use Permit 10-19-2022-1 has been amended to include conditional uses specific to the consumption lounge additional use; and

WHEREAS, on October 10, 2023, the Needles City Council held a duly noticed and advertised public hearing for approving an Amendment to City Council Resolution No. 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.

WHEREAS, Section 94.07(d) of the Needles City Code describes the findings required to approve a Conditional Use Permit; and

WHEREAS, the Needles City Council has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Needles as follows:

SECTION 1. The City Council HEREBY FINDS AND DETERMINES that this project is categorically exempt under the California Environmental Quality Act, CEQA Guidelines, Section 15332(a-e) - Class 32, Sections 15301 – Existing Facilities, and Section 15302 – Replacement or Reconstruction. A project is considered exempt from CEQA under Class 32 if it is consistent with the applicable General Plan designation and policies, and applicable zoning; occurs within city limits on a project site of no more than five acres in size; has no value as habitat for endangered, rare or threatened species; does not result in significant effects of relating to traffic, noise, air quality or water quality and can be adequately served by all required utilities and public services. This project is also categorically exempt under Section 15301, Class 1(I). A project is considered exempt from CEQA under Class 1(I) if it involves the demolition and removal of individual small structures listed in this subdivision where the project contains either a store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use. Section 15301 exempts the conversion of existing facilities involving negligible or no expansion of use beyond that of the existing use. Section 15302 exempts replacement or reconstruction where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including the replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. The project adds a new use, consumption lounge, which only requires tenant improvements within the existing and approved site plan building footprint.

SECTION 2. The City Council HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to approve a Conditional Use Permit, according to the criteria specified in Section 94.07(d) of the Needles City Code:

- A. *That the requested permit is within its jurisdiction according to the table of permissible uses.*

FINDING: The project site is zoned General Commercial (C-2) and a consumption lounge is permitted in the C-2 Zone with a Conditional Use Permit (CUP) and a Regulatory License in accordance with City Code Section 12A.

Additionally, the retail and cultivation of cannabis as uses have already been approved, Conditional Use Permit 10-19-2022-1. The addition of the consumption lounge does not not create a hazard to health, safety, and welfare or degrade property values or create incompatibility with surrounding uses.

- B. *The Application is Complete*

FINDING: The Applicant has submitted a complete application and has provided the required Site, Floor, Elevation, Rendering and Landscape Plans for the proposed construction of a two-story 2,399 cannabis retail and

consumption business within the permitted cannabis business of its corresponding zone.

C. The development is in general conformity with the Needles General Plan.

FINDING: The proposed project, a cannabis consumption business, is consistent with uses identified in the General Plan Commercial designation through the adoption of Ordinance No. 629-AC, which allows for cannabis consumption businesses to operate within the General Commercial (C-2) designated zone, thereby providing consistency with the General Plan. The project site is in a developed area of the city. The conditions of approval require the cannabis consumption within the proposed 2,399 square foot cannabis business. The proposed cannabis consumption business is in addition to the previously approved cannabis retail and cultivation businesses.

D. The development is in harmony with the area in which it is located.

FINDING: The project site is located in a developed portion of the city. The project site is located on a developed 2.17-acre parcel. The project has involved the demolition and removal of the previously existing 2,810 square foot building for the proposed construction of a two-phase project. Phase I includes the construction of a proposed 2,399-cannabis consumption business within an already approved cannabis retail business within Building 3. The Project site was previously entitled through CUP 10-19-2022-1 PC for a 2,399 sq. ft. cannabis retail business and is adding cannabis consumption to Phase I. Phase II includes the development of a 21,731 Sq. Ft. Cannabis Cultivation Facility. The project is located in a partially developed area with open desert to West (beyond Buildings 1 and 2) a fast-food restaurant to the South, and Interstate 40 to the North and East.

Traffic from this cannabis consumption business will include 5 additional parking spaces for the cannabis consumption business to the already approved 3 parking spaces for the cannabis business. On-site parking will include 30 onsite parking spaces through the completion of the entire project. The proposed exterior design and color tone of building three (3) business will include architectural enhancements to match and complement the existing exterior design and color tone of the existing two buildings (Buildings 1 and 2).

E. The development will not materially endanger the public health or safety.

FINDING: The project is located in a developed area of the City. Conditions of approval have been placed on the project to ensure appropriate lighting and security systems for the 2,399 square foot cannabis retail and consumption business are in place for health and safety purposes.

- F. *The development will not substantially injure the value of adjoining or abutting properties.*

FINDING: The project site is zoned General Commercial (C-2). The area to the North across Interstate 40 freeway is zoned Highway Commercial (C-3), to the South zoned General Commercial (C-2), to the East, across Interstate 40 freeway zoned General Commercial (C-2), Two-Family Residential (R-2), and Commercial Residential Resort (CRR) and to the West zoned Open Space (O) and General Commercial (C-2). The project has been conditioned to install landscaping with plant species in accordance with the City's adopted planting palette. These requirements would assist in maintaining the value of adjoining and/or abutting properties. The Project will add a cannabis consumption business to the already permitted cannabis business.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve **RESOLUTION NO. 2023-55**

SECTION 4. The City Council HEREBY APPROVES Resolution **2023-55**, Approving Conditional Use Permit No. 10-04-2023-4, amending City Council Resolution No. 2022-75 adding a cannabis consumption business within Building 3 envelope, located at 2701 Columbus Drive also known as APN 0660-081-40-000, in the C-2 General Commercial Zone.

1. Conditional Use Permit ("CUP") No. 10-04-2023-2 PC conditionally authorizes one 2,399 square foot cannabis consumption business within building 3 located at 2701 Columbus. This CUP does not authorize the use of a Cooperative/Collective, Manufacturing, Distribution, Cultivation Facility or Testing Laboratory at this site. These Conditions of Approval shall apply to the consumption of cannabis and the establishment of the cannabis consumption business only.
2. The Applicant/Owner/Operator, and his/her/its successor(s) in interest ("Applicant") shall comply with all conditions of this CUP, including the Needles Municipal Code ("Municipal Code") and Chapter 12A thereof, the City Zoning Code, including Article IV and Section 94 thereof, and all applicable laws, policies, rules and regulations of the City, County, and State; and shall comply with any requirements associated with this approval or with the issuance of any Consumption License as required by Chapter 12A of the Municipal Code.
3. This CUP is issued in accordance with the provisions of the Municipal Code, and all development subject to the CUP shall occur strictly in accordance with the CUP plans and applications approved by the City. Failure to implement and maintain all provisions of these conditions of CUP approval shall be deemed grounds for revocation.

4. The CUP is issued contingent upon the Applicant's compliance with the provisions of Municipal Code Chapter 12A, and the issuance of all applicable permits and licenses in connection therewith, including, without limitation, a Cannabis Consumption Regulatory License, prior to the issuance of a Certificate of Occupancy pursuant to this CUP.
5. The approval for CUP No. 10-04-2023-2 PC is subject to the six (6) month expiration provisions of Section 94.13(a) of the City's Zoning Code, and will expire on **04-04-24**.
6. The permit issuing authority may extend for a period of up to six (6) months, the date when the permit would otherwise expire pursuant to 94.13(a) if it concludes that: (1) the permit has not yet expired; (2) the permit recipient has proceeded with due diligence and in good faith; and (3) conditions have not changed so substantially as to warrant a new application.
7. The Applicant shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the Applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense. As a condition of this approval, the Applicant or its authorized representative shall:
 - (a) Execute an agreement to defend (with legal counsel of the City's choice), indemnify and hold the City harmless from any and all claims, damages, legal or enforcement actions, including, but not limited to, any actions or claims associated with violation(s) of federal law associated with the permitting, licensing, approval, and/or operation of the Dispensary; and
 - (b) Maintain insurance in the minimum amount of \$1 million per claim and \$2 million in the aggregate; and
 - (c) Name the City as an additional insured on all City required insurance policies; and
 - (d) Agree to defend, at its sole expense, any action against the City, its agents, officers, and employees related to the approval of the Dispensary.
8. All development on the project site shall be in compliance with all applicable provisions of the City's Municipal Code and all applicable provisions of the

adopted and applicable Building, Construction and Fire Codes, the Americans with Disabilities Act, and all City building, zoning, business, and health regulations. All new construction shall obtain appropriate building permits and comply with the requirements of the Planning, Building, and Fire Departments.

9. With the exception for amendments and/or modifications that are consistent with Section 94.15 of the City's Zoning Code, anything not shown on the CUP application or the Site Plan, or which is not specifically approved herein, or which is not in compliance with the CUP, is not approved. Any application and/or plans which are defective as to, but not limited to, omissions, dimensions, scale, use, colors, materials, encroachments, easements, etc., shall render any entitlements granted hereunder null and void. Construction (if any) shall cease until all requirements of this CUP are complied with, and development entitlements may be withheld until any Code violations are abated.
10. No Certificate of Occupancy shall be granted until all Conditions of Approval have been completed and approved by the City and Fire Department unless otherwise identified herein, and all offsite improvements have been completed and accepted by the City.
11. Within fifteen (15) days of final approval by the City Council, the Applicant shall submit a notarized affidavit acknowledging acceptance of the conditions of this CUP. This authorization shall become void, and any privilege, permit, or other authorization granted under these entitlements shall be deemed to have lapsed if compliance with this condition has not been undertaken within the specified time limits.
12. A scanned copy of the signed Conditions of Approval shall be included in the Building Construction Plans submitted for plan check.
13. The Applicant shall pay all established service, permit, impact, environmental, and other applicable fees required by the City as a condition of this CUP.
14. The Applicant shall at all times comply with any applicable State law, including but not limited to: the Compassionate Use Act (Proposition 215), the Medical Cannabis Program Act (Senate Bill 420), the Medicinal and Adult-Use Cannabis Regulation and Safety Act, and any other State or California Constitutional provision, whether now or later adopted, including any location restrictions.
15. The Applicant shall apply for and obtain a Cannabis Retail License prior to operating the cannabis consumption business conditionally authorized by this CUP, and shall at all times comply with the provisions of such license and applicable City Codes and regulations. The revocation or suspension of any required regulatory license shall operate to suspend all operations.

16. Applicant must comply with the recommendations and conditions of the City Manager or his/her designee prior to issuance of any building permits. All development pursuant to this CUP must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
17. A Management, Operations, and Security Plan shall be reviewed, and approved by the City Manager (or Designee) and City Building Official prior to Building Permit Issuance. Installation of security measures, including those listed below must be completed, inspected, and approved by the City Manager (or Designee) and City Building Official prior to issuance of a Certificate of Occupancy.
18. During grading activities and in the event of an accidental discovery or recognition of any human remains during project construction activities, Public Resources Code (PRC) Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:
 - There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, then the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98, or
 - Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the property in a location not subject to further subsurface disturbance:
 - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;
 - The descendant identified fails to make a recommendation; or
 - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC.
19. No nuisance water shall escape the Project Site onto public streets or adjacent properties.

20. Building 3 shall not exceed 2,399 square feet, as authorized pursuant to the CUP. In the event that State law further restricts or limits these requirements, the cannabis business shall comply with all requirements imposed by State law and consistent with any State issued permit or license.
21. Consumption operations shall not adversely affect the health or safety of the nearby residents, businesses or properties by creating offensive odors, dust, glare, heat, noise, smoke, traffic, vibration, or other impacts that are disturbing to people of normal sensitivity residing or present on adjacent or nearby properties or areas open to the public, and shall not be hazardous due to use or storage of materials, processes, products or wastes. All facilities shall operate and maintain sufficient odor absorbing ventilation and exhaust systems.
22. All cannabis and cannabis products shall be stored in a secured manner within the cannabis business during business and non-business hours.
23. The Project site (Building 3) shall be painted with earthen tones for the building's siding.
24. Any exposed metal surfaces to the building shall be masked with architectural treatment. At all times the building shall be maintained with appropriate paint or exterior treatment.
25. Electric meter and main disconnect to be installed on exterior of building.
26. Water and wastewater capacity fees will be paid prior to Certificate of Occupancy.
27. City of Needles Development Impact Fees will need to be paid prior to Certificate of Occupancy.
28. At any time building permits are applied for at this site, whether for external or internal changes, new site and interior drawings are required to be submitted prior to receiving a building permit.
29. A Final Water Quality Management Plans shall be submitted to the Engineering Department for review and approval prior to issuance of any grading permit.
30. A final Hydrology Study shall be submitted to the Engineering Department for review and approval prior to the issuance of any grading permit. Hydrology study shall include all calculations required for any proposed retention facility.
31. A grading plan shall be prepared and submitted to the Engineering Department for review and approval prior to any disturbance of soil within the project boundaries. The grading plan shall include all details needed to

provide any retention facilities identified as necessary for the project by either the Hydrology Study or Water Quality Management Plan.

32. No construction shall occur within public Right-of-Way prior to issuance of an Encroachment Permit from the Engineering Department.
33. The Cannabis Consumption Lounge shall develop a security plan including the following measures:
 - a. The Cannabis Consumption Lounge shall prevent individuals from remaining on the premises of the Cannabis Consumption Lounge if they are loitering or otherwise not engaging in activity expressly related to the operations of the Cannabis Consumption Lounge;
 - b. The Cannabis Consumption Lounge shall establish limited access areas accessible only to authorized personnel;
 - c. Digital security cameras shall be installed and maintained in good condition and used in an on-going manner with at least 240 concurrent hours of digitally recorded documentation in a format approved by the City Manager or Designee.

The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras include, but are not limited to, storage areas, all doors and windows, all areas where Cannabis Consumption Lounge staff and volunteers will interact or engage in transactions with members, all exterior parking areas and any other areas as determined by the City Manager or Designee.

Recordings made by the security cameras shall be made available to the City Manager or Designee upon request.

Nothing in this section shall compel a Cannabis Consumption Lounge or require the City to voluntarily disclose or deliver said recording to any Federal government entity or agency absent a court order or subpoena;

- d. Cannabis Consumption Lounge premises shall be alarmed with an alarm system that is operated and monitored by a properly licensed security company. Any security personnel, armed personnel and armed security personnel of the Cannabis Consumption Lounge shall have and possess on their person any required federal, State and local permits and licenses.
- e. The entrance to the Cannabis Consumption Lounge and any storage areas shall be secured at all times, and under the control of Cannabis Consumption Lounge staff.

- f. The business entrance(s) and all window areas shall be illuminated during evening hours. The Cannabis Consumption Lounge shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc., and secure the necessary approvals and permits as needed;
 - g. All windows on the building that house the Cannabis Consumption Lounge shall be appropriately secured and tinted to ensure cannabis smoking, ingestion and consumption is not visible from any place where persons under the age of 21 are permitted.
34. The Cannabis Consumption Lounge shall comply with the U.S. Department of Justice guidelines/priorities, including those prohibiting:
- a. Distribution of Cannabis to minors;
 - b. Providing revenue from the sale of Cannabis to criminal enterprises, gangs and/or cartels
 - c. Diverting Cannabis from a state where it is legal under state law to a state where it is illegal;
 - d. Using Cannabis activity as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;
 - e. Using or engaging in violence or use of firearms in the cultivation and/or distribution of Cannabis;
 - f. Contributing to drugged driving and/or the exacerbation of other adverse public health consequences associated with Cannabis use;
 - g. Growing Cannabis on public lands and the attendant public safety and environmental dangers posed by Cannabis production on public lands; and/or
 - h. Possessing or use of Cannabis on federal property;
35. There shall be no on-site sales of alcohol or tobacco, and no on-site consumption of alcohol or tobacco products by patrons or employees. The ingestion of food items infused with Cannabis is permitted.
36. Cannabis consumption areas shall notify patrons of the following verbally and through posting of a sign in a conspicuous location readily visible to persons entering the premises:
37. Entry into the premises by persons under the age of twenty-one is prohibited.

38. Cannabis consumption areas shall only provide Cannabis to an individual in an amount reasonable for on-site consumption and consistent with personal possession and use limits allowed by the States.
39. Only Cannabis consumables purchased directly from the Retail Cannabis Business are allowed in the Cannabis consumption lounge.
40. Cannabis consumables purchased directly from the Retail Cannabis Business and brought into the Cannabis consumption lounge must be consumed on site and not removed from the premises.
41. Cannabis consumption areas shall have a responsible person on the premises to act as manager and supervise employees at all times during business hours.
42. An odor absorbing ventilation and exhaust system must be installed so that odor generated inside the business is not detected outside the property or lease area boundaries, or anywhere on adjacent property or public right-of-way, or within any other not located within the same building as the Cannabis use.
43. Cannabis consumption areas shall be well-ventilated private areas that are partitioned off from access to all other areas of the retail establishment and are designed to prevent the flow of smoke to any other area of the establishment.
44. The Cannabis consumption area shall do the following to encourage appropriate patron conduct:
 - a. Make an announcement at closing requesting patrons to respect the residents of the adjacent residential neighborhoods by being quiet when leaving.
 - b. Post signs at locations clearly visible within the consumption area and at both on and off-site parking areas, requesting patrons to respect residents of adjacent residential neighborhoods by being quiet when leaving:
 - c. Initiate a last call process prior to closing and identify the disposal process for unused cannabis.
 - d. Cut off services to impaired patrons and provide information on car services.
45. Employee training and Customer education:
 - a. The business shall train their employees about the various products the Retail Cannabis Business sells, including potency of the products, absorption time, and effects of the products

- b. Employees shall educate all customers as to the items mentioned in the above subsection (a) in an effort to ensure responsible consumption
- 46. The structure housing the consumption area shall be adequately soundproofed so that interior and exterior noise is not audible beyond the property line.
- 47. The management of the consumption area shall:
 - a. Place and properly maintain solid waste receptacles and recycling bins, in sufficient numbers and locations to service the needs of the proposed use at peak business periods
 - b. Ensure that the consumption area property and all areas within at least one hundred feet of the consumption area are free of any waste or litter generated by the use, by 7:00 a.m. following each night of operations.
- 48. The Cannabis Consumption Lounge shall only be open between the hours of 6:00 a.m. and 10:00 p.m.
- 49. There will be no after-hour gatherings such as social functions before opening or after the close of business. Exceptions would include sanctioned employee meetings, performing inventory operations, or pre-approved tours or inspections.
- 50. Permittee must install "No loitering or soliciting" signs delineating state penal codes and city ordinances in and around the premises, including parking lots
- 51. All doors within the business must be self-closing and not propped open during business hours
- 52. In the event of a power outage, Permittee shall temporarily close the business until all systems, including security cameras, and point of sale registers, are back on-line.
- 53. Security guards must be in uniform and readily identifiable. No security guard must be operating in an "undercover" capacity without prior notification to law enforcement. All security personnel shall be in possession of a state-mandated guard card and relevant endorsements.
- 54. Pursuant to Bureau of Cannabis Control regulation 5042, Permittee must maintain a record of all authorized individuals who are not employees of the licensee who enter the Limited-access Areas. The record shall include the name of the individual, the company the individual works for, the reason the individual entered the Limited-access Area, the date, and the times the individual entered and exited the Limited-access Area. These records shall be made available to the City Manager or designee immediately upon request.

55. Permittee must ensure all on-site personnel will wear visible identification cards on their persons while on the property. The City of Needles Code Enforcement Department will issue badges to each employee. The identification card will include a photo, the employee's name, and hire date. The identification card will be presented to law enforcement or any City official upon request.
56. Permittee must ensure literature is available to all customers/clients explaining the dangers of driving under the influence of Cannabis.
57. Permittee must ensure literature will be available regarding the dangers of not properly storing and making Cannabis accessible to small children and pets.
58. Prior to occupancy, Permittee must install fire extinguishers in accordance with the Fire Code. The placement of extinguishers shall be subject to review and approval by the San Bernardino County Fire Dept.
59. Prior to occupancy, Permittee must install exit signs, which shall be readily visible from any location. A backup power source must be provided.
60. Main entrance doors may have a key locking device only and be labeled "Doors to remain unlocked during business hours". All other exit doors shall be provided with hardware that does not require any special use or knowledge.
61. Cannabis shall be kept in a secured manner during business and nonbusiness hours;
62. All Cannabis shall be properly labeled and kept in a tamper-evident package in accordance with State law, as may be amended from time to time;
63. Signage for the Cannabis Consumption Lounge shall comply with the City sign ordinance and any amendments thereto;
64. Alcoholic beverages shall not be provided, sold, stored, kept, located, dispensed, distributed, or consumed on the Premises. The Cannabis Consumption Lounge shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages;
65. Access to the Premises of a Cannabis Consumption Lounge engaged in adult-use shall be limited to individuals who are at least 21 years of age.
66. The Premises and building in which the Cannabis Consumption Lounge is located, as well as the operations conducted therein, shall fully comply with all applicable building codes, all applicable State and Federal environmental laws, the Americans with Disabilities Act, the Act, Program and Guidelines; the Medical and Adult Use Cannabis Regulation and Safety Act, as may be amended from time to time;

67. The Cannabis Consumption Lounge shall not be operated within: a residence; within six hundred (600) feet of a school, recreation center or youth center; or within two hundred (200) feet of a public playground, park (meaning a children's park where there is playground equipment or other youth athletic or sports facilities, but not including a "way-side" park or rest stop), child care or day care facility, or church. All distances shall be the horizontal distance measured in a straight line, without regard to intervening structures or topography, from the property line of the uses described in this Subsection to the closest property line of the lot on which the Cannabis Consumption Lounge is located;
68. Operations of the Cannabis Consumption Lounge shall not cease for more than ninety (90) calendar days;
69. The Cannabis Consumption Lounge shall provide the City, or allow the City inspection of, the security recordings, the activity logs, sales and revenue records, documents and any other required reports, and financial and sales data requested by the City;
70. The Applicant shall provide adequate lighting above all entrances and exits to the proposed building entrances and exits, as well as all parking areas and walkways that are under the control of the Applicant.
71. All required lighting shall be of enough power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare onto the premises only. Said lighting and glare shall be shielded to deflect lighting away from all adjoining properties and down-cast and shielded from sunset to sunrise to avoid nighttime glare.
72. During construction, the Applicant shall, at all times, maintain the project site free of weeds, debris, trash or any other offensive, unhealthful and dangerous material. If after five (5) days' notice by certified mail, the Applicant does not comply with a notice of violation issued during construction, the City may either cancel building or grading permits and/or implement nuisance abatement proceedings, including placing a lien on the property for costs of abatement.
73. Applicant shall locate outside trash bin(s) or trash cans in a secured, enclosed area; not to be seen by public view and shall be locked at all times.
74. All structures, building walls open to public view shall remain free of graffiti or other extraneous markings, drawing, or signage that was not approved by the City, unless directly related to the business being operated on the premises or otherwise providing pertinent information about said premises. In the event graffiti or other extraneous markings occur, the Applicant shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surface.

75. Prior to occupancy, the Applicant shall prepare and file with the County Fire Department and Sheriff's Department a detailed evacuation plan in the event of an emergency that details how the buildings will be secured and how first responders will gain access to the project site and buildings.
76. With the exception of Emergency Medical Care provided in the event of an accident or injury, Physician services shall not be provided on the premises.
77. No physical change, alteration, or modification of the premises of the Cannabis Consumption Lounge is allowed that materially or substantially alters the permitted use or the approved site plans. Material changes include, but are not limited to, an increase or decrease in the total square footage of the Cannabis consumption lounge, or the addition, sealing of, or relocation of a wall, common entryway, doorway, or other means of ingress and/or egress to the Cannabis Consumption Lounge.
78. The Applicant shall identify the on-site manager(s) of the Cannabis Consumption Lounge to whom notice of operational issues may be provided. The Cannabis Consumption Lounge shall make every good faith effort to encourage residents, businesses, or members of the public to call the Cannabis Consumption Lounge Manager as a first step to resolving operating problems, if any, before calls or complaints are lodged with the Sheriff's or Planning Department.
79. The Applicant shall enter into an agreement with the City that fully reimburses the City for all costs incurred by the City, resulting from a legal challenge (or federal or state enforcement action) related to the City's approval or regulation of the Cannabis Consumption Lounge and/or operation thereof.
80. The City Manager, or the City Manager's designee, shall have the right to enter the Cannabis Consumption Lounge from time to time for the purpose of making reasonable inspections to observe and enforce compliance with these conditions of approval and all laws of the City and State of California.
81. Operation of the Cannabis Consumption Lounge in violation of any condition(s) of this CUP approval or requirements of Chapter 12A of the Municipal Code or other City regulation or ordinance shall constitute a violation of the CUP and shall be enforced pursuant to the provisions of thereof.
82. If any condition of approval of this CUP is held or declared to be invalid by a court of competent jurisdiction, the entire Project and CUP may be reviewed and substituted and/or additional conditions may be imposed.
83. Any violation of these conditions of approval shall constitute grounds for revocation of the CUP.

84. The project shall be developed in conformance to the site plan drawing dated 03-07-2023. Any deviation from the approved plan shall require Planning Commission approval.
85. The project is required to be handicap accessible, with ADA compliant restrooms.
86. The Applicant must comply with the recommendations of the San Bernardino County Fire Department prior to issuance of any building permits. All development pursuant to this permit must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
87. The Cannabis Consumption Lounge shall be designed and maintained per manufacturer recommendations with a ventilation and air filtration system containing activated carbon filters, such as Phresh Filters, to ensure odors generated by the proposed Cannabis Consumption Lounge are not a nuisance.
88. The site will include 8 parking spaces. The facility is located within 100 ft. from a transit pickup point.
89. A temporary 6' wrought iron fence will be installed along Columbus until Phase II of the project. Phase II will utilize the second proposed building as the barrier between public and private activities. At that point, A 6' block wrought iron fence wall is proposed along the south and west sides of the building as well as at the northwest corner of the parcel.
90. On the fifth day of each month, the Cannabis Consumption Lounge shall provide the City Manager with a written report containing the following information:
 - a. The total gross revenue received from prior month's sales collected from entertainment, recreation; etc. that occurred in the cannabis consumption lounge
 - b. A copy of any sales tax reports provided to the State Board of Equalization and any other taxing agencies
91. The Applicant acknowledges that the Bureau of Reclamation ("BOR") Policy entitled "Use of Reclamation Water or Facilities for Activities Prohibited by the Controlled Substances Act of 1970", which may be amended and/or extended from time to time, prohibits the BOR from approving the use of Reclamation water or facilities to facilitate activities prohibited by the Controlled Substances Act, including the use of Reclamation facilities or water in the cultivation of Cannabis, and in the event the BOR becomes aware that Reclamation facilities or the water they supply are being used to facilitate cultivation of Cannabis, will report such action to the Department of Justice ("DOJ"). Applicant acknowledges and agrees that as a result of any determination by the BOR that water service constitutes Reclamation water or facilities or any action of the BOR or DOJ taken as a result of such determination, is beyond the reasonable control of the NPUA and/or the

City, and the NPUA and the City and its employees shall be free from any liability to the Applicant, its successors in interest, or any other interested party as a result thereof. The Applicant is required to take any action necessary as a result of any BOR determination or action related thereto, including obtaining additional sources of water for the Project. Any actions must be done in accordance with all applicable City Code provisions and regulations.

SECTION 5. This action shall become final and effective fifteen (15) days after this decision by the City Council, unless within such period, a written appeal is filed with the City Clerk for consideration by the City Council as provided by the Needles City Code.

PASSED, APPROVED AND ADOPTED this 24th day of October, 2023 by the roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

(Seal)

Attest:

City Clerk

Approved as to form:

City Attorney



ATTACHMENT A: Project Location
APPLICANT: Jesse Dean Brown
SITE ADDRESS: 2701 Columbus

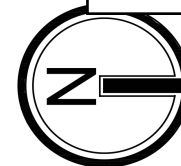




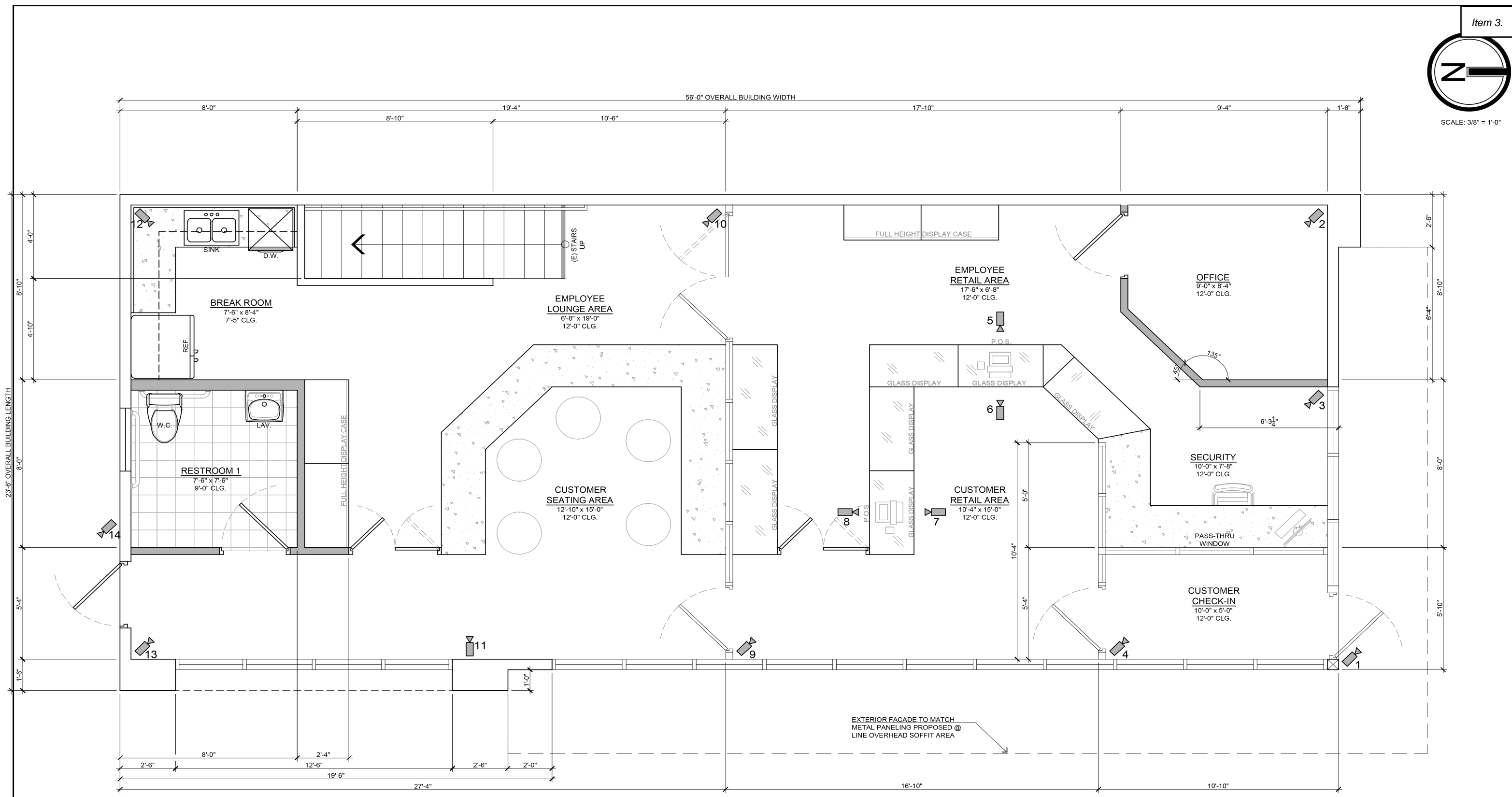
SITE ADDRESS: 2701 Columbus



SITE ADDRESS: 2701 Columbus



SCALE: 3/8" = 1'-0"



PROPOSED LOWER LEVEL FLOOR PLAN

SCALE: 3/8" = 1'-0"



ATTACHMENT C-1: First Floor Plan

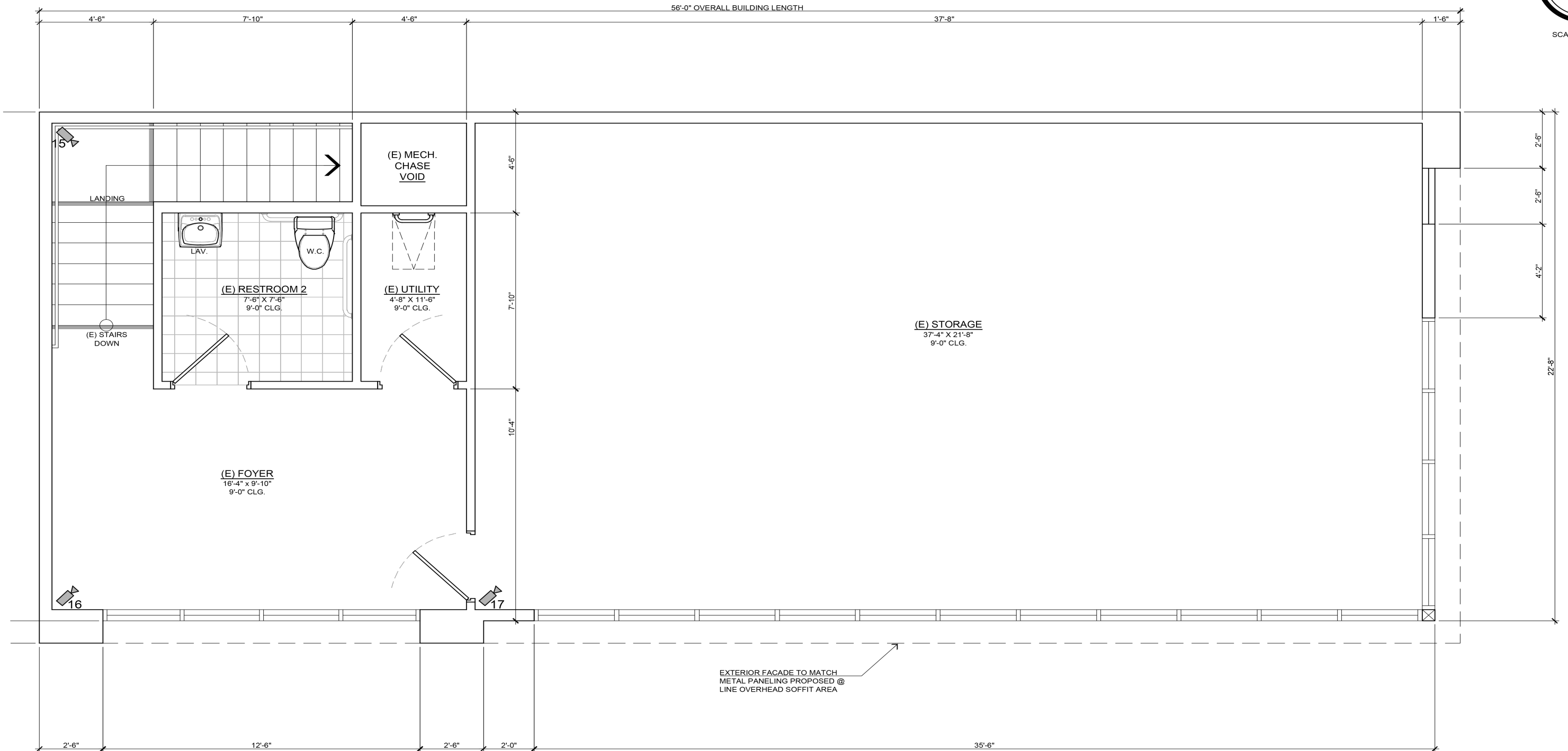
APPLICANT: Jesse Dean Brown

SITE ADDRESS: 2701 Columbus



EXISTING UPPER LEVEL TO REMAIN UNCHANGED.

56'-0" OVERALL BUILDING LENGTH



EXISTING UPPER LEVEL FLOOR PLAN

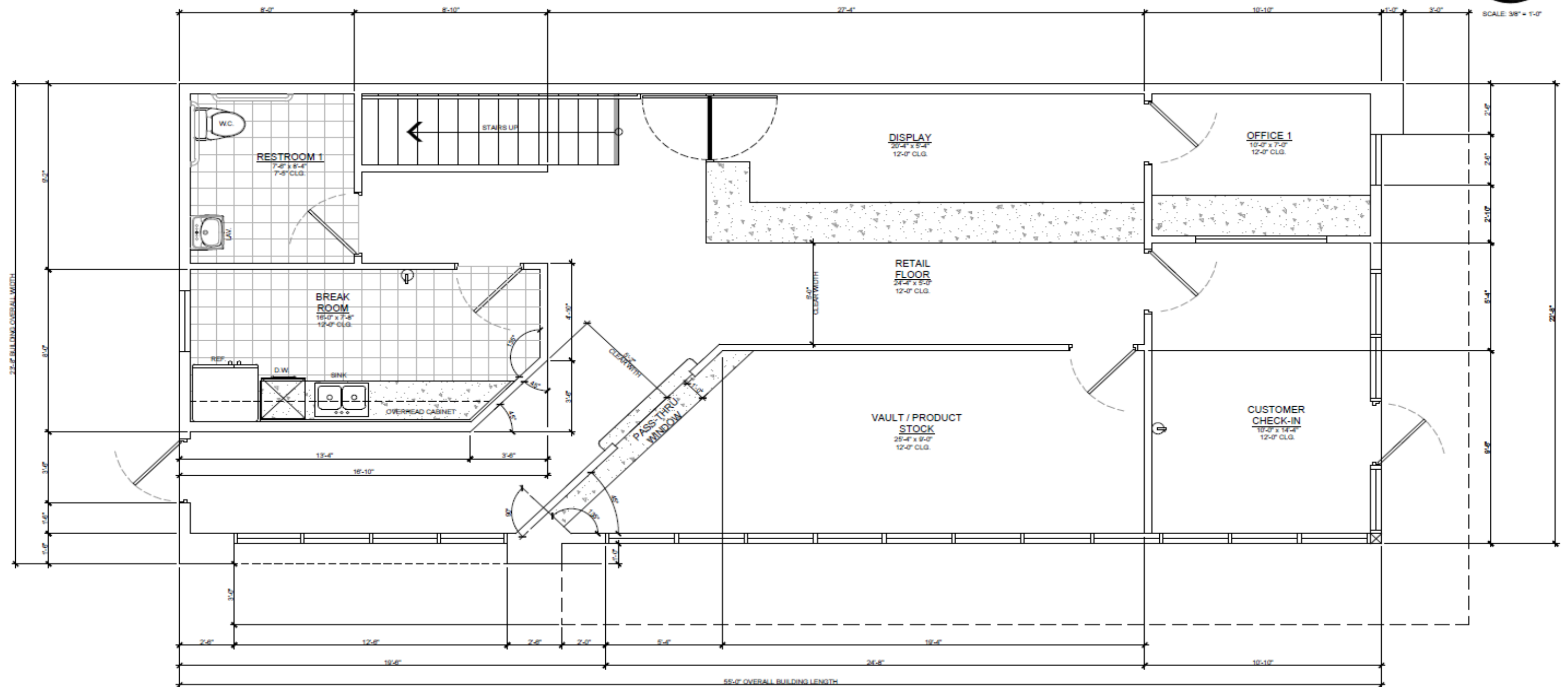
SCALE: 3/8" = 1'-0"



ATTACHMENT C-2: Second Floor Plan

APPLICANT: Jesse Dean Brown

SITE ADDRESS: 2701 Columbus



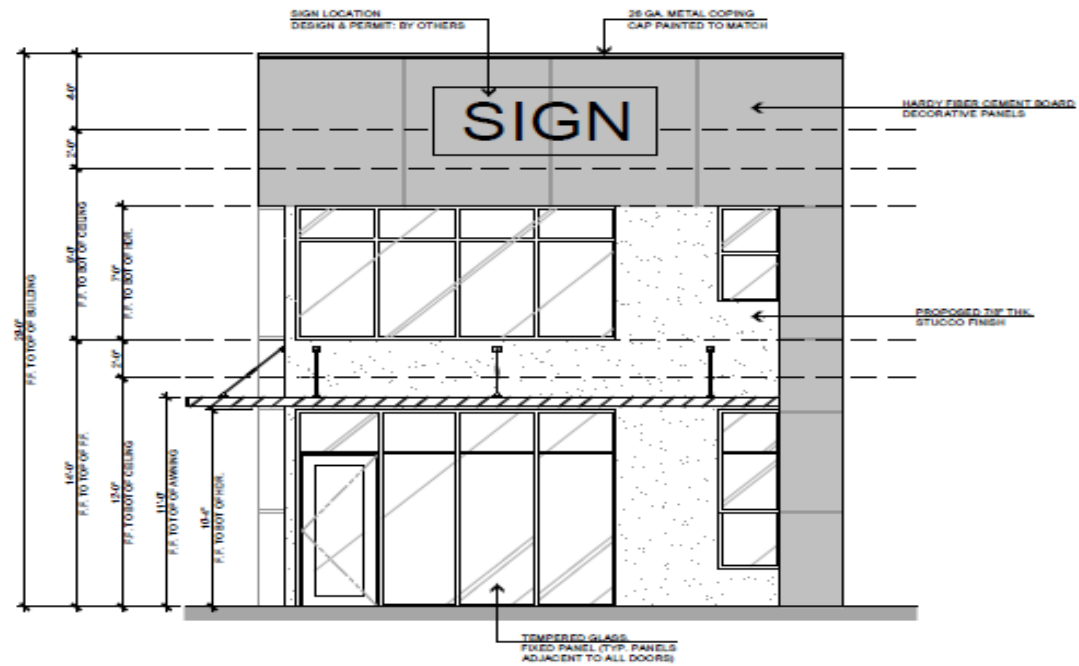
EXISTING LOWER LEVEL FLOOR PLAN
SCALE: 3/8" = 1'-0"



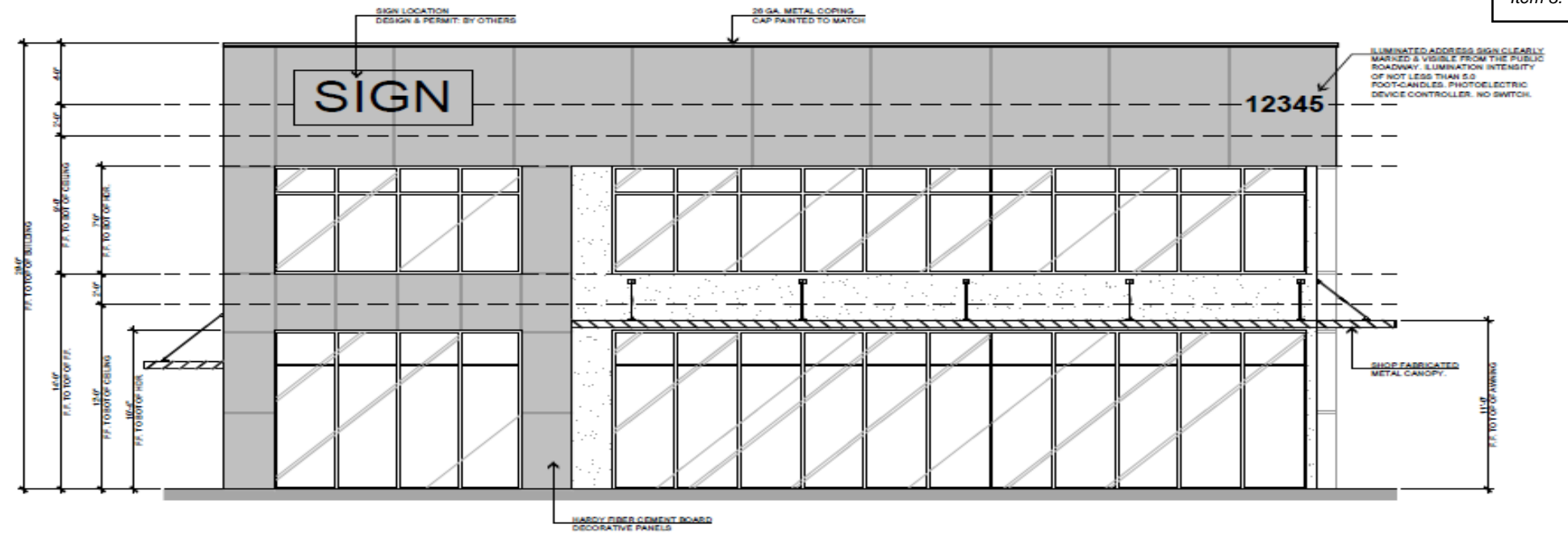
ATTACHMENT E-1: Previously Approved Floor Plan

APPLICANT: Jesse Dean Brown

SITE ADDRESS: 2701 Columbus

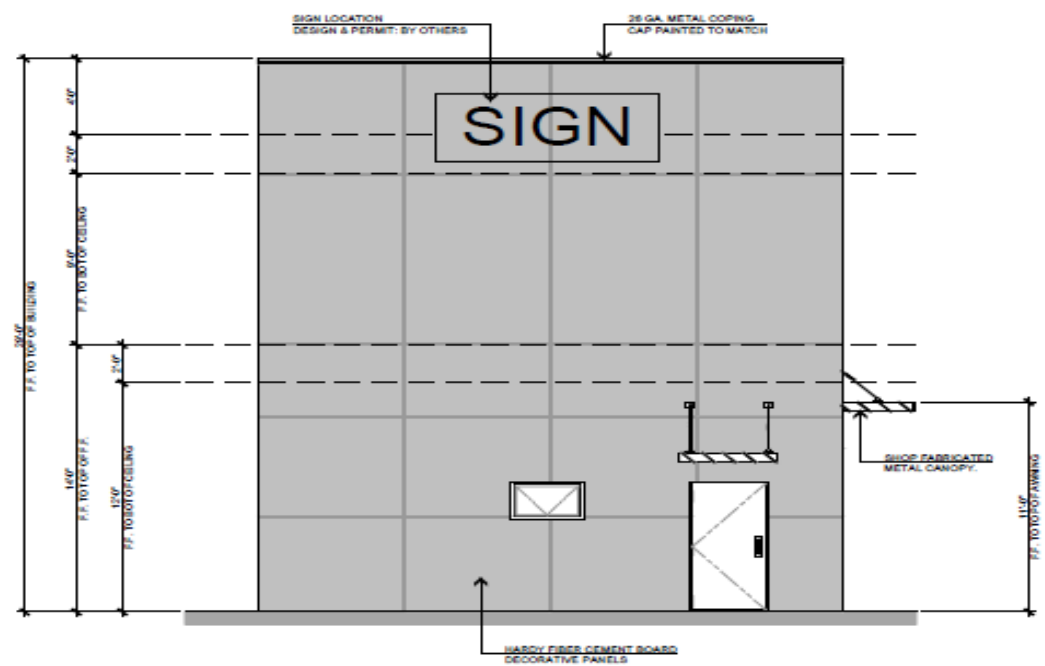


EXISTING FRONT ELEVATION - NORTH
SCALE: 1/4" = 1'-0"

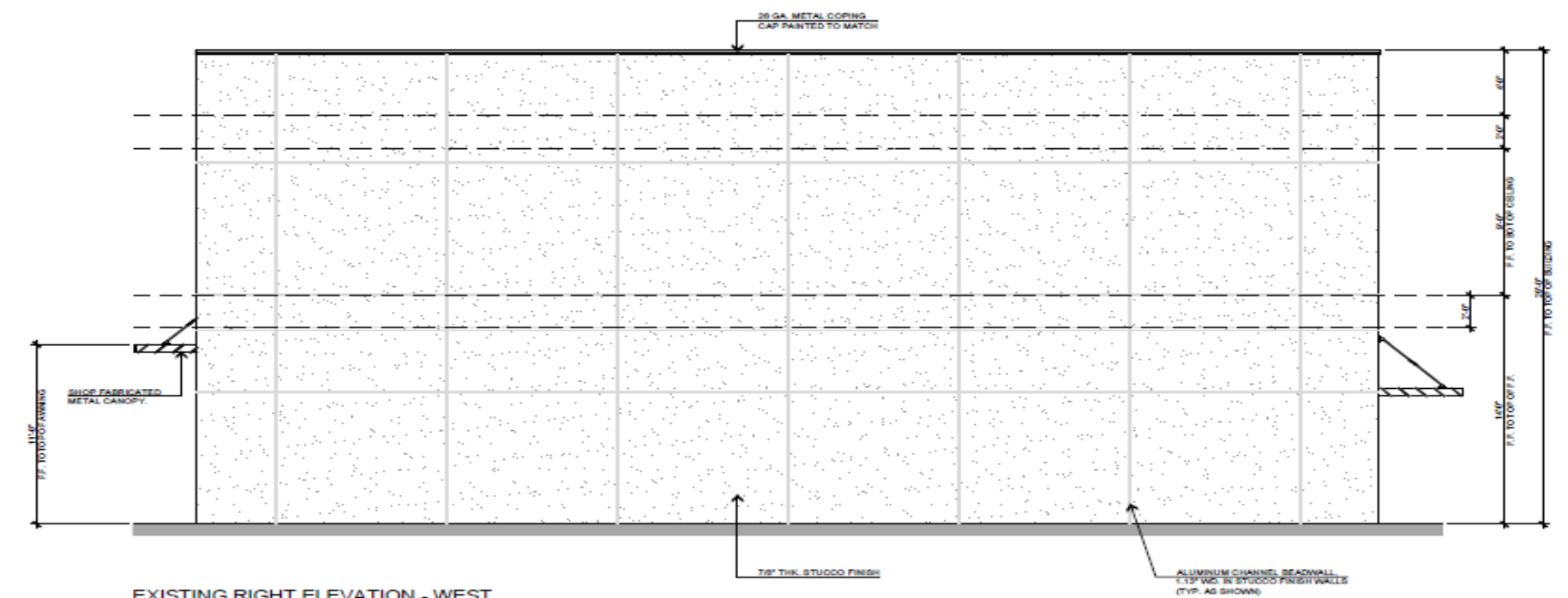


EXISTING LEFT ELEVATION - EAST
SCALE: 1/4" = 1'-0"

EXISTING EXTERIOR ELEVATIONS TO REMAIN UNCHANGED.



EXISTING REAR ELEVATION - SOUTH
SCALE: 1/4" = 1'-0"



EXISTING RIGHT ELEVATION - WEST
SCALE: 1/4" = 1'-0"



ATTACHMENT E-1: Elevation Plan
APPLICANT: Jesse Dean Brown
SITE ADDRESS: 2701 Columbus



DISPENSARY
2701 COLUMBUS DR. - NEEDLES, CA.



ATTACHMENT G: Rendering
APPLICANT: Jesse Dean Brown
SITE ADDRESS: 2701 Columbus

CITY OF NEEDLES
APPLICATION FOR CONDITIONAL USE PERMIT
CANNABIS FACILITY
DISPENSARY AND/OR CONSUMPTION LOUNGE

Community Development Department
 817 Third Street; Needles, CA 92363
 760-326-3805

FILING PROCEDURES:

The application and attachments for a Use Permit must be completed as prescribed before it can be accepted for consideration.

Documents included:

1. Application for Use Permit
2. Checklist of required documents/drawings
3. California Environmental Quality Act (CEQA) Checklist
4. Templates for Water Will Serve and Electric Will Serve Letters
5. Concurrence Document for Payment of Electric Line Upgrades and Substations
6. San Bernardino County Fire Dept. CUP Application and Fee

Required Fees

- 7a. Land Use Entitlement Deposit - \$35,000 excluding CEQA Fees – vacant land
- Or
- 7b. Land Use Entitlement Deposit - \$20,000 site with existing structures – no CEQA required
8. Other environmental fees for outside consultants for environment document preparation, review, etc. as determined by staff based on project requirements – to be determined
9. Payment of Fees for Electric Line Upgrades and Substations - \$100,000 per megawatt or percentage thereof \$50,000 for purchase of each transformer(s)

Note: any unused portion of the deposit will be refunded to the applicant upon completion of the entitlement/appeal process

PROCEDURE BY CITY:

1. The application will be reviewed for adequacy and determination is made whether a project is exempt or an Initial Study is required. The CEQA Checklist is required to be completed for this purpose.
2. If an Initial Study is required, the applicant will be notified and the preparation of the documentation can either be done by someone selected by the City at the applicant's cost, or by someone selected by the applicant. Completed documentation is submitted to the City. City reviews to ensure all information has been submitted, and the application is then deemed "complete". The environmental documentation is circulated to the various agencies for the 30-day review period, etc.
3. A date for Planning Commission review will be set. The Planning Commission holds public hearings on the 1st Wednesday of each month, beginning at 4:00 PM.
4. When processing the application, the Planning Commission will consider such factors as:
 - Does the proposal conform to the intent and purpose of the General Plan, zoning regulations and policies for protecting the physical and human environment of the neighborhood and community;
 - The design of the improvements must be in harmony with the neighborhood and community objectives;
 - If the proposal is approved, conditions of approval may be imposed with respect to site design, building design, maintenance, improvements or operation of the use.
5. If the Planning Commission recommends approval of the CUP, the item will be placed on the City Council Agenda. The City Council meets the 2nd and 4th Tuesday of each month @ 6:00 P.M.
6. Building permits will not be issued until the Use Permit proceeding is concluded including the appeal period.

CITY OF NEEDLES, CALIFORNIA
Application For Cannabis Business – Conditional Use Permit

Name of Applicant: Needles Flower Refinery Phone: 760-715-3382 (Applicant must be the owner of the land, the lessee having a lease-hold interest of not less than 5 years, or the agent of any of the foregoing duly authorized in writing)

I, (I/We) the undersigned, Jesse Dean Brown (Owner/Lessee/Agent) of the property listed below, hereby request that the following stated use be permitted to be constructed and/or operated.

1. Project name and address: Needles Flower Refinery-2701 Columbus Dr. Needles, CA 92363
2. Legal Description of Parcel (attach if necessary): see attached Exhibit A
3. Briefly Describe: a. Purpose and Intent of proposed project (include acres, square feet, units, etc.).
to construct a consumption lounge with the dispensary building

- b. Population projection (project residents): _____
- c. Number of persons employed during operation: full time 3 part time _____
- d. Will the Project require new utility services? X yes _____ no _____
 - i. Water Service _____ no. If so, estimated peak water demand in gallons/minutes: _____, service requirement.
 - ii. Sewer Service _____ no. Any chemical wastes expelled in sewers? _____
If yes, explain: _____
 - iii. Electric Service: main size _____; single phase _____; three phase _____.
Attachment to existing electric facilities: load calculations _____.
- e. Estimated daily vehicular traffic generated by the operation: _____ Comment: _____
- f. List major machines – give horsepower and noise rating in decibels: A/C Units
- g. Will the project require a permit from the Air Pollution Control District, and if so, describe: No
- h. What will be the hours of operation: 10:00am-7:00pm
- i. Describe materials or machinery that will be stored or parked outside: None

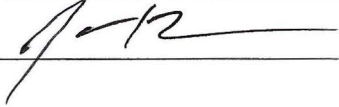
5. Identify any other licenses you hold for cannabis in California

<u>Type of License</u>	<u>California City Issuing License</u>
Dispensary	<u>X</u>
Cultivation	<u>X</u>
Manufacturing	_____
Testing/Lab	_____
Distribution/Transportation	_____
Other <u>X</u>	<u>Consumption Lounge</u>

6. Attached (): Site Plan (); Elevations (); Filing Fee (); Legal (); (site plans folded 8 1/2" x 11" reduction)

AUTHORIZATION

Names and signatures of all persons having an interest in the property whose consent is required (by virtue of such interest) to authorize filing of application.

Name (print or type)	Address	Capacity Owner/Lessee
1. <u>Jesse Dean Brown</u>	<u>12639 Johnson Rd. Phelan, CA 92371</u>	<u>x</u>
Signature <u></u>		
2. _____	_____	_____
Signature _____		
3. _____	_____	_____
Signature _____		

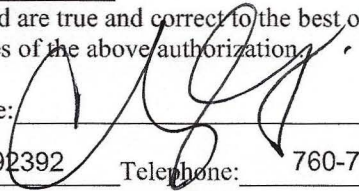
All signatures represent that they have full legal capacity to, and hereby do, authorize the filing of this application. Leaseholds must be for at least five years or the owner shall be required to sign this application.

Subscribed and sworn before me this _____ day of _____, 20____.

My Commission Expires: _____ S^s: _____
Notary Public (or City Staff)

CERTIFICATION

I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

Name (print): Cheryl Montanez Signature: 
Address: 14176 Amargosa Rd. Suite C Victorville, CA 92392 Telephone: 760-715-3382
Capacity: _____ owner: _____ lessee: _____ agent of Needles Flower Refinery

Person(s) to be contacted regarding this application if other than myself:

Address: _____

Address: _____

(STAFF USE ONLY)

Date filed _____ Rec'd by _____ Receipt No. _____

APPENDIX G

#2

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Needles Flower Refinery
2. Lead agency name and address:
MO+RE Design Solutions
14176 Amargosa Rd. Suite C Victorville, CA 92392
3. Contact person and phone number: Cheryl Montanez 760-715-3382
4. Project location: 2701 Columbus Dr. Needles, CA 92392 APN# 0660-081-30
5. Project sponsor's name and address:
6. General plan designation: Commercial
7. Zoning: C-2 Commercial
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)
To construct a consumption lounge with the dispensary building
9. Surrounding land uses and setting: (Briefly describe the project's surroundings)
North-Interstate 40; South-vacant lot; East-fast food restaurant; see site plan for specific
lot description

10. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture / Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

5-23-23
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. RECREATION.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. TRANSPORTATION. Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVIII. TRIBAL CULTURAL RESOURCES.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#3

SUBMITTAL OF FIRE DEPT. FORM
SITE PLAN REVIEW

Please submit the form and fees directly to the Fire Dept, North Desert Office, Attn: Curtis Markloff. When completing the application identify the project type as "CUP", fee amount \$1,576. The submittal of the Fire Dept. form and fees will allow the Fire Dept's participation in the meeting, and provide their "preliminary conditions of approval" for the project.

Questions – Curtis Markloff - (760) 995-8190

SUBMITTAL OF FIRE DEPT. DOCUMENTATION
FOR MANUFACTURING PERMITS

The business operator shall be required to apply for one or more of the following permits, or apply for exemption from hazardous materials laws and regulations: Hazardous Materials Handler Permit, Hazardous Waste Permit, Aboveground Storage Tank Permit, and/or Underground Storage Tank Permit.

Application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>

Questions-Andrew Bezdek
Hazardous Materials Specialist
San Bernardino County Fire District
Office of the Fire Marshal
Phone: 909-386-8401
Fax: 909-386-8460
620 South E. Street
San Bernardino, CA 92415



APPLICATION FOR CONSTRUCTION PERMIT

PLANNING / BUILDING & SAFETY PROJECTS

Item 3.

SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT COMMUNITY SAFETY DIVISION

San Bernardino Office

385 N. Arrowhead Ave., 1st Floor
San Bernardino, CA 92415-0187
Phone (909) 386-8400
Fax (909) 387-3249
Hours: 8:00 am – 5:00 pm M-F

North Desert Office

15900 Smoke Tree St. Suite 131
Hesperia, CA 92345-3222
Phone (760) 995-8190
Fax (760) 995-8205
Hours: 8:00 am – 5:00 pm M-F

East Valley Office

200 East Third Street
San Bernardino, CA 92410
Phone (909) 918-2201
Fax (909) 381-0071
Hours: 8:00 am – 5:00 pm M-Th

South Desert Office

58928 Business Center Dr.
Yucca Valley, CA 92284
Phone (760) 995-8190
Fax (760) 995-8205
Hours: 9:00 am to 12:00 pm Wed

WEBSITE: www.sbcfire.org**APPLICANT INFORMATION**

INFORMATION ENTERED BELOW SHOULD BE EXACTLY AS IT APPEARS ON YOUR PLANNING AND/OR BUILDING AND SAFETY APPLICATION

APPLICANT NAME	MAILING ADDRESS	CITY	STATE	ZIP CODE
Jesse Dean Brown	12639 Johnson Rd.	Phelan	CA	92371
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS		

REPRESENTATIVE INFORMATION (If different than Applicant)

INFORMATION ENTERED BELOW SHOULD BE EXACTLY AS IT APPEARS ON YOUR PLANNING AND/OR BUILDING AND SAFETY APPLICATION

APPLICANT NAME	MAILING ADDRESS	CITY	STATE	ZIP CODE
MO+RE Design Solutions	14176 Amargosa Rd. Suite C	Victorville	CA	92392
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS		
760-715-3382		cherylmontanez@gmail.com		

PROJECT INFORMATION

PROJECT NAME	ADDRESS	CITY / COMMUNITY	ZIP CODE			
Needles Flower Refinery	2701 Columbus Dr.	Needles	92363			
ASSESSOR'S PARCEL NUMBER (APN)	SQUARE FOOTAGE (TENANT REVIEW & CELL SITES)	CONSTRUCTION TYPE (TENANT REVIEW & CELL SITE)	OCC. TYPE (TENANT REVIEW & CELL SITE)	# OF LOTS (IF APPLICABLE)	CONTRACTOR PROJECT # (IF APPLICABLE)	CONTACT NAME
0660-081-30						Cheryl Montanez

Plans will not be accepted without the following: (This will apply to Tenant Reviews & Cell Sites Only)

1. Three sets of plans
2. Project address on plans
3. Assessor's parcel number(s) on plans
4. Description of business (Tenant Review)
5. Indicate if building is sprinklered

PLANNING / BUILDING & SAFETY PROJECTS

<input type="checkbox"/>	Site Plan Review	\$ 738.00	
<input type="checkbox"/>	Revision to an Approved Action	\$ 492.00	MUST BE THE ORIGINAL APPLICANT
<input checked="" type="checkbox"/>	Conditional Use Permit (CUP)	\$ 902.00	
<input type="checkbox"/>	CUP – Cell Site	\$ 492.00	
<input type="checkbox"/>	Minor Use Permit (MUP)	\$ 492.00	
<input type="checkbox"/>	Fuel Modification Plan	\$ 109/hr	
<input type="checkbox"/>	Specific Plans	\$ 902.00	
<input type="checkbox"/>	Environmental Review or EIR	\$ 109/hr	
<input type="checkbox"/>	Tenant Review	\$ 109/hr	

TOTAL FEE = \$

This fee includes 1 inspection

SUBDIVISIONS / TRACT MAPS / MOBILEHOME PARKS

<input type="checkbox"/>	Tentative Parcel Map (1 to 4 Lots)	\$ 328.00	
<input type="checkbox"/>	Tentative Tract Map (5 to 300 lots)	\$ 656.00	
<input type="checkbox"/>	Tentative Tract Map (301+ lots)	\$ 820.00	
<input type="checkbox"/>	School Site Review	\$ 164.00	
<input type="checkbox"/>	Mobile Home Park Site Plan Review	\$ 738.00	

TOTAL FEE = \$

This fee includes 1 inspection

Make check or money order payable to S.B.C.F.D.

CERTIFICATION

SUBMITTED BY (please print Applicant's full name)	SIGNATURE	DATE

FOR SBCFD USE ONLY

PAYMENT RECEIVED	PAYMENT TYPE	DATE RECEIVED	RECEIVED BY
\$	<input type="checkbox"/> CHECK <input type="checkbox"/> CASH <input type="checkbox"/> CREDIT CARD		



City of Needles

817 Third Street • Needles, California 92363

(760) 326-2113 • FAX (760) 326-6765

www.cityofneedles.com

Mayor, Jeff Williams
Vice Mayor Edward D
Councilmember Shawn
Councilmember Ronald
Councilmember Louise Evans
Councilmember Tim Terral
Councilmember Zachery Longacre
City Manager Rick Daniels

Item 3.

#12 WELO

WATER EFFICIENT LANDSCAPING REQUIREMENTS STREAMLINED LANDSCAPE METHOD LESS THAN 2500 SQ. FT. OF NEW LANDSCAPE OR REHABILITATED LANDSCAPE

The State of California requires cities to report installation of all new and rehabilitated landscape in Needles on an annual basis. For projects creating less than 2500 square feet of new or rehabilitated landscape, the City has developed a "streamlined" approach that prohibits the use of turf, and instead utilizes a selection of low-water usage plants. The plant lists can be found on the city's website www.cityofneedles.com. Use of other reference guides to identify appropriate plant material can be used as well, including "Low Water-Use Plants for California and the Southwest" by Carol Shuler.

The streamlined landscape packet includes the "Checklist" (Appendix A), the Certificate of Completion (Appendix B), and the Certificate of Installation-Self Inspection (Appendix C).

Projects requiring either a Zoning Permit or a Building Permit for a residential or commercial structure, new construction as well as rehabilitation, are required to submit the completed Appendix "A" Checklist, with the Zoning or Building Permit application. Appendix "A" Checklist requires the submittal of a "landscape plan" drawing that identifies the square footage of the planting area, including the types of plants and their water usage, i.e. low/medium/high usage, as well as any water feature that is part of the landscape project, including swimming pools. Any areas that will be using irrigated recycled water also need to be identified on the drawing.

The streamlined process requires the completion and submittal of Appendix "B" "Certificate of Installation-Self-Inspection" by the applicant or the professional landscape installer once the landscape installation has been completed. Once received, the building official will schedule an inspection on the installation and provide the Certificate of Compliance to the applicant, Appendix "C".

Streamlined Path (Appendix A) Checklist

For projects with less than 2,500 sf of total landscape area.

A. Project Information

Submittal Date	_____
Application Number	_____
Project Address	2701 Columbus Dr. Needles, CA 92363
Project Type*	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Non-residential
Applicant Name	MO+RE Design Solutions
Applicant Email	cherylmontanez@gmail.com
Applicant Phone	760-715-3382
Property Owner Name	Jesse Dean Brown
Property Owner Email	_____
Property Owner Phone	_____
Water Supply Type	city
Water Supplier	city of needles
Total Landscape Area (sf) * †	Existing site - this is A
Total Turf Area (sf)	Tenant improvement only
Total Non-turf Planting Area (sf)	_____

* Information required in an annual report to the State Department of Water Resources from the permitting agency.

† Total landscape area equals all the irrigated planting areas, turf and water features and does not include the building footprint or hardscapes such as sidewalks, patios, parking lots or driveways.

Streamlined Path (Appendix A) Checklist

B. Landscape Design Plan

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Attach a landscape plan indicating the following:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Turf areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. High water use planting areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	c. Moderate water use planting areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	d. Low water use planting areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	e. Water features including swimming pools	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	f. Edible planting areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	g. Areas irrigated with recycled water	<input type="checkbox"/>	<input type="checkbox"/>	

C. Soil

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Incorporate compost at a rate of at least 4 cubic yards per 1,000 square feet to a depth of 6 inches into the landscape area (unless contra-indicated by a soil test). This project will apply _____ cubic yards of compost	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. A minimum 3-inch layer of recycled mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, or direct seeding applications where mulch is contraindicated	<input type="checkbox"/>	<input type="checkbox"/>	

D. Plants

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Plant material shall comply with the following:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Residential projects only:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	i. 75% of landscape area shall consist of plants that use little or no summer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	ii. No more than 25% of the landscape area will be planted with high water using plants	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. Non-residential projects only (including multifamily residential):	<input type="checkbox"/>	<input type="checkbox"/>	

Streamlined Path (Appendix A) Checklist

D. Plants (cont'd)

- | | | | |
|--------------------------|--|--------------------------|--------------------------|
| <input type="checkbox"/> | I. 100% of the landscape area shall consist of plants that use little or no summer water (WUCOLS plant factor of 0.3 or lower), excluding edibles or areas using recycled water | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | c. No invasive plants are planted. No plant species listed by the California Invasive Plant Council's "Don't Plant a Pest" brochure as invasive in the San Francisco Bay Area shall be planted. | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. The use of turf shall comply with all of the following: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | a. In nonresidential areas, turf is not used | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | b. In residential areas: | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | I. Turf, high water use plants, and water features shall, combined, not exceed 25% of the landscape area | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | II. Turf shall not be planted on slopes which exceed a slope of 1 foot vertical elevation change for every 4 feet or horizontal length | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | III. Turf is prohibited in parkways less than 10 feet wide. Exception: Parkway is adjacent to a parking strip and used to exit and enter vehicles AND turf is irrigated with subsurface irrigation | <input type="checkbox"/> | <input type="checkbox"/> |

WUCOLS plants database can be found online at: <http://ucanr.edu/sites/WUCOLS/>

"Don't Plant a Pest" brochure can be found at <http://cal-ipc.org/landscaping/dpp/>

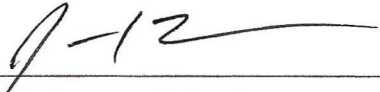
E. Irrigation

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture data and utilize a rain sensor.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. Pressure regulators are installed on the irrigation system to ensure dynamic pressure of the components are within the manufacturer's recommended pressure range.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	3. Manual-shut-off valves (such as gate, ball or butterfly valves) are installed as close as possible to the point of connection of the water supply.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	4. All irrigation emission devices must meet the requirements set in the ANSI standard ASABE/ICC 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed must have a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	5. Areas less than 10 feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	6. For non-residential projects with landscape areas of 1,000 sf or more, private sub-meter(s) to measure landscape water use shall be installed.	<input type="checkbox"/>	<input type="checkbox"/>	

Streamlined Path (Appendix A) Checklist (cont'd)

F. Signature

I agree to comply with these Simplified Compliance requirements for the Water Efficient Landscape Plan Review.



Signature of Applicant or Property Owner or authorized representative

5-23-23
Date

Streamlined Path (Appendix B) Certificate of Installation-Self Inspection

To be signed by the applicant, signer of the Landscape Design Plan or the Irrigation Design Plan or by the licensed landscape contractor

"I/we certify that based upon periodic site observations, the work has been completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package. As-built drawings have been provided to document any major modifications of the approved Landscape Documentation Package. Significant changes made during construction comply with the ordinance."

Applicant/Contractor/Professional Signature _____

Date _____

Print Name _____

License Number _____

Property Owner:

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Applicant

Date

Print Name

J-12
5-23-23
Jesse Dean Brown

A. Irrigation Scheduling

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Irrigation scheduling is regulated by automatic irrigation controller	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. Overhead irrigation is scheduled between 8 p.m. and 10 a.m.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	3. Settings for the irrigation controller for each station include the following:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Irrigation days	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. Run times	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	c. Number of cycle starts per watering event to avoid run off	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	d. Amount of applied water on a monthly basis	<input type="checkbox"/>	<input type="checkbox"/>	

Streamlined Path (Appendix B) Certificate of Installation-Self Inspection

B. Schedule of Landscape and Irrigation Maintenance

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Attach schedule of maintenance for the landscape and irrigation system per ordinance to ensure water efficiency. The attached schedule of landscape maintenance includes:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Routine inspection, auditing, adjusting and repair of the irrigation system	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. Aerating and dethatching turf areas	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	c. Topdressing planting areas with compost as needed	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	d. Replenishing mulch	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	e. Pruning and weeding	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	f. Routine inspection, auditing, adjusting and repair of the irrigation system <i>(Bay-Friendly Landscape maintenance manual used for the site would satisfy this requirement)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. Attach landscape irrigation audit report	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	3. Attach landscape irrigation audit checklist	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	4. The irrigation audit was conducted by a third-party certified Irrigation Auditor professional who is not a part of the design team	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	5. Irrigation items identified for repair in the audit are fixed	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	6. In large project or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or 15% is conducted	<input type="checkbox"/>	<input type="checkbox"/>	

Complete the following sections ONLY if project has submitted the Landscape Documentation Package.

C. Irrigation Audit Report

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Audit completed	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. Any recommended repairs have been completed	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	3. The Irrigation Audit Report includes:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Inspection for leaks	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. System tune-up	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	c. Reporting overspray or run off	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	d. An irrigation schedule including configuring controller with application rate, soil types, plant factors, slope, exposure and other factors needed to increase water efficiency	<input type="checkbox"/>	<input type="checkbox"/>	

Streamlined Path (Appendix B) Certificate of Installation-Self Inspection

D. Soil Management Report

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Attach soil analysis report of the soil in planting areas from a soil lab if not previously submitted with the Landscape Documentation Package per ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. The soil sample follows laboratory protocol and includes:	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	a. Soil texture	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	b. Infiltration rate	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	c. pH	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	d. Total soluble salts	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	e. Sodium	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	f. Percent organic matter	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	g. Amendment recommendations	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	3. Attach document(s) showing that soil analysis report recommendations were used to amend the planting soil, such as delivery tags and receipts for compost and mulch.	<input type="checkbox"/>	<input type="checkbox"/>	

E. Landscape Diversion Report

APPLICANT	ITEM	REVIEWER		NOTES
		PASS	FAIL	
<input type="checkbox"/>	1. Attach a construction waste management report for the project that shows at least 50% diversion of construction and demolition debris and 100% diversion of excavated soil and land clearing debris through recycling or reuse. Building debris can be used in calculations.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	2. Confirm that diversion facilities where collected construction waste material was taken are identified in the waste management report.	<input type="checkbox"/>	<input type="checkbox"/>	

F. Additional Modifications

Applicant: If major modifications were made in construction from the submitted plans, attach record drawings (as-builts)

- ☐ No major modifications
- ☐ Record drawings (as-builts) attached

Streamlined Path (Appendix C) Landscape Installation

Certificate of Completion

A. Project Information

Date	
Project Name	<u>Needles Flower Refinery</u>
Project Street Address, City and Zip	<u>2701 Columbus Dr. Needles, CA 92363</u>
Parcel or Lot Number(s) (if available)	<u>APN# 0660-081-30</u>
Applicant Name	<u>Cheryl Montanez</u>
Applicant Job Title	<u>Project Manager</u>
Applicant Company Name	<u>MO+RE Design Solutions</u>
Phone Number	<u>760-715-3382</u>
Email Address	<u>cherylmontanez@gmail.com</u>
Street Address, City and Zip	<u>14176 Amargosa Rd. Suite C Victorville, CA 92392</u>
Property Owner Name	<u>Jesse Dean Brown</u>
Phone Number	<u></u>
Email Address	<u></u>
Street Address, City and Zip	<u>12639 Johnson Rd. Phelan, CA 92371</u>

Building Inspector Sign-off

Marc Scott, Building Inspector

Date: _____

Streamlined Path (Appendix C) Landscape Installation

Certificate of Completion

A. Project Information

Date	_____
Project Name	<u>Needles Flower Refinery</u>
Project Street Address, City and Zip	<u>2701 Columbus Dr. Needles, CA 92363</u>
Parcel or Lot Number(s) (if available)	<u>APN# 0660-081-30</u>
Applicant Name	<u>Cheryl Montanez</u>
Applicant Job Title	<u>Project Manager</u>
Applicant Company Name	<u>MO+RE Design Solutions</u>
Phone Number	<u>760-715-3382</u>
Email Address	<u>cherylmontanez@gmail.com</u>
Street Address, City and Zip	<u>14176 Amargosa Rd. Suite C Victorville, CA 92392</u>
Property Owner Name	<u>Jesse Dean Brown</u>
Phone Number	_____
Email Address	_____
Street Address, City and Zip	<u>12639 Johnson Rd. Phelan, CA 92371</u>

Building Inspector Sign-off

Marc Scott, Building Inspector

Date: _____

CITY OF NEEDLES
WATER EFFICIENT LANDSCAPE ORDINANCE (WELO)
LIST OF PLANTS APPROVED FOR LANDSCAPE

(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
P S	Agave americana (and thick-leaved relatives)(CA native and non-native)	agave	Very Low
S	Ambrosia monogyra (Hymenoclea monogyra)	burrow bush	Very Low
Gc S N	Atriplex CA native species	saltbush	Very Low
Gc S N	Atriplex semibaccata	Australian saltbush	Very Low
Bu N	Calochortus spp.	Mariposa lily	Very Low
S N	Encelia californica	coast sunflower	Very Low
S N	Encelia farinosa	brittle bush	Very Low
S N	Ephedra nevadensis	Nevada ephedra	Very Low
S N	Eriogonum fasciculatum and cvs. (not listed above)	California buckwheat	Very Low
S Su	Fouquieria columnaris	boojum	Very Low
S Su N	Fouquieria splendens	ocotillo	Very Low
S N	Isocoma spp. (Haplopappus)	goldenbush	Very Low
S N	Justicia californica (Beloperone californica)	chuparosa	Very Low
S N	Larrea tridentata	creosote	Very Low
P Su	Mammillaria geminispina	cactus	Very Low
P Su	Mammillaria melanocentra	cactus	Very Low
S Su N	Opuntia spp. & cvs. (CA natives and non-natives)	prickly pear/cholla	Very Low
S Su	Pachycereus marginatus	Mexican fence post cactus	Very Low
P S N	Psilostrophe cooperi	paper flower	Very Low
S N	Psoralea arguta (Dalea spinosa)	smoke tree	Very Low
S N	Senna covesii	desert senna	Very Low
P N	Sphaeralcea spp. (CA native and non-native spp.)	desert/globe mallow	Very Low
S Su	Stenocereus thurberi (Lemaireocereus)	organ pipe cactus	Very Low
T	Tamarix aphylla	salt cedar	Very Low
S	Tamarix pentaphylla	tamarisk	Very Low
S Su N	Yucca brevifolia	Joshua tree	Very Low
S Su N	Yucca schidigera (Y. californica, Y. mohavensis)	Mojave yucca	Very Low
	Zinnia acerosa	desert zinnia	Low
Bu	Amaryllis belladonna	naked lady	Low
Bu	Narcissus spp.	daffodil	Low
Bu	Polianthes tuberosa	tuberose	Low
G	Pennisetum setaceum	fountain grass	Low
G N	Bouteloua gracilis and cvs.	blue grama	Low
G N	Sporobolus airoides	alkalai sacaton	Low
G N	Bouteloua curtipendula	sideoats grama	Low
Gc	Carpobrotus spp.	ice plant (Carpobrotus)	Low
Gc	Dalea greggii	trailing indigo bush	Low

BA-bamboo
 Bu - bult
 G - grass
 GC - groundcover
 P - perennial
 Pm - palm cycad
 S - shrub
 Su - succulent
 T - tree
 V - vine
 N - Calif. Native

(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
Gc	<i>Dalea orcuttii</i> (now <i>Marina orcuttii</i>)	Baja indigo bush	Low
Gc	<i>Delosperma</i> spp.	ice plant (<i>Delosperma</i>)	Low
Gc V	<i>Antigonon leptopus</i>	coral vine	Low
Gc S	<i>Acacia redolens</i>	prostrate acacia	Low
Gc S	<i>Artemisia</i> spp. (shrubby)	sagebrush	Low
Gc S N	<i>Baccharis</i> "Starn"	Starn coyote brush	Low
Gc P	<i>Achillea millefolium</i> (non-native hybrids)	yarrow (non-native hybrids)	Low
Gc P	<i>Oenothera stubbei</i>	Baja evening primrose	Low
Gc P	<i>Zinnia grandiflora</i>	prairie zinnia	Low
Gc P N	<i>Achillea millefolium</i> (CA native cultivars)	yarrow	Low
Gc P S	<i>Santolina</i> spp.	lavender cotton	Low
P	<i>Adenium obesum</i>	desert rose	Low
P	<i>Asclepias curassavica</i>	scarlet milkweed	Low
P	<i>Berlandiera lyrata</i>	chocolate scented daisy	Low
P	<i>Dyckia</i> spp.	dyckia	Low
P	<i>Melampodium leucanthum</i>	blackfoot daisy	Low
P	<i>Poliomintha longiflora</i>	Rosemary mint	Low
P	<i>Ruellia squarrosa</i>	water bluebell	Low
P	<i>Thymophylla acerosa</i> (<i>Dyssodia acerosa</i>)	shrubby dogweed	Low
P A	<i>Bulbine frutescens</i>	stalked bulbine	Low
P N	<i>Argemone corymbosa</i>	prickly poppy	Low
P N	<i>Asclepias</i> (CA native species)	milk/silk weed	Low
P N	<i>Asclepias subulata</i>	desert milkweed	Low
P N	<i>Baileya multiradiata</i>	desert marigold	Low
P N	<i>Oenothera caespitosa</i>	tufted (white) evening primrose	Low
P N	<i>Oenothera californica</i>	California evening primrose	Low
P N	<i>Penstemon</i> SW native spp. and cvs.	penstemon (SW natives)	Low
P N	<i>Tetranneuris acaulis</i> (<i>Hymenoxys acaulis</i>)	stemless four-nerve daisy	Low
P N	<i>Thymophylla pentachaeta</i> (<i>Dyssodia pentachaeta</i>)	golden fleece	Low
P N	<i>Verbena gooddingii</i> (<i>Glandularia gooddingii</i>)	Goodding verbena	Low
P Su	<i>Echinopsis</i> spp. (<i>Trichocereus</i> spp.)	torch cactus	Low
P Su	<i>Euphorbia antisiphilitica</i>	candelilla	Low
P Su	<i>Euphorbia rigida</i>	gopher spurge	Low
P Su	<i>Haworthia</i> spp.	haworthia	Low
P S	<i>Agave attenuata</i> (and thin-leaved relatives) (Ca native and non-native)	agave	Low
P S	<i>Perovskia</i> spp. & cvs.	Russian sage	Low
P S	<i>Psilostrophe tagetina</i>	paper flower	Low
P S	<i>Ruellia brittoniana</i>	Mexican petunia	Low

BA-bamboo
 Bu - bult
 G - grass
 GC - groundcover
 P - perennial
 Pm - palm cycad
 S - shrub
 Su - succulent
 T - tree
 V - vine
 N - Calif. Native

(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
P S N	Eriogonum spp. (CA native and non-native spp.)	buckwheat	Low
P S N	Nolina spp. (CA natives and non-natives)	bear grass	Low
P S N	Romneya coulteri	Matilija poppy	Low
P S N	Salvia "Gayle Nielson" (also Trident as registered trademark name)	Gayle Nielson/Trident sage	Low
P S Su	Portulacaria afra & cvs.	elephant's food	Low
S	Acacia aneura	mulga	Low
S	Acalypha monostachya	raspberry fuzzies	Low
S	Aloysia macrostachya	aloesia	Low
S	Aloysia triphylla	lemon verberna	Low
S	Ambrosia deltoidea	triangleleaf bursage	Low
S	Anisacanthus spp.	desert honeysuckle	Low
S	Artemisia filifolia	sand sagebrush	Low
S	Bahiopsis deltoidea (Viguiera deltoidea)	goldeneye	Low
S	Buddleja marrubiifolia	woolly butterfly bush	Low
S	Caesalpinia gilliesii	desert bird of paradise	Low
S	Caesalpinia mexicana	Mexican bird of paradise	Low
S	Caesalpinia pulcherrima (deciduous in desert)	dwarf poinciana	Low
S	Calliandra "Sierra Star"	fairy duster hybrid	Low
S	Calliandra peninsularis	Baja fairy duster	Low
S	Cephalocereus spp.	old man cactus	Low
S	Chamelaucium cvs	wax flower	Low
S	Chrysactinia mexicana	damianita daisy	Low
S	Convolvulus cneorum	bush morning glory	Low
S	Dalea bicolor	dalea (bicolor)	Low
S	Dalea frutescens	black dalea	Low
S	Dalea pulchra	indigo/pea bush	Low
S	Dalea versicolor	dalea (versicolor)	Low
S	Eremophila glabra	emu bush	Low
S	Eremophila maculata	spotted emu bush	Low
S	Eremophila racemosa	Easter egg bush	Low
S	Eremophila x "Summertime Blue"	Summertime Blue emu	Low
S	Espostoa lanata	Peruvian old man cactus	Low
S	Eucalyptus "Moon Lagoon"	fine-leafed mallee	Low
S	Furcraea spp.	furcraea	Low
S	Gossypium harknessii	otterbossie	Low
S	Gossypium thurberi	Thurber's cotton/desert cotton	Low
S	Justicia spicigera	Mexican honeysuckle	Low
S	Leucophyllum spp. & cvs.	purple sage, Texas ranger etc.	Low
S	Ruellia "Little Katie"	dwarf ruellia	Low
S	Ruellia californica	rama parda	Low

BA-bamboo
 Bu - bult
 G - grass
 GC - groundcover
 P - perennial
 Pm - palm cycad
 S - shrub
 Su - succulent
 T - tree
 V - vine
 N - Calif. Native

(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
S	Ruellia peninsularis	Baja ruellia	Low
S	Senna artemisioides (Cassia artemisioides)	feathery cassia/senna	Low
S	Senna bicapsularis (Cassia candolleana)	New Zealand cassia/senna	Low
S	Senna lindheimeriana (Cassia lindheimeriana)	Lindheimer's senna/cassia	Low
S	Senna nemophila (Cassia nemophila)	desert cassia	Low
S	Senna odorata (Cassia odorata)	southern senna	Low
S	Senna phyllodinea (Cassia phyllodinea)	silver leaf cassia/senna	Low
S	Senna sturtii (Cassia sturtii)	Sturt's cassia/senna	Low
S	Senna wislizeni (Cassia wislizeni)	shrubby senna	Low
S	Vauquelinia californica	Arizona rosewood	Low
S	Vauquelinia corymbosa var. heterodon	narrow leaf rosewood	Low
S A	Acacia boormanii	Snowy River wattle	Low
S A	Leucophyllum langmaniae "Lynn's legacy"	Lynn's everblooming texas sage	Low
S A	Viguiera parishii	desert goldeneye	Low
S N	Ambrosia dumosa	white bursage	Low
S N	Baccharis "Centennial"	Centennial baccharis	Low
S N	Baccharis sarothroides	desert broom	Low
S N	Calliandra californica	Baja fairy duster	Low
S N	Calliandra eriophylla	fairy duster	Low
S N	Carnegiea gigantea	saguaro	Low
S N	Chrysothamnus nauseosus	rabbit brush	Low
S N	Cleome isomeris	bladder pod	Low
S N	Cneoridium dumosum	bushrue	Low
S N	Condea emoryi (Hyptis emoryi)	desert lavender	Low
S N	Ericameria laricifolia	turpentine bush	Low
S N	Fallugia paradoxa	Apache plume	Low
S N	Forestiera pubescens	desert olive	Low
S N	Gutierrezia sarothrae	matchweed	Low
S N	Lycium fremontii	wolfberry	Low
S N	Pluchea sericea	Coville arrow weed	Low
S N	Rhus ovata	sugar bush	Low
S N	Salvia "Allen Chickering"	Allen Chickering sage	Low
S N	Senna armata (Cassia armata)	spicy senna	Low
S N	Simmondsia chinensis	jojoba	Low
S N	Trixis californica	trixis	Low
S NA	Peritoma arborea (Isomeris arborea)	bladderpod	Low
S NA	Salvia apiana	white sage	Low
S NA	Salvia clevelandii & hybrids	salvia Cleveland/Alan Chickering etc.	Low
S T	Acacia abyssinica	Abyssinian acacia	Low

BA-bamboo
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(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
S T	Acacia berlandieri	guajillo	Low
S T	Acacia constricta	whitethorn acacia	Low
S T	Acacia craspedocarpa	leatherleaf acacia	Low
S T	Acacia saligna	blue leaf wattle	Low
S T	Cordia parvifolia	little leaf cordia	Low
S T	Lysiloma candida	palo blanca	Low
S T	Maytenus phyllanthoides	mangle dulce	Low
S T	Sophora secundiflora	Texas mountain laurel	Low
S T	Ungnadia speciosa	Mexican buckeye	Low
S T N	Acacia greggii	catclaw acacia	Low
S T N	Comarostaphylis diversifolia (Arctostaphylos diversifolia)	summer holly	Low
S Su	Cereus hildmannianus	night blooming cereus	Low
S Su	Cereus peruvianus	Peruvian apple cactus	Low
S Su	Euphorbia millii	crown of thorns	Low
S Su	Euphorbia pulcherrima	poinsettia	Low
S Su	Euphorbia tirucalli	milk bush	Low
S Su	Fouquieria macdougalii	Mexican tree ocotillo	Low
S Su	Hesperaloe campanulata	bell flower hesperaloe	Low
S Su	Hesperaloe funifera	Coahuilan hesperaloe	Low
S Su	Pedilanthus bracteatus	tall slipper plant	Low
S Su	Pedilanthus macrocarpus	slipper plant	Low
S Su	Yucca aloifolia	Spanish bayonet	Low
S Su	Yucca decipiens	palma China	Low
S Su	Yucca elata	soaptree yucca	Low
S Su	Yucca faxoniana	giant white yucca	Low
S Su	Yucca gloriosa	Spanish dagger	Low
S Su	Yucca rigida	blue yucca	Low
S Su	Yucca rostrata	beaked yucca	Low
S Su	Yucca rupicola	twisted yucca	Low
S Su	Yucca schottii	mountain yucca	Low
S Su	Yucca thompsoniana	Thompson's yucca	Low
S Su A	Dasyliion spp.	desert spoon	Low
S Su A	Hesperaloe parviflora	red/ yellow yucca	Low
S Su N	Echinocactus spp. (CA native and non-native spp.)	barrel cactus	Low
S Su N	Ferocactus spp. (CA native and non-native spp.)	barrel cactus	Low
S Su N	Hesperoyucca spp. (Yucca whipplei, Yucca californica)	yucca	Low
S Su N	Yucca baccata	banana yucca	Low
S Su T N	Aloe spp. (CA native and non-native)	aloe	Low
Su T	Euphorbia ingens	candelabra tree	Low
T	Acacia pendula	weeping acacia	Low
T	Acacia pennatula	pennatula acacia	Low

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(Needles) WUCOLS - Low Desert Region

Item 3.

Type	Botanical Name	Common Name	Water Use
T	Acacia schaffneri	twisted acacia	Low
T	Acacia stenophylla	eumong/shoestring acacia	Low
T	Acacia willardiana	palo blanco	Low
T	Ailanthus altissima	tree of heaven	Low
T	Caesalpinia cacalaco	cascalote	Low
T	Celtis pallida	desert hackberry	Low
T	Ceratonia siliqua	carob	Low
T	Cordia boissieri	Texas olive	Low
T	Dalbergia sissoo	indian rosewood	Low
T	Ebenopsis ebano (Pithecellobium flexicaule)	Texas ebony	Low
T	Eucalyptus formanii	Forman's mallee	Low
T	Eucalyptus macrandra	long flowered marlock	Low
T	Eucalyptus sargentii	Salt River mallet	Low
T	Eucalyptus woodwardii	lemon flowered gum	Low
T	Eysenhardtia orthocarpa	kidneywood	Low
T	Gleditsia triacanthos	honey locust	Low
T	Havardia mexicana (Pithecellobium mexicana)	Mexican ebony	Low
T	Havardia pallens (Pithecellobium pallens)	tenaza	Low
T	Leucaena retusa	golden leadball tree	Low
T	Lysiloma watsonii	feather bush	Low
T	Melia azedarach	chinaberry	Low
T	Olea europaea	olive	Low
T	Pachycormus discolor	elephant tree	Low
T	Parkinsonia "Sonorae"	Sonoran palo verde	Low
T	Parkinsonia aculeata	Mexican palo verde/ Jerusalem thorn	Low
T	Parkinsonia praecox (Cercidium praecox)	palo brea tree	Low
T	Prosopis alba	Argentine mesquite	Low
T	Prosopis glandulosa (P. chilensis)	Chilean mesquite	Low
T	Prosopis hybrids and cvs.	prosopis hybrids	Low
T	Prosopis juliflora	Arizona mesquite	Low
T	Prosopis velutina	velvet mesquite	Low
T	Quercus suber	cork oak	Low
T	Rhus lanceolata	prairie flameleaf sumac	Low
T	Vachellia farnesiana (Acacia farnesiana)	sweet acacia	Low
T	Vachellia farnesiana var. farnesiana (Acacia farnesiana farnesiana)	desert sweet acacia	Low
T	Vitex agnus-castus	chaste tree	Low
T	X Chitalpa tashkentensis	chitalpa	Low
T N	Bursera microphylla	little elephant tree	Low
T N	Celtis reticulata	western hackberry	Low
T N	Hesperocyparis stephensonii (Cupressus arizonica ssp. arizonica, C. arizonica var. glabra)	Cuyamaca cypress	Low

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	(Needles) WUCOLS - Low Desert Region			Item 3.
Type	Botanical Name	Common Name	Water Use	
T N	Olneya tesota	desert ironwood	Low	
T N	Parkinsonia "Desert Museum" (Cercidium)	Desert Museum palo verde	Low	
T N	Parkinsonia florida (Cercidium florida)	blue palo verde	Low	
T N	Parkinsonia microphylla (Cercidium microphyllum)	little leaf palo verde	Low	
T N	Prosopis glandulosa var. torreyana	honey mesquite	Low	
T N	Prosopis pubescens	screwbean mesquite	Low	
V	Cissus trifoliata	treebine	Low	
V	Macfadyena unguis-cati	cat's claw	Low	

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City of Needles

817 Third Street • Needles, California 92363
(760) 326-2113 • FAX (760) 326-6765
www.cityofneedles.com

Item 3.

#20

Requirements for Receipt of "Will Serve" Letter for Electric

To: All Applicants Submitting a Cannabis CUP Application

Due to the relatively high electric load requirements for cannabis facilities, the City has deemed it necessary to request additional electric capacity from the Western Area Power Administration (WAPA). To support these new load requirements, existing transmission lines need to be upgraded and new substations need to be constructed. The cost of these improvements must be borne by applicants requiring the additional load, and not the existing user base.

As a result, each megawatt, or percentage thereof, of power being requested will require a payment of \$100,000 per megawatt, to be paid at the time an application for a CUP is submitted, for the purpose of funding the improvements and upgrades discussed above. At the same time, a deposit agreement is also required to be executed by the requestor of the power.

In addition to the improvements discussed above, it is anticipated that additional expense will be associated with onsite improvements, such as transformers, that the applicant is also responsible for paying. These requirements can be identified by scheduling a meeting or a telephone call, 760-221-4127.

Needles Public Utility Authority (NPUA)

Concur:

Jesse Dean Brown

Applicant Name

/ [Signature]
Signature

Date: 5-23-23

(APPLICANT-please complete the "blanks" and submit with application)

SAMPLE-TEMPLATE (Application)

NEEDLES PUBLIC UTILITY AUTHORITY

Will Serve Electric Service

N/A-Building already being served by Cultivation CUP

DATE: _____

TO: Needles Flower Refinery, Owner/Agent/Applicant (Applicant)

RE: Cannabis Facility (Project)

Project Site: 2701 Columbus Dr. Needles, CA
APN 0660-081-30 (Property)

This Project is located in the City of Needles (City) and the service area of the Needles Public Utility Authority (NPUA). The NPUA will serve the above subject Project's electrical requirements pursuant to the NPUA/City ordinances, rules and regulations, subject to the conditions of Project approval and the approved Project Site Plan, and the following terms, conditions and limitations:

- Electrical service will be provided to the Project through service lines and a single connection to the main building on the Project Site, constructed in accordance with the approved Project Site Plan, the NPUA's requirements for grounding and connection, and all applicable codes and regulations. The full cost of the NPUA's installation of the required facilities shall be borne by the Applicant.
- Electrical service provided by the NPUA to the Project will not exceed 400 amp service. Additional service capacity will require additional review, including load demands and confirmation by the NPUA of its ability to serve and the terms of service.
- The total electrical service availability to the City is limited by other agencies, including WAPA, and the NPUA anticipates more applicants for electric service than it may have the capacity to serve. In order to maximize service to electrical service applicants, the NPUA will establish baseline maximum electrical service availability for the Project 12 months following the issuance of a certificate of occupancy, annualized based on average consumption over the preceding year, but not exceeding 400 amp service. Excess electrical service availability may be reallocated by the NPUA in its sole discretion, to other users based on the first year's use for the Project.
- To the extent the new _____ amp service is constructed and activated prior to the City's final approval of the Project, including without limitation, and CEQA

environmental determination (Project Approvals), such electric permitting, construction and testing does not grant or imply land use entitlement or issuance of a local regulatory license. If the Project Approvals are not granted by the City, this Will Serve commitment shall be null and void and of no further effect.

- The _____ amp service will not be used in connection with the Project until such time as the City has granted occupancy of the building and the Applicant has paid all City/NPUA fees and received all required regulatory licenses.
- Fees payable to NPUA include, but may not be limited to, payment in advance of a (TBD) to cover NPUA's cost of two transformers required for the 2000 amp service. This advance payment will be refunded if the Project Applications are not approved by the City, without fault of the Applicant. This Electric Service Will Serve Letter shall become void and of no further effect if the Project Applications are not approved by the City.
- All electrical equipment installed to serve the Project, up to and including that connected or fixed to the outside wall(s) of the facility, and including, without limitation, cables, substation(s), and transformer(s), shall become and are the property of the NPUA once installed, accepted and activated by the NPUA. Upon revocation, termination or abandonment of entitlements (including the CUP and/or Regulatory license) for the Cannabis Facility, the electrical allocation and all related facilities may be removed, relocated or reallocated by the NPUA in its sole discretion.
- If it is determined that the requested electric service will require additional off-site system upgrades, NUPA/City may require oversizing of facilities, subject to the NPUA's/City's adopted regulations and terms for reimbursement as new development occurs.
- To the extent additional public improvements or system upgrades are required for the Project, Applicant shall post a deposit for the estimated cost of line, transformer, substation and other required infrastructure improvements, and the full estimated cost of improvements will be due prior to any equipment order and/or installation. This deposit reserves the _____ amp power availability for 12 months or until the full entitlements for the Project have been granted by the City, unless that period is extended by the City Council for good cause. Once Project Approvals have been granted by the City, if there is no substantial progress to construct the Project, the power availability and will serve commitment will expire pursuant to the terms of the CUP, and the deposit will be retained by the NPUA as liquidated damages to compensate the NPUA for the lost opportunity to provide services to another user.
- The NPUA reserves the right to increase electricity rates and charges established pursuant to Proposition 26, and to amend its terms of service, and the Project will be subject to any increased or additional rates, charges and regulations implemented by the NPUA and applicable to similar facilities or uses, any limitations or restrictions placed on electric service by other state, federal or

regulatory agencies, or due to unforeseen availability and/or the NPUA's ability to obtain or provide electricity for the Project. Changes in regulations may also require that the Project initiate conservation measures.

- In accepting the terms of electric service provided herein, the Applicant agrees that the NPUA and the City shall be free from any liability to the Applicant, its successors in interest, or any other interested party, for damage to property, equipment or crops which may result from power shortages or outages affecting the Project which are beyond the reasonable control of the NPUA and/or the City.
- This Will Serve letter is conditioned on Applicant's compliance at all times with the NPUA/City Rules and Regulations for electric service and the Project conditions of approval.

This Will Serve Electric Service commitment runs with the CUP and the related Facility Regulatory license for the Project and the Property, and may not be transferred or relocated to any other project or property without NPUA approval. If the Project is abandoned or discontinued or the CUP or Regulatory license are revoked or suspended, the electric service provided pursuant to this letter may be terminated and the electric capacity reallocated or redistributed to other properties and/or projects by the NPUA in its sole discretion.

Inspection and activation of the electrical service connection will be scheduled by the City and the NPUA throughout construction up to and including issuance of the certificate of occupancy for the Project.

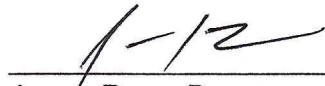
This Will Serve Electric Service commitment is conditioned upon compliance with all applicable requirements of the City and the NPUA, payment in full of any required fees and deposits, and your agreement to comply with the foregoing conditions and limitations.

If you have any questions or need additional information regarding terms of NPUA electrical service to your Project, please contact the undersigned at 760-326-2113.

Sincerely,

CONSENT AND AGREEMENT:

The undersigned Owner/Agent/Applicant is the applicant/recipient of the related Cannabis Facility CUP, and has reviewed, has full legal authority to and does understand and agree to the foregoing terms and conditions for connection and provision of electric service to the above-described Property and Project by the Needles Public Utility Authority and/or the City of Needles.



Jesse Dean Brown

[Note: signatory should be CUP Applicant,
to whom the CUP will be issued]

Dated: 5-23-23

NEEDLES PUBLIC UTILITY AUTHORITY

Will Serve Water Service

#20(b)

DATE: _____

TO: Needles Flower RefineryN/A-Building already being served
by Cultivation CUP

RE: Cannabis Facility (Project)

Project Site: 2701 Columbus Dr. Needles, CA 92363
APN 0660-081-30

This Project is located in the City of Needles (City) and the service area of the Needles Public Utility Authority (NPUA). The NPUA will serve the above subject Project's water requirements pursuant to the NPUA/City ordinances, rules and regulations, subject to the conditions of Project approval and the approved Project Site Plan, the Water Service Plan, and the following terms, conditions and limitations:

- Water service will be provided to the Project through service lines and connections, constructed in accordance with the approved Project Site Plan and Water Service Plan, the NPUA's requirements for water service connection, and all applicable NPUA/City codes and regulations. The full cost of the NPUA's installation of the required facilities shall be borne by the Applicant.
- Water service provided by the NPUA to the Project will not exceed __acre feet per year (AFY), provided pursuant to the approved Water Service Plan. Additional water service capacity will require additional review, including water service demands and confirmation by the NPUA of its ability to serve and terms of service. To the extent water service is constructed and activated on the Property prior to the City's final approval of the Project, including without limitation, CUP application, zone change, and CEQA environmental determination (Project Approvals), such water permitting, construction and connection does not grant or imply land use entitlement or issuance of a local regulatory license. If the Project Approvals are not granted by the City, this Will Serve commitment shall be null and void and of no further effect.
- Water service provided for herein will not be used in connection with the Project until such time as the City has granted occupancy of the building(s) and the Applicant has paid all City/NPUA fees and deposits and received all required regulatory licenses.
- Fees payable to NPUA include, but may not be limited to, payment in advance of the Applicant's estimated cost of construction of required off site infrastructure and the cost of the water service connection. This Water Service Will Serve

Letter shall become void and of no further effect if the Project Applications are not approved by the City.

- If it is determined that the requested water service will require additional off-site system upgrades, NUPA/City may require oversizing of facilities, subject to the NPUA's/City's regulations and terms for reimbursement as new development occurs.
- To the extent additional public improvements or system upgrades are required for the Project, Applicant shall post a deposit for the estimated cost of all required improvements, and the full estimated cost of improvements will be due prior to any equipment order and/or installation. This deposit reserves the AFY water availability for 12 months or until the full entitlements for the Project have been granted by the City, unless that period is extended by the City Council for good cause. Once Project Approvals have been granted by the City, if there is no substantial progress to construct the Project, the water availability and will serve commitment will expire pursuant to the terms of the CUP, and any deposit(s) will be retained by the NPUA as liquidated damages to compensate the NPUA for the lost opportunity to provide services to another user.
- The NPUA reserves the right to increase water service rates and charges established pursuant to Proposition 26, and to amend its terms of service, and the Project will be subject to any increased or additional rates, charges and regulations implemented by the NPUA and applicable to similar facilities or uses, any limitations or restrictions placed on water service by other state, federal or regulatory agencies, or due to unforeseen availability and/or the NPUA's ability to obtain or provide water for the Project. Changes in regulations may also require that the Project initiate water conservation measures.
- In accepting the terms of water service provided herein, the Applicant agrees that the NPUA and the City shall be free from any liability to the Applicant, its successors in interest, or any other interested party, for damage to property, equipment or crops which may result from water shortages, disruptions or terminations affecting the Project which are beyond the reasonable control of the NPUA and/or the City.
- This Will Serve letter is conditioned on Applicant's compliance at all times with the NPUA/City Rules and Regulations for water service and the Project conditions of approval.

This Will Serve Water Service commitment runs with the CUP and the related Cannabis Business Regulatory License for the Project and the Property, and may not be transferred or relocated to any other project or property without NPUA approval. If the Project is abandoned or discontinued or the CUP or Regulatory License are revoked or suspended, the water service provided pursuant to this letter may be terminated and the water service capacity reallocated or redistributed to other properties and/or projects by the NPUA in its sole discretion.

Inspection and activation of the water service connection will be scheduled by the City and the NPUA throughout construction up to and including issuance of the certificate of occupancy for the Project.

This Will Serve Water Service commitment is conditioned upon compliance with all applicable requirements of the City and the NPUA, payment in full of any required fees and deposits, and your agreement to comply with the foregoing conditions and limitations.

This Will Serve Water Service letter supersedes any other verbal or written representations or understandings between the NPUA, the City and the Applicant regarding water service for the Project.

If you have any questions or need additional information regarding terms of NPUA water service to your Project, please contact the undersigned at 760-326-2113.

Sincerely,

Needles Public Utility Authority (NPUA)

CONSENT AND AGREEMENT:

The undersigned Owner/Agent/Applicant is the applicant/recipient of the related Cannabis Business CUP, and has reviewed, has full legal authority to and does understand and agree to the foregoing terms and conditions for connection and provision of water service to the above-described Property and Project by the Needles Public Utility Authority and/or the City of Needles.


 (Name: Jesse Dean Brown)

[Note: signatory should be CUP Applicant,
 to whom the CUP will be issued]

Dated: 5-23-23



City of Needles

817 Third Street • Needles, California 92363
(760) 326-2113 • FAX (760) 326-6765
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#22

Item 3.

DEPOSIT AGREEMENT FOR CANNABIS CONDITIONAL USE PERMIT AND CANNABIS BUSINESS LICENSE

Site Address/APN:

Site Address: 2701 Columbus Dr. Needles, CA 92363
APN 0660-081-30

Conditional Use Permits for a Cannabis Business are actual cost projects. The actual cost for a project is determined according to the time spent by personnel on that project and the associated personnel benefits, department overhead, legal, finance, and any other costs incurred for that project.

Initial deposits are determined by the City Council. The initial deposit is \$35,000 for projects beginning with raw land and \$20,000 for projects utilizing existing buildings or previously constructed lots for each Conditional Use Permit (CUP) and \$5,000 for each Cannabis Business License on the same site.

Upon completion, the actual costs will be itemized and deducted from the deposit. Monies that remain unused once the entitlement has been approved and the regulatory license issued, are refunded back to the applicant.

I understand that the monies provided to the City for the purpose of processing a Conditional Use Permit and a Regulatory License for a Cannabis Business are deposits, used for the purposes identified above.

Jesse Dean Brown

Print Name

Project Affiliation: Owner


Signature

Date: 5-23-23

ELECTRIC DEPOSIT AGREEMENT

This Deposit Agreement (this "Agreement"), dated as of _____, _____ is made by and between the Needles Public Utility Authority (the "Authority") and _____, a California limited liability company (the "Developer").

BACKGROUND

A. Developer plans to entitle and build a project ("Project") on certain real property ("Property") described in **Exhibit "A"** and wishes to assist financially in completing certain related electrical facilities that will provide electrical service to the Project;

B. The Property is not currently served with electrical power needed for the Project, and Developer wishes to provide financial assistance ("Financial Assistance") to the Authority to construct various electrical facilities as described in **Exhibit "B"** ("Facilities") needed to provide electrical service to the Project and other properties.

C. Because of the significant distance between the Property and the Authority's existing electrical infrastructure, the Facilities will be designed to serve more than only the Property, and will serve other properties as well.

D. The Developer wishes to provide the Authority with the Financial Assistance, notwithstanding the fact that it exceeds Developer's "fair share" of the cost of the Facilities because otherwise the Facilities would not be built in the timeframe required by Developer or they may never be built.

E. The Authority will perform engineering work, purchase equipment and perform or cause to be performed improvements needed to plan, design and build the Facilities.

F. To support the development of the Facilities Developer is willing to provide funds to the Authority to ensure payment of any and all costs incurred by the Authority.

G. The Authority and the Developer now desire to specify the terms of the deposit of the Developer assistance related to the Facilities.

AGREEMENT

In consideration of the mutual promises and covenants set forth herein, and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Authority and the Developer agree as follows:

1. Deposits. The Developer hereby agrees to make the following deposits for the payment of Authority Costs (collectively, the "Deposits").

(a) Initial Deposit of Authority Costs. At the time of executing this Agreement, the Developer will deposit with the Authority the amount of \$_____ ("Deposit") applicable to Authority Costs, as defined below. The Deposit will reserve up to _____.00 Megawatts of electrical capacity for the Project at such time as the necessary infrastructure to the

project has been completed. However, no guaranty that electrical service will be available to the Project is made by this Agreement. If the Project requires additional Megawatts of power availability the Deposit will be increased accordingly. Developer will apply for administrative approvals required to construct the Project within 12 months of the date of this Agreement. If the Developer fails to apply for the administrative approvals required for the Project within 12 months from the date of this Agreement, the Deposit shall be non-refundable. At such time as the Authority delivers a binding will serve letter to the Developer for the Project, on the Utility's standard form as determined by Authority in its sole discretion, the Deposit shall be fully earned and non-refundable except as specifically provided to the contrary in this Agreement. If the Developer submits applications for administrative approvals for a cannabis business and if City or NPUA arbitrarily deny the same or of electrical service is not available to the Project the Deposit will be refunded to Developer. As used in this Agreement, "Authority Costs" means all costs incurred by the Authority and/or City in connection with the construction of the Facilities for administration, management, design, engineering, equipment, supplies, construction and improvements and to pay the Development Impact Fee (as defined below) including without limitation the following:

(i) Fees and expenses of any Authority staff, consultants, engineers, engaged by the Authority in connection with the Facilities, legal counsel, financial and management advisors;

(ii) Technical studies, environmental analysis, economic impact reports and any and all other actual costs and expenses incurred by the Authority that the Authority deems necessary in connection with the planning, design and construction of the Facilities;

(iii) The costs and expense of implementing this Agreement.

(b) The Authority shall not be obligated to pay or advance any of its own funds to pay Authority Costs.

(c) Deposit Limit. In no event shall the amount of Deposits made by Developer under this Agreement be required to exceed a total amount of \$ **TBD** unless further agreed to by written consent of both parties.

2. Reservation of Discretion to Approve the Project or Impose Development Impact Fees; Potential Reimbursement.

It is anticipated that Developer will submit applications for land use entitlements for the Project, and whether the Authority and City desire to pursue implementation of the Project will be presented to the Authority Board, Planning Commission and/or City Council for consideration subject to their full legal discretion. In the future, the Authority may, but is not required to, impose a development impact fee ("Development Impact Fee") which is intended to recover from developers of certain discretionary projects their fair share of the cost of electrical infrastructure (which may include the Facilities) and reimburse Developer for some portion of the Deposit in excess of the Developer's fair share for such electrical infrastructure facilities, as determined by Authority in its sole discretion. However notwithstanding the forgoing, the Authority and the City

shall have no obligation to impose the Development Impact Fee or to reimburse any portion of the Deposit to the Developer hereunder if the appropriate Development Impact Fee is not imposed and collected. It is also possible that future development in the City may, but will not be required to, contribute additional sums for the development and construction of electrical infrastructure in excess of such developer's fair share and which may also be in excess of the amount budgeted by the Authority for electrical infrastructure. If the Authority determines that possesses funds in excess of its budgeted needs from developers who have paid in excess of their fair share for infrastructure, Authority may, but is not required to, reimburse some portion of the Deposit in excess of the Developer's fair share for the same based on an equitable formula as determined by Authority in its sole discretion. The Parties understand that the City and Authority reserve the right to exercise their full, complete and unfettered discretion as to all matters which it is, by law, entitled or required to exercise in its discretion including, but not limited to the following:

(a) Discretion Regarding the Project. The Parties understand that City and Authority have the complete and unfettered discretion to approve or disapprove the Project and/or Development Impact Fee or pursue implementation of the Development Impact Fee and Project with Developer. Developer acknowledges and agrees that all expenses and costs that it may incur as a result of this Agreement are its sole obligation and responsibility and incurred at Developer's sole risk.

(b) No Pre-Commitment by City. By its execution of this Agreement, City and Authority do not commit themselves or agree to undertake any activity requiring the subsequent exercise of discretion by Authority, Authority Board, City or City Council, including but not limited to, the approval and execution of any contract or other instrument, the approval of any development proposal for the development of any public or private interest in real property, or any other such act or approval. Authority's execution of this Agreement is merely an agreement to commence the planning, design and construction of Facilities according to the terms hereof, reserving final discretion and approval by City as to any proposed project and Development Impact Fee and their implementation, and all proceedings and decisions in connection therewith. Nothing herein shall obligate Authority, Authority Board, City or City Council to exercise their discretion in any particular manner, and any exercise of discretion reserved hereunder or required by law shall not be deemed to constitute a breach of the Authority's duties under this Agreement.

(c) Will Serve Letter. The only binding agreement to serve the properties in question with electrical or other utilities will be pursuant to a "will serve" letter issued by, and subject to the discretion of, the Authority. Will serve letters will contain terms and conditions deemed appropriate by the Authority and will be subject requirements deemed appropriate by the Authority including but not limited to the following:

- Completed and accepted land use entitlement application,
- Completed and accepted Regulatory License application,
- Payment of on-site facilities as determined by the Authority, and
- Deposits for system improvements covered by this Deposit Agreement.

3. Term; Termination. This Agreement shall continue for a period of ten years unless

extended by mutual agreement of the parties and approved by the City Council. This Agreement shall terminate upon the earlier of the following: (i) the Project has been reviewed, processed, and approved and all permits have been issued and all required implementing agreements and actions have been completed or (ii) the Project has been disapproved or otherwise terminated.

4. Deposit Agreement Not Debt; Limitation of Liability. This Deposit Agreement does not constitute a debt or liability of the Authority nor the City. No member of the Authority Board or City Council and no officer, employee or agent of the Authority or City shall to any extent be personally liable hereunder. Developer acknowledges by its approval and execution of this Agreement that it is voluntarily agreeing to pay the Deposit, that its obligation to pay the Deposit is an essential term of this Agreement and is not severable from City's obligations and Owner's rights to be acquired hereunder, and that Owner expressly waives any constitutional, statutory, or common law right it might have in the absence of this Agreement to protest or challenge the payment of the Deposit on any ground whatsoever, including without limitation pursuant to the Fifth and Fourteenth Amendments to the United States Constitution, California Constitution Article I Section 19, the Mitigation Fee Act (California Government Code Section 66000 et seq.), or otherwise. In addition to any other remedy set forth in this Agreement for Owner's default, if Owner shall fail to timely pay any portion of the Deposit when due City shall have the right to withhold issuance of any further building permits, occupancy permits, or other development or building permits for the Project.

5. Indemnification. The Developer hereby agrees to assume the defense of, indemnify and hold harmless the Authority and City, and each of their councils, boards, members, officers, employees and agents, from and against all actions, claims or proceedings of every type and description to which they or any of them may be subjected or put, by reason of, or arising out of, any acts or omissions of the Developer or any of its members, officers, employees, contractors or agents in connection with the negotiation and approval of the Project or the Facilities. The Authority shall promptly notify the Developer of any such claim, action or proceeding, and the Authority and City shall cooperate in the defense thereof.

6. Delivery of Materials.

(a) Work Product. Upon request, Authority shall deliver to Developer copies of all plans, studies, reports or analyses ("Work Product") undertaken and paid for by Deposit funds, whether in draft or final form. Authority shall have no obligation to disclose any documents, information or correspondence that are protected by attorney/client privilege, or for which Authority is prevented from disclosing by any confidentiality obligation, contractual or otherwise, or which is forbidden from disclosure by any applicable state or federal law or regulation.

(b) Reports. At such time as the Authority may request an increase in the Deposit as allowed above, the Authority shall also deliver to Developer a reasonably detailed report describing the Authority's expenditures of the Deposits through the date of the request and any Work Product produced as a result of such expenditures.

7. Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent reasonably possible.

8. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. This Agreement may not be assigned by either of the parties hereto without the written consent of the other party.

9. Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10. Amendments. Amendments to this Agreement shall be made only by written instrument executed by each of the parties hereto.

11. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

12. Entire Agreement. This Agreement contains the entire understanding among the Partners and supersedes any prior written or oral agreements between them regarding the subject matter contained in this Agreement. There are no representations, agreements, arrangements, or understandings, oral or written, between and among the Partners relating to the subject matter of this Agreement that are not fully expressed in this Agreement.

13. Attorney's Fees. If any action at law or in equity, including an action for declaratory or injunctive relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party is entitled to reasonable attorneys' fees and costs.

14. Governing Law. All questions with regard to the construction of this Agreement and the rights and liabilities of the parties will be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year first mentioned above.

NEEDLES PUBLIC UTILITY AUTHORITY

(Applicant/Applicant LLC)

By: _____
Name: _____
Title: _____

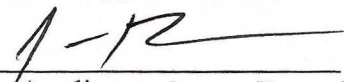
By: 
Name: /Applicant Jesse Dean Brown
Applicant LLC Needles Flower Refinery
Title: Developer

EXHIBIT "A"

All that certain real property situated in the County of San Bernardino, State of California, described as follows:

Parcel A: (Assessor's Parcel No: 0660-081-30)

Parcel 1 of Parcel Map No. 14798, in the City of Needles, County of San Bernardino, State of California, as per Map recorded in Book 180, Pages 7 and 8 of Parcel Maps, Records of said County.

Parcel B: (Assessor's Parcel No: 0660-081-31)

Parcel 2 of Parcel Map No. 14798, in the City of Needles, County of San Bernardino, State of California, as per Map recorded in Book 180, Pages 7 and 8 of Parcel Maps, Records of said County.



City of Needles

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Item 3.

#24

PAYMENT AGREEMENT ON-SITE ELECTRIC HARDWARE AND LABOR CANNABIS BUSINESS

N/A-Building already being served
by Cultivation CUP

Date: _____

Site Address/APN: 2701 Columbus Dr. APN# 0660-081-30, Needles, CA

Each cannabis business will require electric transmission and the ancillary hardware to support the system.

This includes, but is not limited to, the transformer, primary riser, switches, pad for the transformer, installation of metering in the panel, and labor for installation.

The purchase of this equipment occurs within 3 business days of receiving the payment, and is a non-refundable cost. If the project is withdrawn by the applicant, or the CUP is not granted, or the regulatory license cannot be issued, the applicant may claim the transformer, etc. for use elsewhere or sale to another applicant.

For the site identified above, the cost is \$ _____

I understand that the monies provided to the City for the purpose of transmission related on-site hardware and labor will be ordered within 3 business days of payment being received and is a non-refundable cost

Jesse Dean Brown
Print Name

Project Affiliation: Owner


Signature

Date: 5-23-23

AGREEMENT

THIS AGREEMENT ("Agreement") is made and _____ day of _____, (the "Effective Date"), by and between the City of Needles, a charter city ("City") and Needles Flower Refinery ("Licensee"). City and Licensee are sometimes referenced together herein as the "Parties." In instances when a provision hereof applies to each of the Parties individually, either may be referenced as a "Party." Licensee is the applicant or legal representative of the applicant for the regulatory license for the property located at _____, Needles, California ("Project").
2701 Columbus Dr

For valuable consideration, the adequacy of which is acknowledged and admitted by the Parties hereto, the Parties agree as follows:

- A. The Licensee shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul and/or seek monetary damages resulting from an approval of the City; or any agency or instrumentality thereof, advisory commission; appeal board or legislative body including actions approved by the voters of the City, concerning Project.
 - B. City shall promptly notify the Licensee of any claim, action; or proceeding to which this condition is applicable and shall reasonably cooperate in the defense of the action.
 - C. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
1. Governing Law. This Agreement is entered into and to be performed in Needles, California and shall be governed by the laws of the State of California without regard to conflict of law principles that may be applicable.
 2. Severability. If any provision of this Agreement is found to be illegal or unenforceable, then such provision shall be deemed stricken, and the remaining provisions shall remain in full force and effect.
 3. Counterparts. This Agreement may be executed in counterparts and each counterpart shall be deemed an original.
 4. Attorneys' Fees and Costs. In the event of any litigation between the Parties to interpret or enforce this Agreement, the prevailing Party shall be awarded its reasonable costs and attorneys' fees.

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement, made and effective as of the Effective Date set forth above.


"CITY"
CITY OF NEEDLES

ATTEST:

By: _____
_____, Mayor

By: _____
Dale Jones, City Clerk

"LICENSEE"



By: Jesse Dean Brown

Its: Needles Flower Refinery

#26

**USE OF STEEL BUILDINGS
ARCHITECTURAL ENHANCEMENT REQUIREMENT**

The City allows the use of steel buildings for any cannabis business. The City requires a 25% coverage area of any side of a steel building that faces a street, or is located at an intersection where the building wall(s) will be visible.

The architectural enhancement requirement can be satisfied through murals depicting themes reminiscent of Needles history, facades using stone or other rock related products, wood treatments, stucco panels, etc.

The "sample drop box" can provide samples of projects and the architectural enhancement being used.

Acknowledgement of Policy Jesse Dean Brown
Printed Name

Signature: 

6/9/2020	REQUIRED DOCUMENTS FOR PROJECT SUBMITTAL				
Form #		DISPENSARY	CONSUMPTION	DISPENSARY AND CONSUMPTION	Item 3.
	REGULATORY PERMIT LICENSE				
28	Application Submittal Requirements				
29	Regulatory License Application (COPY INCLUDED)				
30	Business Structure Documents (Articles of Incorporation/LLC/Corp.) w/bylaws if non-profit				
31	Government issued photo identification				
32	Copy of lease if not the property owner (owner is required to sign application)				
33	Identification of each member of the organization, including property owners, business owners, investors, employees, etc.				
34	For each person identified in #33 above, provide signed affidavit certifying that they have not been convicted of crimes listed (COPY INCLUDED)				
35	For each person identified in #33 above, provide signed affidavit certifying that they are not a licensed physician making patient recommendations for cannabis pursuant to Section 11362.7 (COPY INCLUDED)				
36	for each person identified in #33 above, the signed document statement attesting to the truthfulness and correctness of the information contained in the application (COPY INCLUDED)				
37	For each person identified in #33 above, the signed document "authorization to allow the City Manager or his/her designee to seek verification of the information contained in the application (COPY INCLUDED)				
38	For each person identified in #33 above, the signed document "acknowledgement that property owner, owners, operators, managers, agents, volunteers, employees, and any member of a medical marijuana business may be subject to prosecution under federal law (COPY INCLUDED)				
39	For each person identified in #33 above, the signed document "waiver and release from any and all legal liability related to or arising from the application for a cannabis business license" (COPY INCLUDED)				
40	For each person identified in #33 above, the signed document "Certification Relative to Suspension and/or Revocation of License(s) in the Past Three Years" (COPY INCLUDED)				
41	Deposit Agreement for Conditional Use Permit and Regulatory License (COPY INCLUDED)				
42	Indemnification Agreement (COPY INCLUDED)				
43	For each person identified in #31 above, the processing of live scan providing background check and fingerprinting (excluding owners and shareholders of publicly traded companies)				



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Item 3.

#28

CANNABIS BUSINESS LICENSE - DISPENSARY AND/OR CONSUMPTION LOUNGE SUBMITTAL REQUIREMENTS

DEPOSIT: \$5,000

- 1) Articles of Incorporation or other proof that applicant has filed or is currently registered with the State of California as a Cannabis Facility pursuant to Corporations Code §12201 or Corporations Code §12300, or other applicable provision, if applicable.
- 2) A valid and unexpired government issued photo ID of all owners and persons with a financial interest – Driver's License or Passport.
- 3) An affidavit certifying that the applicant, and any of the officers, directors, owners or operators have not been convicted of:
 - a. A conviction for homicide.
 - b. A conviction for racketeering, including but not limited to, a conviction under the Racketeer Influenced and Corrupt Organizations Act, the Organized Crime Control Act of 1970, or any other state or federal law prohibiting organized crime.
 - c. A felony conviction for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance.
 - d. A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
 - e. A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
 - f. A felony conviction involving fraud, deceit, or embezzlement.
 - g. Within the preceding two (2) years, any felony conviction for burglary, including first- and/or second-degree burglary.
 - h. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
 - i. A felony conviction for drug trafficking with enhancements pursuant to H&S Code Sections 11370.4 or 11379.8.
 - J Any conviction involving a gang enhancement pursuant to Penal Code Section 186.22.
 - k Within the preceding five (5) years, any violation of the Compassionate Use Act, the Medicinal and Adult-Use Cannabis Regulation and Safety Act, the MAUCRSA, or any other State law or Constitutional provisions regulating Cannabis, as may be amended from time to time;

Submittal Requirements – Page 2

1. Within the preceding ten (10) years, any violations of subdivision (c) or (d) of H&S Code Section 11357, or Section 11361, or any other provision involving sale to minors, and/or Articles 1, 3, 5, 6 or 7 of Chapter 6 of Division 10 of the H&S Code;
- m Within the preceding five (5) years, any conviction for possession, sale, use,
- 4) An affidavit certifying that the applicant, and any of its officers, directors, owners, operators, employees, or agents is not a licensed physician making patient recommendations for Medical Cannabis pursuant to Section 11362.7.
- 5) One (1) set of fingerprints for each applicant, excluding owners and shareholders of publicly traded companies, conducted via Live Scan.

(Live Scan is performed by the San Bernardino County Sherriff Department located at 1111 Bailey Ave., Needles. The applicant shall pay the Sheriff's Department the fees for this service and the Sheriff's Department will forward a copy to the City.)
- 6) Acknowledgement that property owners, owners, operators, managers, agents, volunteers, employees and any member of a Cannabis Business may be subject to prosecution under federal law
- 7) Signed authorization form to allow the City Manager or his/her designee to seek verification of the information contained in the application
- 8) A signed statement attesting to the truthfulness and correctness of the information contained in the application
- 9) A signed waiver and release form from any and all legal liability related to or arising from the application for a cannabis business license
- 10) Signed certification form relative to suspension and/or revocation of license(s) in the past three years
- 11) An estimate of the size of the Cannabis Facility.
- 12) A site plan and floor plan of the premises denoting all areas of the premises, including storage, processing areas, lighting, signage, etc. This document should be the same as what is submitted for the Conditional Use Permit application.
- 13) A detailed copy of the Security Plan, as submitted for the Conditional Use Permit application
- 14) A detailed description of the Cannabis Facility's operating procedures as submitted for the Conditional Use Permit application
- 15) Evidence that the Cannabis Facility is or will be operating in strict accordance with State law, including the Act, the Program and the Guidelines, as well as the Medicinal and Adult Use Cannabis Regulation and Safety Act.
(Ex. Nonprofit organization documents from the IRS or California Secretary of State.)
- 16) Such other information as may be required by the City Manager or his/her designee to determine compliance with any other eligibility requirements for issuance of the license as specified by state or local law.



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Item 3.

#29

APPLICATION CANNABIS BUSINESS LICENSE DISPENSARY AND/OR CONSUMPTION LOUNGE

Pursuant to City of Needles Municipal Code Chapter 12A

DEPOSIT: \$5,000

DATE: _____ ADDRESS OF FACILITY: 2701 Columbus Dr Needles, CA 92363

CANNABIS BUSINESS LICENSE applications are reviewed and approved administratively by the city manager or designee pursuant to Chapter 12A of the Municipal Code. The purpose of the review is to ensure that the Cannabis facility will be conducted in a secure, safe and business-like manner consistent with all applicable local and state laws, rules and regulations governing the processing type(s) of Cannabis, including without limitation the Compassionate Use Act as set forth in California Health and Safety Code Section 11362.5, the Marijuana Program Act as set forth in the California Health and Safety Code Sections 11362.5 through 11362.83, the August 2008 Attorney General Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use; and the Medicinal and Adult-Use Cannabis Regulation and Safety Act.

REVOCABLE LICENSE:

The Cannabis License constitutes a revocable privilege, which shall be subject to revocation/suspension in the event that the Cannabis Facility or its Owner(s), Operator(s), managers, employees, agents, members or volunteers violate any provisions of the Municipal Code, State law or regulations, or fails to pay any Cannabis Business Tax, or other fees when due.

PROPERTY OWNER CONSENT:

In the event the Owner(s) are not the legal owner(s) of the real property, the application shall be accompanied by a copy of a written and signed lease between the Owner(s) and the property owner authorizing use of the premises as a Cannabis Facility, or, if no written lease exists, a written, notarized acknowledgement from the property owner(s) that he/she/they have been advised and agree that a Cannabis Facility will be operated upon, in, or from the property. Proof of property owner consent shall be submitted with the application before the application will be accepted as complete.

FACILITY TYPE: ☐ DISPENSARY ☐ CONSUMPTION LOUNGE ☒ DISPENSARY & CONSUMPTION LOUNGE
(all that apply) ☐ Delivery Service ☐ ingestion ☐ smoking ☐ consumption

BY SIGNING THIS APPLICATION, THE APPLICANT(S) HEREBY:

1. REPRESENT(S) THAT APPLICANT(S) HAS REVIEWED THE CONTENTS OF NEEDLES MUNICIPAL CODE CHAPTER 12A AND ACKNOWLEDGES ITS TERMS AND CONDITIONS; (ORDINANCE 576-AC)
2. AUTHORIZE(S) THE CITY MANAGER OR DESIGNEE TO SEEK VERIFICATION OF THE INFORMATION CONTAINED IN THIS APPLICATION;
3. CONSENT(S) TO SUBMITTING TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK CONDUCTED BY THE SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT USING LIVE SCAN;
4. DECLARE(S) UNDER PENALTY OF PERJURY THAT ALL THE INFORMATION CONTAINED IN THIS APPLICATION AND SUBMITTED HERewith IS TRUE AND CORRECT;
5. ACKNOWLEDGES A WAIVER AND RELEASE OF THE CITY, ITS OFFICERS, OFFICIALS, EMPLOYEES, AND AGENTS FROM ANY AND ALL LEGAL LIABILITY RELATED TO OR ARISING FROM THE APPLICATION FOR A CANNABIS FACILITY LICENSE, THE ISSUANCE OF THE LICENSE, OR THE ENFORCEMENT OF THE CONDITIONS AND/OR THE OPERATION OF THE CANNABIS FACILITY; AND
6. ACKNOWLEDGES OWNERS, OPERATORS, MANAGERS, AGENTS, VOLUNTEERS, AND EMPLOYEES OF THE CANNABIS FACILITY MAY BE SUBJECT TO PROSECUTION UNDER FEDERAL AND STATE LAW

ADDRESS OF FACILITY: 2701 Columbus Dr Needles, CA 92363

NAME OF APPLICANT: Needles Flower Refinery

SIGNATURE OF APPLICANT: 

DATE:

5/23/23

***NAME OF CO-APPLICANT:** _____

***SIGNATURE OF CO-APPLICANT:** _____

DATE: _____

***NAME OF PROPERTY OWNER:** Jesse Dean Brown

(If different from Applicant)

***SIGNATURE OF PROPERTY OWNER:** 

DATE:

5-23-23

NAME OF PROPERTY OWNER: _____

(If different from Applicant)

SIGNATURE OF PROPERTY OWNER: _____

DATE: _____

**Include Name and Signature of other Property Owners on separate sheet.*

NOTE: INCOMPLETE APPLICATION SUBMITTALS WILL NOT BE ACCEPTED.

**AFFIDAVIT ACKNOWLEDGING THAT OFFICERS, DIRECTORS, OWNERS
AND OPERATORS OF CANNABIS BUSINESSES HAVE NOT BEEN
CONVICTED OF THE FOLLOWING LISTED BELOW**

#34

Jesse Dean Brown, declare and state as follows:

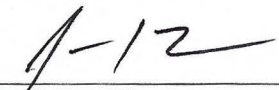
1. I am an Owner (officer/director/ owner
operator/employee/other) of a Cannabis Business applying for a Regulatory License.
2. I hereby certify that I do not have:
 - a. A conviction for homicide.
 - b. A conviction for racketeering, including but not limited to, a conviction under the Racketeer Influenced and Corrupt Organizations Act, the Organized Crime Control Act of 1970, or any other state or federal law prohibiting organized crime.
 - c. A felony conviction for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance.
 - d. A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
 - e. A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
 - f. A felony conviction involving fraud, deceit, or embezzlement.
 - g. Within the preceding two (2) years, any felony conviction for burglary, including first- and/or second-degree burglary.
 - h. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
 - i. A felony conviction for drug trafficking with enhancements pursuant to Sections 11370.4 or 11379.8.
 - j. Any conviction involving a gang enhancement pursuant to Penal Code Section 186.22.

- k Within the preceding five (5) years, any violation of the Compassionate Use Act, the Medical Marijuana Program Act, the Medicinal and Adult Use Cannabis Regulation and Safety Act, or any other State law or Constitutional provisions regulating Marijuana, as may be amended from time to time;
- l Within the preceding ten (10) years, any violations of subdivision (d) or (e) of H&S Code Section 11357, or Section 11361 and/or Articles 1, 3, 5, 6 or 7 of Chapter 6 of Division 10 of the H&S Code;
- m Within the preceding five (5) years, any conviction for possession, sale, use, distribution, and/or manufacturing of any Schedule I or Schedule II controlled substance as defined or described in the federal Controlled Substances Act
- n. Within the preceding three (3) years, any administrative orders or civil judgments for violations of labor standards

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 20____, at _____, California

By:


Jesse Dean Brown (Print)
Its: River Boys

**AFFIDAVIT ACKNOWLEDGING THAT OFFICERS, DIRECTORS, OWNERS
AND OPERATORS OF CANNABIS BUSINESSES HAVE NOT BEEN
CONVICTED OF THE FOLLOWING LISTED BELOW**

#34

Sharon Brown, declare and state as follows:

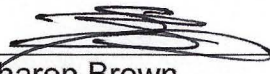
1. I am an Manager Agent (officer/director/ owner operator/employee/other) of a Cannabis Business applying for a Regulatory License.
2. I hereby certify that I do not have:
 - a. A conviction for homicide.
 - b. A conviction for racketeering, including but not limited to, a conviction under the Racketeer Influenced and Corrupt Organizations Act, the Organized Crime Control Act of 1970, or any other state or federal law prohibiting organized crime.
 - c. A felony conviction for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance.
 - d. A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
 - e. A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
 - f. A felony conviction involving fraud, deceit, or embezzlement.
 - g. Within the preceding two (2) years, any felony conviction for burglary, including first-and/or second-degree burglary.
 - h. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
 - i. A felony conviction for drug trafficking with enhancements pursuant to Sections 11370.4 or 11379.8.
 - j. Any conviction involving a gang enhancement pursuant to Penal Code Section 186.22.

- k Within the preceding five (5) years, any violation of the Compassionate Use Act, the Medical Marijuana Program Act, the Medicinal and Adult Use Cannabis Regulation and Safety Act, or any other State law or Constitutional provisions regulating Marijuana, as may be amended from time to time;
- l Within the preceding ten (10) years, any violations of subdivision (d) or (e) of H&S Code Section 11357, or Section 11361 and/or Articles 1, 3, 5, 6 or 7 of Chapter 6 of Division 10 of the H&S Code;
- m Within the preceding five (5) years, any conviction for possession, sale, use, distribution, and/or manufacturing of any Schedule I or Schedule II controlled substance as defined or described in the federal Controlled Substances Act
- n. Within the preceding three (3) years, any administrative orders or civil judgments for violations of labor standards

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 20____, at _____, California

By:


Sharon Brown (Print)

Its: River Boys

#35

1 AFFIDAVIT CERTIFYING THAT THEY ARE
2 NOT A LICENSED PHYSICIAN MAKING PATIENT
3 RECOMMENDATIONS FOR CANNABIS PURSUANT
4 TO SECTION 11362.7

5 I, Jesse Dean Brown, declare and state as follows:

6 1. I am a member of an organization, or property owner, applying for a regulatory license for
7 a Cannabis business

8 2. I hereby certify that I am not a licensed physician making patient recommendations for
9 Cannabis pursuant to Section 11362.7

10
11 I declare under penalty of perjury under the laws of the State of California that the foregoing is
12 true and correct.

13 Executed on _____, 20__, at _____, California.

14
15
16 By: 

17 [] Jesse Dean Brown

18 Its: River Boys
19
20
21
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23
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28

#35

AFFIDAVIT CERTIFYING THAT THEY ARE
NOT A LICENSED PHYSICIAN MAKING PATIENT
RECOMMENDATIONS FOR CANNABIS PURSUANT
TO SECTION 11362.7


I, Sharon Brown, declare and state as follows:

1. I am a member of an organization, or property owner, applying for a regulatory license for a Cannabis business

2. I hereby certify that I am not a licensed physician making patient recommendations for Cannabis pursuant to Section 11362.7

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 20__, at _____, California.

By:  _____
[] Sharon Brown
Its: River Boys

NEEDLES CANNABIS BUSINESS LICENSE**STATEMENT ATTESTING TO THE TRUTHFULNESS AND CORRECTNESS OF THE
INFORMATION CONTAINED IN THE APPLICATION**

I, Jesse Dean Brown, acting in the capacity of Owner
property owner/employee/
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at facility

hereby certifies under penalty of perjury that all information contained in the application is true and correct.

Name: J-12
Signature

Date: _____

Jesse Dean Brown
Print Name

NEEDLES CANNABIS BUSINESS LICENSE**STATEMENT ATTESTING TO THE TRUTHFULNESS AND CORRECTNESS OF THE
INFORMATION CONTAINED IN THE APPLICATION**

I, Sharon Brown, acting in the capacity of Manager Agent
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

hereby certifies under penalty of perjury that all information contained in the application is
true and correct.

Name: 
Signature

Date: _____

Sharon Brown
Print Name

#37

NEEDLES CANNABIS BUSINESS LICENSE

AUTHORIZATION TO ALLOW THE CITY MANAGER OR HIS/HER DESIGNEE TO SEEK
VERIFICATION OF THE INFORMATION CONTAINED IN THE APPLICATION

I, Jesse Dean Brown, acting in the capacity of Owner
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

authorize the City Manager or his/her designee to seek verification of the information
contained in the application.

Name: 
Signature

Date: _____

Jesse Dean Brown
Print Name

#37

NEEDLES CANNABIS BUSINESS LICENSE

AUTHORIZATION TO ALLOW THE CITY MANAGER OR HIS/HER DESIGNEE TO SEEK
VERIFICATION OF THE INFORMATION CONTAINED IN THE APPLICATION

I, Sharon Brown, acting in the capacity of Manager Agent
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

authorize the City Manager or his/her designee to seek verification of the information
contained in the application.

Name: 
Signature

Date: _____

Sharon Brown
Print Name

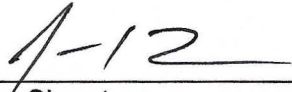
NEEDLES CANNABIS BUSINESS LICENSE

**ACKNOWLEDGEMENT THAT PROPERTY OWNER, OWNERS, OPERATORS, MANAGERS,
AGENTS, VOLUNTEERS, EMPLOYEES, AND ANY MEMBER OF A CANNABIS
BUSINESS MAY BE SUBJECT TO PROSECUTION UNDER FEDERAL LAW**

I, Jesse Dean Brown, acting in the capacity of Owner
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

acknowledge that property owners, owners, operators, managers, agents, volunteers,
employees and any member of a Cannabis business may be subject to prosecution
under federal law

Name: _____


Signature

Date: _____

Jesse Dean Brown
Print Name

NEEDLES CANNABIS BUSINESS LICENSE

ACKNOWLEDGEMENT THAT PROPERTY OWNER, OWNERS, OPERATORS, MANAGERS, AGENTS, VOLUNTEERS, EMPLOYEES, AND ANY MEMBER OF A CANNABIS BUSINESS MAY BE SUBJECT TO PROSECUTION UNDER FEDERAL LAW

I, Sharon Brown, acting in the capacity of Manager Agent
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

acknowledge that property owners, owners, operators, managers, agents, volunteers, employees and any member of a Cannabis business may be subject to prosecution under federal law

Name: _____

Signature

Date: _____

Sharon Brown

Print Name

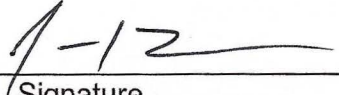
#39

NEEDLES CANNABIS BUSINESS LICENSE

WAIVER AND RELEASE FROM ANY AND ALL LEGAL LIABILITY
RELATED TO OR ARISING FROM THE APPLICATION FOR A
CANNABIS BUSINESS LICENSE

I, Jesse Dean Brown, acting in the capacity of Owner
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

hereby waive and release the City, its officers, officials, employees, and agents from any and all legal liability related to or arising from the application for a Cannabis Business License, the issuance of the License, or the enforcement of the conditions of the License, and/or the operation of the cannabis business.

Name: 
Signature

Date: _____

Jesse Dean Brown
Print Name

#39

NEEDLES CANNABIS BUSINESS LICENSE

WAIVER AND RELEASE FROM ANY AND ALL LEGAL LIABILITY
RELATED TO OR ARISING FROM THE APPLICATION FOR A
CANNABIS BUSINESS LICENSE

I, Sharon Brown, acting in the capacity of Manager Agent
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

hereby waive and release the City, its officers, officials, employees, and agents from any and all legal liability related to or arising from the application for a Cannabis Business License, the issuance of the License, or the enforcement of the conditions of the License, and/or the operation of the cannabis business.

Name: 
Signature

Date: _____

Sharon Brown
Print Name

NEEDLES CANNABIS BUSINESS LICENSE

#40

CERTIFICATION RELATIVE TO SUSPENSION AND/OR REVOCATION
OF LICENSE(S) IN THE PAST THREE YEARS

I, Jesse Dean Brown, acting in the capacity of Owner
2701 Columbus Dr Needles, CA 92363
owner/investor/manager agent/volunteer at _____ facility

hereby certifies under penalty of perjury that within the past three (3) years, I have not had a license for any Cannabis Business suspended and/or revoked by the city, the State of California, or any other city or local agency.

Name: _____

Signature

Date: _____

Jesse Dean Brown

Print Name


NEEDLES CANNABIS BUSINESS LICENSE

#40

CERTIFICATION RELATIVE TO SUSPENSION AND/OR REVOCATION
OF LICENSE(S) IN THE PAST THREE YEARS

I, Sharon Brown, acting in the capacity of Manager Agent
property owner/employee/
owner/investor/manager agent/volunteer at 2701 Columbus Dr Needles, CA 92363
facility

hereby certifies under penalty of perjury that within the past three (3) years, I have not had a license for any Cannabis Business suspended and/or revoked by the city, the State of California, or any other city or local agency.

Name: 
Signature

Date: _____

Sharon Brown
Print Name



City of Needles

817 Third Street • Needles, California 92363
(760) 326-2113 • FAX (760) 326-6765
www.cityofneedles.com

#41

Item 3.

DEPOSIT AGREEMENT FOR CANNABIS CONDITIONAL USE PERMIT AND CANNABIS BUSINESS LICENSE

Site Address/APN:

Site Address: 2701 Columbus Dr Needles, CA 92363
APN 0660-081-30

Conditional Use Permits for a Cannabis Business are actual cost projects. The actual cost for a project is determined according to the time spent by personnel on that project and the associated personnel benefits, department overhead, legal, finance, and any other costs incurred for that project.

Initial deposits are determined by the City Council. The initial deposit is \$35,000 for projects beginning with raw land and \$20,000 for projects utilizing existing buildings or previously constructed lots for each Conditional Use Permit (CUP) and \$5,000 for each Cannabis Business License on the same site.

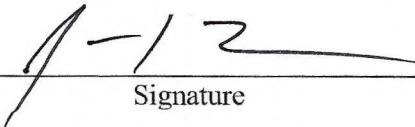
Upon completion, the actual costs will be itemized and deducted from the deposit. Monies that remain unused once the entitlement has been approved and the regulatory license issued, are refunded back to the applicant.

I understand that the monies provided to the City for the purpose of processing a Conditional Use Permit and a Regulatory License for a Cannabis Business are deposits, used for the purposes identified above.

Jesse Dean Brown

Print Name

Project Affiliation: Owner



Signature

Date: _____

#42

AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of _____, _____ (the "Effective Date"), by and between the City of Needles, a charter city ("City") and Needles Flower Refinery ("Licensee"). City and Licensee are sometimes referenced together herein as the "Parties." In instances when a provision hereof applies to each of the Parties individually, either may be referenced as a "Party." Licensee is the applicant or legal representative of the applicant for the regulatory license for the property located at , 2701 Columbus Dr Needles, CA 92363 APN# 0660-081-30, Needles, California ("Project").

For valuable consideration, the adequacy of which is acknowledged and admitted by the Parties hereto, the Parties agree as follows:

- A. The Licensee shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul and/or seek monetary damages resulting from an approval of the City; or any agency or instrumentality thereof, advisory commission; appeal board or legislative body including actions approved by the voters of the City, concerning Project.
- B. City shall promptly notify the Licensee of any claim, action; or proceeding to which this condition is applicable and shall reasonably cooperate in the defense of the action.
- C. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

1. Governing Law. This Agreement is entered into and to be performed in Needles, California and shall be governed by the laws of the State of California without regard to conflict of law principles that may be applicable.

2. Severability. If any provision of this Agreement is found to be illegal or unenforceable, then such provision shall be deemed stricken, and the remaining provisions shall remain in full force and effect.

3. Counterparts. This Agreement may be executed in counterparts and each counterpart shall be deemed an original.

4. Attorneys' Fees and Costs. In the event of any litigation between the Parties to interpret or enforce this Agreement, the prevailing Party shall be awarded its reasonable costs and attorneys' fees.

IN WITNESS WHEREOF, the Parties hereto have entered into this Agreement, made and effective as of the Effective Date set forth above.

"CITY"

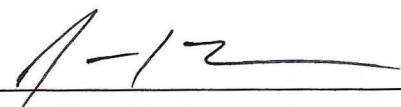
CITY OF NEEDLES

ATTEST:

By: _____
_____, Mayor

By: _____
Dale Jones, City Clerk

"LICENSEE"

By: 

Jesse Dean Brown

Its: River Boys _____



City of Needles, California Request for City Council Action

Item 4.

☒ CITY COUNCIL ☐ NPUA ☐ SARDA ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Warrants

Background: n/a

Fiscal Impact: n/a

Recommended Action: **APPROVE**, the Warrants Register through October 24, 2023.

Submitted By: Barbara DiLeo, Sr. Accountant

City Management Review: *Passing*

Date: 10/19/2023

Approved: ☐

Not Approved: ☐

Tabled: ☐

Other: ☐

Agenda Item: 4

**CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR OCTOBER 24, 2023**

Item 4.

FUND 101	GENERAL FUND	FUND AMT.	24-Oct	23-24 BUDGET
		\$ 450.00		
101.1015.412	CITY ATTORNEY	\$ 5,800.00	\$ 17,400.00	\$ 80,000.00
101.1020.413	CITY MANAGER	\$ 460.25	\$ 32,459.10	\$ 230,592.00
101.1025.415	FINANCE DEPT.	\$ 8,464.76	\$ 212,968.56	\$ 987,957.00
101.1030.414	CITY CLERK/COUNCIL/MAYOR	\$ 263.24	\$ 44,431.11	\$ 329,339.00
101.1035.416	PLANNING /ZONING	\$ 555.62	\$ 28,736.56	\$ 402,016.00
101.1040.417	ENGINEERING	\$ 1,401.29	\$ 66,665.83	\$ 439,483.00
101.1060.410	COMMUNITY PROMOTIONS	\$ 3,641.67	\$ 11,641.67	\$ 103,945.00
101.1070.410	SENIOR CENTER	\$ 1,569.51	\$ 12,581.50	\$ 62,202.00
101.2010.421	SHERIFF	\$ 331,879.09	\$ 1,262,807.60	\$ 3,759,034.00
101.2020.423	ANIMAL SHELTER/CONTROL	\$ 701.72	\$ 42,961.37	\$ 261,130.00
101.2025.424	BULDING & SAFETY	\$ 264.79	\$ 58,848.09	\$ 488,742.00
101.2030.423	CODE ENFORCEMENT	\$ 16,770.89	\$ 155,707.23	\$ 806,188.00
101.3010.431	PUBLIC WORKS	\$ 10,399.28	\$ 141,347.96	\$ 818,943.00
101.4730.472	SANITATION	\$ -	\$ 13,644.97	\$ 177,467.00
101.5770.452.	AQUATICS	\$ 5,249.84	\$ 63,214.46	\$ 246,913.00
101.5772.452	PARKS	\$ 7,997.86	\$ 134,348.91	\$ 760,504.00
101.5773.452	JACK SMITH PARK MARINA	\$ 103.17	\$ 21,245.11	\$ 115,646.00
101.5774.452	RECREATION	\$ 5,319.84	\$ 151,737.73	\$ 386,397.00
GENERAL FUND	TOTAL ALL GF DEPARTMENTS	\$ 401,292.82		\$ 10,456,498.00
FUND 102	GEN. FUND CAPITAL PROJECT	\$ 817.50	\$ 909.95	\$ 4,541,710.00
FUND 205	CDBG	\$ -	\$ -	\$ 74,559.00
FUND 206	CEMETERY	\$ 5,801.86	\$ 51,264.50	\$ 258,022.00
FUND 208	CALTRANS GRANTS	\$ -	\$ -	\$ 1,173,000.00
FUND 210	SPECIAL GAS TAX	\$ -	\$ -	\$ 258,629.00
FUND 213	DEPT OF HOUSE. & COMM DEVL	\$ -	\$ 30,502.50	\$ 48,522.00
FUND 214	SANBAG NEW LOCAL MEAS I	\$ -	\$ -	\$ 450,000.00
FUND 225	COPS-AB 3229 SUPPLEMENTAL	\$ 20,514.85	\$ 50,770.02	\$ 272,973.00
FUND 233	JACK SMITH PARK MARINA	\$ -	\$ 10,888.20	\$ 175,308.00
FUND 238	STATE RECREATION GRANTS	\$ -	\$ 100.30	\$ 2,819,424.00
FUND 239	CA.CONSERV RECYLING GRANT	\$ -	\$ 2,919.16	\$ 25,436.00
FUND 270	REDEVELOPMENT AGENCY	\$ -	\$ -	\$ 20,000.00
FUND 470	RDA CAP PROJ.LOW & MOD.	\$ -	\$ 10,000.00	\$ 100,954.00
FUND 501	NPUA	\$ 1,251.14	\$ 709,194.59	\$ 2,639,851.00
FUND 502	WATER DEPARTMENT	\$ 17,537.07	\$ 330,928.91	\$ 2,161,380.00
FUND 503	WASTEWATER DEPARTMENT	\$ 33,407.11	\$ 244,813.86	\$ 1,312,828.00
FUND 505	SANITATION	\$ -	\$ 217,083.58	\$ 1,563,015.00
FUND 506	ALL AMERICAN CANAL PROJ.	\$ 134.99	\$ 16,143.80	\$ 1,041,800.00
FUND 507	GOLF FUND	\$ -	\$ -	
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	\$ 10,959.14	\$ 174,793.88	\$ 696,256.00
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	\$ 3,542.25	\$ 70,093.68	\$ 413,638.00
FUND 507	GOLF FUND TOTAL	\$ 14,501.39		
FUND 508	CUST.SVC/UT BUSINESS OFFICE	\$ 1,222.96	\$ 63,813.37	\$ 496,825.00
FUND 509	MIS	\$ 6,002.37	\$ 55,131.43	\$ 273,100.00
FUND 510	ADMIN. FACILITY	\$ 11,146.29	\$ 77,830.58	\$ 244,375.00
FUND 511	FLEET MANAGEMENT	\$ 476.08	\$ 44,424.65	\$ 278,476.00
FUND 512	VEHICLE REPLACEMENT	\$ -	\$ 6,847.35	\$ 22,199.62
FUND 520	SR DIAL A RIDE	\$ 7,157.92	\$ 22,938.38	\$ 453,450.00
FUND 521	DIAL-A-RIDE MEDICAL TRANS.	\$ 977.52	\$ 3,511.86	\$ 22,320.00
FUND 525	NEEDLES AREA TRANSIT (NAT)	\$ 36,839.22	\$ 127,400.41	\$ 808,479.00
FUND 575	HOUSING	\$ 104,392.93	\$ 431,998.43	\$ 1,434,443.00
FUND 580	ELECTRIC	\$ 60,468.65	\$ 4,909,724.12	\$ 12,742,061.00
FUND 581	NPUA CAPITAL ELECTRIC	\$ -	\$ 12,469.46	\$ 506,170.00
FUND 582	NPUA CAPITAL WATER	\$ 841,934.11	\$ 2,214,811.18	\$ 8,052,289.00
TOTAL	ALL FUNDS & DEPARTMENTS	\$ 1,565,876.78	\$ 12,364,055.91	\$ 55,837,990.62

I certify that the expenditures/purchases to be paid by the warrants on this list have complied with the provisions of the City Code Chapter 8, Article II, Purchasing; and further, the funds to cover these purchases/expenditures, as City Audited, are included within the City

Rick Daniels, City Manager

Date

Finance Department

Date

Virginia Tasker, City Treasurer

Date

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
19283	1008	00	ACUSHNET COMPANY	10/24/2023	984.15	.00
19284	1924	00	AHA MACAV POWER SERVICE	10/24/2023	633.33	.00
19285	3635	00	ANIXTER INC	10/24/2023	1,266.04	.00
19286	1	00	BALL, RICHARD	10/24/2023	118.38	.00
19287	3916	00	BARBARA DILEO	10/24/2023	903.16	.00
19288	2629	00	BARON PEST SOLUTIONS	10/24/2023	95.00	.00
19289	3595	00	BOOT BARN	10/24/2023	482.25	.00
19290	7	00	BORDER STATES INDUSTRIES, INC.	10/24/2023	3,967.72	.00
19291	3479	00	BRAUN BLAISING & WYNNE P.C.	10/24/2023	662.14	.00
19292	3392	00	BUG EMERGENCY INC.	10/24/2023	660.00	.00
19293	4059	00	BULLHEAD URGENT CARE CENTER	10/24/2023	200.00	.00
19294	2328	00	CALZON FENCE CO.	10/24/2023	4,990.00	.00
19295	4138	00	CLUB CADDIE HOLDINGS INC.	10/24/2023	449.00	.00
19296	455	00	CULLIGAN WATER COND.	10/24/2023	44.80	.00
19297	2934	00	DANA KEPNER COMPANY INC.	10/24/2023	2,341.84	.00
19298	3019	00	DAPHNE'S HEADCOVERS	10/24/2023	509.20	.00
19299	440	00	DECO FOODSERVICE INCORP.	10/24/2023	1,677.03	.00
19300	3523	00	DEVELOPMENT MANAGEMENT GROUP INC.	10/24/2023	11,380.21	.00
19301	3580	00	DIAMOND PURE WATER	10/24/2023	75.00	.00
19302	1	00	DOMINGUEZ, HAYLEERAIN	10/24/2023	113.84	.00
19303	3890	00	EAN SERVICES, LLC	10/24/2023	305.05	.00
19304	2653	00	EMPIRE SOUTHWEST	10/24/2023	153.12	.00
19305	3462	00	EUSI LLC	10/24/2023	26,177.24	.00
19306	615	00	FEDEX	10/24/2023	152.46	.00
19307	1	00	FERREL, KARL	10/24/2023	410.61	.00
19308	4087	00	FINAL TOUCH CONSTRUCTION & DESIGN	10/24/2023	95,959.50	.00
19309	4092	00	FOREUP GOLF SOFTWARE	10/24/2023	159.00	.00
19310	324	00	GRAINGER	10/24/2023	686.71	.00
19311	3451	00	GREENS ELECTRIC, LLC	10/24/2023	8,256.82	.00
19312	3966	00	GT GOLF SUPPLIES	10/24/2023	288.42	.00
19313	2612	00	HARDWARE EXPRESS INCORP.	10/24/2023	663.38	.00
19314	1	00	HERNANDEZ, JOSHUA	10/24/2023	115.94	.00
19315	1	00	HICKS, BRITTANY	10/24/2023	99.73	.00
19316	2489	01	THE HOME DEPOT PRO	10/24/2023	129.84	.00
19317	3864	00	HORIZON TECHNOLOGIES INC.	10/24/2023	980.00	.00
19318	3445	00	HUMANE SOCIETY MOHAVE COUNTY	10/24/2023	90.00	.00
19319	4000	00	JARROD DELEON	10/24/2023	832.34	.00
19320	4064	00	JIM DAVIS, LLC	10/24/2023	2,495.49	.00
19321	61	00	KNORR SYSTEMS, INT'L	10/24/2023	3,667.41	.00
19322	1	00	LABOR LAW POSTER SERVICE	10/24/2023	89.50	.00
19323	125	00	MCCORMICK CONSTRUCTION CO.	10/24/2023	3,270.20	.00
19324	2485	00	MESA VALLEY PIPE & SUPPLY	10/24/2023	135.12	.00
19325	139	00	MOHAVE VALLEY LANDFILL-4522	10/24/2023	13.05	.00
19326	1	00	MONICA RODRIGUEZ	10/24/2023	240.00	.00
19327	4125	00	NANCY HUFF	10/24/2023	150.83	.00
19328	1786	00	NPUA	10/24/2023	VOID	.00
19329	1786	00	NPUA	10/24/2023	31,270.83	.00
19330	3315	00	ONLINE INFORMATION SERVICES	10/24/2023	664.00	.00
19331	4074	00	PACIFIC HYDROTECH CORPORATION	10/24/2023	806,892.00	.00
19332	3767	00	PATRICK MARTINEZ	10/24/2023	160.15	.00
19333	240	00	PITNEY BOWES GLOBAL FINANCIAL SVS	10/24/2023	2,906.01	.00

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
19334	1	00	POULSON, KAREN	10/24/2023	392.64	.00
19335	15	00	QUILL LLC	10/24/2023	2,817.21	.00
19336	818	00	R & R PRODUCTS INC.	10/24/2023	4,054.09	.00
19337	3558	00	RICK DANIELS	10/24/2023	423.26	.00
19338	2068	00	RICOH USA, INC.	10/24/2023	290.31	.00
19339	3796	00	ROUTE 66 BROADBAND LLC	10/24/2023	403.13	.00
19340	3361	00	S.B. COUNTY SHERIFF'S DEPARTMENT	10/24/2023	352,393.94	.00
19341	4001	00	SIMPLLOT TURF & HORTICULTURE	10/24/2023	4,033.09	.00
19342	3344	00	SLOVAK BARON & EMPEY LLP	10/24/2023	44,411.31	.00
19343	4121	00	SMART DOCUMENT SOLUTIONS	10/24/2023	186.95	.00
19344	3875	00	STANTEC CONSULTING SERVICES INC.	10/24/2023	995.84	.00
19345	481	00	STAPLES BUSINESS CREDIT	10/24/2023	1,264.19	.00
19346	3605	00	STATEWIDE TRAFFIC SAFETY & SIGNS	10/24/2023	8,363.00	.00
19347	231	00	THE MERLIN GROUP	10/24/2023	848.77	.00
19348	4008	00	THE PRINTER GUYS LLC	10/24/2023	1,033.99	.00
19349	3950	00	TKE ENGINEERING INC	10/24/2023	5,480.00	.00
19350	3917	00	TOUCHSTONE GOLF LLC	10/24/2023	2,847.80	.00
19351	3873	00	TRANSPORTATION CONCEPTS	10/24/2023	44,974.66	.00
19352	2798	00	U.S. DEPARTMENT OF ENERGY	10/24/2023	27,847.44	.00
19353	3825	00	ULTRA PEST CONTROL, LLC	10/24/2023	45.00	.00
19354	315	00	UNDERGROUND SERVICE ALERT OF SO CAL	10/24/2023	43.25	.00
19355	3830	00	UNIFIRST CORPORATION	10/24/2023	734.33	.00
19356	761	00	USABUEBOOK	10/24/2023	1,723.49	.00
19357	4124	00	WEBER WATER RESOURCES, LLC	10/24/2023	31,839.38	.00
19358	326	00	WESTERN ALARM SERVICES, INC.	10/24/2023	60.00	.00
19359	3528	00	WESTERN ENVIRONMENTAL TESTING LAB.	10/24/2023	282.00	.00
19360	1023	00	XEROX	10/24/2023	108.67	.00
19361	3842	00	XIO, INC.	10/24/2023	1,117.73	.00
19362	1293	00	ZUBRICK T-SHIRTS	10/24/2023	1,591.10	.00
19363	3828	00	3D-NETWORKS LLC	10/24/2023	6,302.37	.00
NUMBER OF CHECKS				81	GRAND TOTAL	1,565,876.78

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING							
CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	CHECK TOTAL
19283	1008	ACUSHNET COMPANY	002187 002370		10/24/2023 10/24/2023	507-5762-454.44-10 507-5762-454.44-10	492.07 492.08 984.15 *
19284	1924	AHA MACAV POWER SERVICE	002155		10/24/2023	580-4750-473.61-21	633.33 633.33 *
19285	3635	ANIXTER	002330		10/24/2023	580-4750-473.60-55	1,266.04 1,266.04 *
19286	1	BALL, RICHARD	UT		10/24/2023	501-0000-211.00-00	118.38 118.38 *
19287	3916	BARBARA DILEO	002277 002278 002279 002280 002281 002282 002283 002284 002285 002286 002287 002288 002289		10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023	101-1020-413.61-01 101-1025-415.61-01 101-1030-414.61-31 101-1030-414.61-45 101-1035-416.31-20 101-1040-417.55-00 101-1070-410.43-04 101-2030-423.55-00 502-4710-471.31-40 502-4710-471.52-20 502-4710-471.69-22 503-4720-475.41-10 508-4810-478.31-40	36.99 81.86 218.24 45.00 140.00 79.00 19.39 23.00 52.66 67.01 17.07 41.94 81.00 903.16 *
19288	2629	BARON PEST SOLUTIONS	002188		10/24/2023	510-4410-405.43-01	95.00 95.00 *
19289	3595	BOOT BARN	002229 002322		10/24/2023 10/24/2023	575-5555-485.60-28 101-3010-431.60-28	173.39 308.86 482.25 *
19290	7	BORDER STATES INDUSTRIES,	002155 002155 002158 002159		10/24/2023 10/24/2023 10/24/2023 10/24/2023	580-4750-473.60-55 580-4750-473.60-55 580-4750-473.60-55 580-4750-473.60-55	245.21 3,152.23 250.27 320.01 3,967.72 *
19291	3479	BRAUN BLAISING & WYNNE P.	002086		10/24/2023	580-4750-473.31-50	662.14 662.14 *
19292	3392	BUG EMERGENCY INC.	002084 002085 002087 002088		10/24/2023 10/24/2023 10/24/2023 10/24/2023	575-5555-485.43-02 575-5555-485.43-02 575-5555-485.43-02 575-5555-485.43-02	80.00 250.00 80.00 250.00 660.00 *

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19293	4059	BULLHEAD URGENT CARE CENT	002189		10/24/2023	502-4710-471.31-20	200.00 200.00 *	200.00
19294	2328	CALZON FENCE CO.	002345		10/24/2023	575-5555-485.43-02	4,990.00 4,990.00 *	4,990.00
19295	4138	CLUB CADDIE HOLDINGS INC.	002155		10/24/2023	507-5762-454.61-09	449.00 449.00 *	449.00
19296	455	CULLIGAN WATER COND.	002241		10/24/2023	511-3020-432.43-29	44.80 44.80 *	44.80
19297	2934	DANA KEPNER COMPANY INC.	002186		10/24/2023	502-4710-471.60-55	2,341.84 2,341.84 *	2,341.84
19298	3019	DAPHNE'S HEADCOVERS	002356		10/24/2023	507-5762-454.44-10	509.20 509.20 *	509.20
19299	440	DECO FOODSERVICE INCORP.	002061 002062 002155 002190 002191 002192 002193 002194 002195		10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023	580-4750-473.61-21 502-4710-471.61-21 507-5762-454.61-06 580-4750-473.69-22 502-4710-471.69-22 580-4750-473.69-22 502-4710-471.69-22 502-4710-471.61-21 580-4750-473.61-21	210.00 210.00 82.29 30.40 30.39 317.22 317.21 239.76 239.76 1,677.03 *	210.00 210.00 82.29 30.40 30.39 317.22 317.21 239.76 239.76 1,677.03
19300	3523	DEVELOPMENT MANAGEMENT GR	PI0069 PI0070 PI0071 PI0072	024054 024054 024054 024054	10/24/2023 10/24/2023 10/24/2023 10/24/2023	101-1060-410.53-05 502-4710-471.53-05 503-4720-475.53-05 580-4750-473.53-05	3,641.67 1,934.64 1,024.22 4,779.68 11,380.21 *	3,641.67 1,934.64 1,024.22 4,779.68 11,380.21
19301	3580	DIAMOND PURE WATER	002155 002242 002243 002353		10/24/2023 10/24/2023 10/24/2023 10/24/2023	510-4410-405.61-01 511-3020-432.43-29 511-3020-432.43-29 101-5770-452.61-01	48.00 11.00 6.00 10.00 75.00 *	48.00 11.00 6.00 10.00 75.00
19302	1	DOMINGUEZ, HAYLEERAIN	UT		10/24/2023	501-0000-211.00-00	113.84 113.84 *	113.84
19303	3890	EAN SERVICES, LLC	002155		10/24/2023	580-4750-473.31-40	305.05 305.05 *	305.05
19304	2653	EMPIRE SOUTHWEST	002244		10/24/2023	511-3020-432.43-29	153.12 153.12 *	153.12

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19313	2612	HARDWARE EXPRESS INCORP.	002358		10/24/2023	507-5762-454.43-08	12.77	
			002359		10/24/2023	507-5762-454.43-08	9.48	
			002360		10/24/2023	507-5762-454.43-08	11.45	
			002361		10/24/2023	507-5762-454.43-08	9.76	
							663.38	663.38
19314	1	HERNANDEZ, JOSHUA	UT		10/24/2023	501-0000-211.00-00	115.94	115.94
							115.94	
19315	1	HICKS, BRITTANY	UT		10/24/2023	501-0000-211.00-00	99.73	99.73
							99.73	
19316	2489	HOME DEPOT CREDIT SERVICE	002347		10/24/2023	575-5555-485.43-02	129.84	129.84
							129.84	
19317	3864	HORIZON TECHNOLOGIES INC.	002155		10/24/2023	101-2020-423.52-10	70.00	
			002155		10/24/2023	101-2030-423.52-10	70.00	
			002155		10/24/2023	508-4810-478.52-10	70.00	
			002155		10/24/2023	503-4720-475.52-10	140.00	
			002155		10/24/2023	502-4710-471.52-10	280.00	
			002155		10/24/2023	580-4750-473.52-10	175.00	
			002155		10/24/2023	101-3010-431.52-10	175.00	
							980.00	980.00
19318	3445	HUMANE SOCIETY MOHAVE COU	002155		10/24/2023	101-0000-204.06-00	90.00	90.00
							90.00	
19319	4000	JARROD DELEON	002183		10/24/2023	507-5762-454.43-08	65.00	
			002184		10/24/2023	507-5761-453.43-17	534.63	
			002362		10/24/2023	507-5762-454.61-07	56.01	
			002363		10/24/2023	507-5761-453.61-04	176.70	
							832.34	832.34
19320	4064	JIM DAVIS, LLC	002364		10/24/2023	507-5761-453.60-10	2,495.49	2,495.49
							2,495.49	
19321	61	KNORR SYSTEMS, INT'L	002353		10/24/2023	101-5770-452.60-32	3,667.41	3,667.41
							3,667.41	
19322	1	LABOR LAW POSTER SERVICE	002350		10/24/2023	575-5555-485.61-01	89.50	89.50
							89.50	
19323	125	MCCORMICK CONSTRUCTION CO	002309		10/24/2023	502-4710-471.43-60	3,270.20	3,270.20
							3,270.20	
19324	2485	MESA VALLEY PIPE & SUPPLY	002255		10/24/2023	101-5772-452.61-12	135.12	135.12
							135.12	
19325	139	MOHAVE VALLEY LANDFILL-45	002197		10/24/2023	101-2020-423.58-00	13.05	13.05
							13.05	

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19326	1	MONICA RODRIGUEZ	002348		10/24/2023	101-0000-362.01-00	240.00 240.00 *	240.00
19327	4125	NANCY HUFF	002335		10/24/2023	101-1035-416.61-01	150.83 150.83 *	150.83
19328	1786	NPUA	002166		10/24/2023	502-4710-471.41-10	35.76	VOIDED
19329	1786	NPUA	002221		10/24/2023	502-4710-471.41-10	2,540.53	
			002222		10/24/2023	580-4750-473.41-11	34.01	
			002223		10/24/2023	510-4410-405.41-10	1,302.28	
			002224		10/24/2023	510-4410-405.41-20	231.59	
			002225		10/24/2023	510-4410-405.41-30	2,374.52	
			002226		10/24/2023	101-5772-452.41-10	1,097.29	
			002257		10/24/2023	101-5772-452.41-10	69.70	
			002258		10/24/2023	101-5772-452.41-10	51.09	
			002259		10/24/2023	101-5772-452.41-20	74.28	
			002293		10/24/2023	503-4720-475.41-10	34.01	
			002294		10/24/2023	503-4720-475.41-20	232.37	
			002295		10/24/2023	503-4720-475.41-10	59.44	
			002296		10/24/2023	503-4720-475.41-20	76.78	
			002297		10/24/2023	503-4720-475.41-10	2,232.15	
			002298		10/24/2023	503-4720-475.41-20	211.60	
			002299		10/24/2023	101-2020-423.41-10	315.55	
			002300		10/24/2023	101-2020-423.41-20	68.46	
			002301		10/24/2023	101-2020-423.41-30	163.76	
			002302		10/24/2023	502-4710-471.41-10	49.07	
			002303		10/24/2023	502-4710-471.41-10	47.77	
			002304		10/24/2023	101-1070-410.41-10	1,228.68	
			002305		10/24/2023	101-1070-410.41-20	236.98	
			002306		10/24/2023	101-1070-410.41-30	81.88	
			002307		10/24/2023	580-4750-473.41-11	2,812.27	
			002308		10/24/2023	580-4750-473.41-11	33.38	
			002323		10/24/2023	206-5771-452.41-10	42.90	
			002324		10/24/2023	206-5771-452.41-20	5,677.08	
			002325		10/24/2023	206-5771-452.41-30	81.88	
			002342		10/24/2023	101-3010-431.41-10	370.51	
			002342		10/24/2023	101-3010-431.41-10	60.41	
			002342		10/24/2023	101-3010-431.41-20	409.40	
			002342		10/24/2023	101-5772-452.41-20	48.57	
			002342		10/24/2023	101-5772-452.41-30	211.63	
			002342		10/24/2023	101-5772-452.41-10	81.88	
			002342		10/24/2023	101-5772-452.41-10	115.14	
			002342		10/24/2023	101-5772-452.41-10	208.93	
			002342		10/24/2023	101-5772-452.41-20	45.88	
			002342		10/24/2023	101-5772-452.41-10	63.68	
			002342		10/24/2023	101-5772-452.41-10	35.93	
			002342		10/24/2023	101-5772-452.41-20	1,757.86	
			002343		10/24/2023	101-5772-452.41-30	81.88	
			002343		10/24/2023	101-5772-452.41-20	219.63	

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19329	1786	NPUA	002343 002343 002343 002343 002343 002343 002350 002350 002350 002350 002350 002350 002350		10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023	101-5772-452.41-20 101-5772-452.41-10 101-5772-452.41-10 101-5772-452.41-20 101-5772-452.41-20 101-5772-452.41-10 101-5770-452.41-10 101-5770-452.41-20 101-5770-452.41-30 101-5774-452.41-10 101-5774-452.41-20 101-5774-452.41-30 101-5774-452.41-10 101-5774-452.41-20 101-5773-452.41-10	45.88 34.01 721.16 53.21 2,570.06 15.91 1,278.95 211.60 81.88 381.11 225.85 163.76 190.01 45.88 43.17 31,270.83	31,270.83
19330	3315	ONLINE INFORMATION SERVIC	002186 002186		10/24/2023 10/24/2023	508-4810-478.31-46 508-4810-478.31-46	104.00 560.00 664.00	664.00
19331	4074	PACIFIC HYDROTECH CORPORA	FI0066	024016	10/24/2023	582-4710-471.71-05	806,892.00 806,892.00	806,892.00
19332	3767	PATRICK MARTINEZ	002272 002273 002274 002275		10/24/2023 10/24/2023 10/24/2023 10/24/2023	101-1035-416.55-00 101-1040-417.55-00 101-2025-424.55-00 101-2030-423.55-00	40.04 40.04 40.04 160.15	160.15
19333	240	PITNEY BOWES GLOBAL FINAN	002186		10/24/2023	510-4410-405.70-03	2,906.01 2,906.01	2,906.01
19334	1	POULSON, KAREN	UT		10/24/2023	501-0000-211.00-00	392.64 392.64	392.64
19335	15	QUILL LLC	002186 002339		10/24/2023 10/24/2023	510-4410-405.61-01 510-4410-405.61-01	231.22 2,585.99 2,817.21	2,817.21
19336	818	R & R PRODUCTS INC.	002187 002260 002351 002351 002365 002366 002367		10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023	507-5761-453.63-00 101-3010-431.43-57 101-5774-452.43-18 101-5774-452.60-24 507-5761-453.63-00 507-5761-453.63-00 507-5761-453.43-17	373.20 374.71 1,375.50 1,375.50 48.81 53.32 4,054.09	4,054.09
19337	3558	RICK DANIELS	002079		10/24/2023	101-1020-413.55-00	313.26	313.26

ACCOUNTS PAYABLE CHECK REGISTER BY BANK NUMBER

8:51:45

PREPARED 10/12/20

PROGRAM: GM346L

CITY OF NEEDLES

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

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CHECK NO	CHECK NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19342	3344	SLOVAK BARON EMPEY MURPHY	002322		10/24/2023	101-2030-423.31-50	2,248.20	
			002322		10/24/2023	101-2030-423.31-50	1,091.15	
			002322		10/24/2023	101-2030-423.31-50	2,203.40	
			002341		10/24/2023	575-5555-485.31-50	2,192.20	
							44,411.31	44,411.31
19343	4121	SMART DOCUMENT SOLUTION	002063		10/24/2023	575-5555-485.61-01	186.95	
							186.95	186.95
19344	3875	STANTEC CONSULTING SERVIC	PI0073	024055	10/24/2023	580-4750-473.31-10	497.92	
			PI0074	024055	10/24/2023	580-4750-473.31-10	497.92	
							995.84	995.84
19345	481	STAPLES	002064		10/24/2023	508-4810-478.61-01	187.42	
			002065		10/24/2023	510-4410-405.61-01	145.87	
			002066		10/24/2023	510-4410-405.61-01	62.98	
			002067		10/24/2023	508-4810-478.61-01	204.70	
			002068		10/24/2023	510-4410-405.61-01	145.87	
			002069		10/24/2023	101-1025-415.61-01	90.70	
			002115		10/24/2023	510-4410-405.61-06	426.65	
							1,264.19	1,264.19
19346	3605	STATEWIDE TRAFFIC SAFETY	002263		10/24/2023	101-3010-431.60-12	4,160.00	
			002264		10/24/2023	101-3010-431.70-19	4,203.00	
							8,363.00	8,363.00
19347	231	THE MERLIN GROUP	002070		10/24/2023	507-5761-453.61-04	848.77	
							848.77	848.77
19348	4008	THE PRINTER GUYS LLC	002080		10/24/2023	101-1040-417.61-02	44.75	
			002081		10/24/2023	101-1035-416.61-02	44.75	
			002082		10/24/2023	101-2025-424.61-02	44.75	
			002083		10/24/2023	101-2030-423.61-02	44.75	
			002167		10/24/2023	506-4713-477.61-01	134.99	
			002198		10/24/2023	101-1040-417.61-02	180.00	
			002199		10/24/2023	101-1035-416.61-02	180.00	
			002200		10/24/2023	101-2025-424.61-02	180.00	
			002201		10/24/2023	101-2030-423.61-02	180.00	
							1,033.99	1,033.99
19349	3950	TKE ENGINEERING INC	002336		10/24/2023	102-3010-431.71-22	817.50	
			002337		10/24/2023	582-4710-471.71-05	3,485.00	
			002338		10/24/2023	101-1040-417.31-16	1,057.50	
			002352		10/24/2023	101-0000-204.03-01	120.00	
							5,480.00	5,480.00
19350	3917	TOUCHSTONE GOLF LLC	002175		10/24/2023	507-5761-453.31-90	606.89	
			002176		10/24/2023	507-5762-454.31-90	326.78	
			002177		10/24/2023	507-5762-454.31-90	578.94	
			002178		10/24/2023	507-5761-453.31-90	1,335.19	

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19350	3917	TOUCHSTONE GOLF LLC					2,847.80 *	2,847.80
19351	3873	TRANSPORTATION CONCEPTS	002313		10/24/2023	520-4740-462.32-90	5,386.69	
			002314		10/24/2023	520-4740-462.51-20	1,369.49	
			002315		10/24/2023	520-4740-462.62-00	401.74	
			002316		10/24/2023	521-4740-462.32-90	534.71	
			002317		10/24/2023	521-4740-462.51-20	342.37	
			002318		10/24/2023	521-4740-462.62-00	100.44	
			002319		10/24/2023	525-4770-461.32-90	33,895.74	
			002320		10/24/2023	525-4770-461.62-00	2,943.48	
							44,974.66	44,974.66
19352	2798	U.S. DEPARTMENT OF ENERGY	002217		10/24/2023	580-4750-473.63-10	21,655.68	
			002218		10/24/2023	580-4750-473.63-10	6,191.76	
							27,847.44 *	27,847.44
19353	3825	ULTRA PEST CONTROL, LLC	002351		10/24/2023	101-5774-452.43-18	45.00	
							45.00 *	45.00
19354	315	UNDERGROUND SERVICE ALERT	002186		10/24/2023	503-4720-475.49-14	14.42	
			002186		10/24/2023	502-4710-471.43-04	14.42	
			002186		10/24/2023	580-4750-473.49-14	14.41	
							43.25 *	43.25
19355	3830	UNIFIRST CORPORATION	002171		10/24/2023	503-4720-475.61-04	17.80	
			002172		10/24/2023	502-4710-471.61-04	39.00	
			002173		10/24/2023	508-4810-478.61-04	7.92	
			002174		10/24/2023	580-4750-473.61-04	144.76	
			002267		10/24/2023	101-3010-431.61-04	132.26	
			002268		10/24/2023	101-5772-452.61-04	14.30	
			002269		10/24/2023	101-5772-452.61-04	13.53	
			002270		10/24/2023	575-5555-485.61-04	5.61	
			002271		10/24/2023	511-3020-432.61-04	124.84	
			002276		10/24/2023	575-5555-485.61-04	5.94	
			002326		10/24/2023	508-4810-478.61-04	7.92	
			002329		10/24/2023	502-4710-471.61-04	56.63	
			002331		10/24/2023	580-4750-473.61-04	144.76	
			002351		10/24/2023	101-5774-452.61-06	9.53	
			002351		10/24/2023	101-5774-452.61-06	734.33	734.33
19356	761	USABLUBOOK	002187		10/24/2023	503-4720-475.43-04	124.90	
			002328		10/24/2023	502-4710-471.43-57	1,598.59	
							1,723.49 *	1,723.49
19357	4124	WEBER WATER RESOURCES, LL	002219	024039	10/24/2023	502-4710-471.43-54	1,400.00	
			PI0068		10/24/2023	582-4710-471.71-07	30,439.38	
							31,839.38 *	31,839.38
19358	326	WESTERN ALARM SERVICE INC	002354		10/24/2023	101-5773-452.43-40	60.00	

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19358	326	WESTERN ALARM SERVICE INC					60.00 *	60.00
19359	3528	WESTERN ENVIRONMENTAL TES	002179		10/24/2023	503-4720-475.59-75	282.00 *	282.00
19360	1023	XEROX	002351		10/24/2023	101-5774-452.74-20	108.67 *	108.67
19361	3842	XIO, INC.	002220		10/24/2023	582-4710-471.71-05	1,117.73 *	1,117.73
19362	1293	ZUBRICK T-SHIRTS	002180 002351 002351		10/24/2023 10/24/2023 10/24/2023	503-4720-475.61-04 101-5774-452.60-24 101-5774-452.60-24	254.50 232.00 1,104.60	1,591.10
19363	3828	3D-NETWORKS LLC	002168 002169 002170 002265 002266 002312		10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023 10/24/2023	509-4910-479.31-90 509-4910-479.52-13 509-4910-479.31-53 510-4410-405.43-01 509-4910-479.31-53 509-4910-479.31-90	1,275.00 1,777.37 725.00 300.00 725.00 1,500.00	6,302.37
BANK/CHECK TOTAL							1,565,876.78	1,565,876.78
ALL BANKS/CHECKS TOTAL							1,565,876.78	1,565,876.78

**CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR OCTOBER 16, 2023**

		FUND AMT.	16-Oct	23-24 BUDGET
FUND 101	GENERAL FUND	\$ -		
101.1015.412	CITY ATTORNEY	\$ -	\$ 17,400.00	\$ 80,000.00
101.1020.413	CITY MANAGER	\$ -	\$ 32,459.10	\$ 230,592.00
101.1025.415	FINANCE DEPT.	\$ -	\$ 212,968.56	\$ 987,957.00
101.1030.414	CITY CLERK/COUNCIL/MAYOR	\$ -	\$ 44,431.11	\$ 329,339.00
101.1035.416	PLANNING /ZONING	\$ -	\$ 28,736.56	\$ 402,016.00
101.1040.417	ENGINEERING	\$ -	\$ 66,665.83	\$ 439,483.00
101.1060.410	COMMUNITY PROMOTIONS	\$ -	\$ 11,641.67	\$ 103,945.00
101.1070.410	SENIOR CENTER	\$ -	\$ 12,581.50	\$ 62,202.00
101.2010.421	SHERIFF	\$ -	\$ 1,262,807.60	\$ 3,759,034.00
101.2020.423	ANIMAL SHELTER/CONTROL	\$ -	\$ 42,961.37	\$ 261,130.00
101.2025.424	BULDING & SAFETY	\$ -	\$ 58,848.09	\$ 488,742.00
101.2030.423	CODE ENFORCEMENT	\$ -	\$ 155,707.23	\$ 806,188.00
101.3010.431	PUBLIC WORKS	\$ 16,775.00	\$ 141,347.96	\$ 818,943.00
101.4730.472	SANITATION	\$ -	\$ 13,644.97	\$ 177,467.00
101.5770.452.	AQUATICS	\$ -	\$ 63,214.46	\$ 246,913.00
101.5772.452	PARKS	\$ -	\$ 134,348.91	\$ 760,504.00
101.5773.452	JACK SMITH PARK MARINA	\$ -	\$ 21,245.11	\$ 115,646.00
101.5774.452	RECREATION	\$ -	\$ 151,737.73	\$ 386,397.00
GENERAL FUND	TOTAL ALL GF DEPARTMENTS	\$ 16,775.00		\$ 10,456,498.00
FUND 102	GEN. FUND CAPITAL PROJECT	\$ -	\$ 909.95	\$ 4,541,710.00
FUND 205	CDBG	\$ -	\$ -	\$ 74,559.00
FUND 206	CEMETERY	\$ -	\$ 51,264.50	\$ 258,022.00
FUND 208	CALTRANS GRANTS	\$ -	\$ -	\$ 1,173,000.00
FUND 210	SPECIAL GAS TAX	\$ -	\$ -	\$ 258,629.00
FUND 213	DEPT OF HOUSE. & COMM DEVL	\$ -	\$ 30,502.50	\$ 48,522.00
FUND 214	SANBAG NEW LOCAL MEAS I	\$ -	\$ -	\$ 450,000.00
FUND 225	COPS-AB 3229 SUPPLEMENTAL	\$ -	\$ 50,770.02	\$ 272,973.00
FUND 233	JACK SMITH PARK MARINA	\$ -	\$ 10,888.20	\$ 175,308.00
FUND 238	STATE RECREATION GRANTS	\$ -	\$ 100.30	\$ 2,819,424.00
FUND 239	CA.CONSERV RECYLING GRANT	\$ -	\$ 2,919.16	\$ 25,436.00
FUND 270	REDEVELOPMENT AGENCY	\$ -	\$ -	\$ 20,000.00
FUND 470	RDA CAP PROJ.LOW & MOD.	\$ -	\$ 10,000.00	\$ 100,954.00
FUND 501	NPUA	\$ -	\$ 709,194.59	\$ 2,639,851.00
FUND 502	WATER DEPARTMENT	\$ -	\$ 330,928.91	\$ 2,161,380.00
FUND 503	WASTEWATER DEPARTMENT	\$ -	\$ 244,813.86	\$ 1,312,828.00
FUND 505	SANITATION	\$ -	\$ 217,083.58	\$ 1,563,015.00
FUND 506	ALL AMERICAN CANAL PROJ.	\$ -	\$ 16,143.80	\$ 1,041,800.00
FUND 507	GOLF FUND	\$ -	\$ -	
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	\$ -	\$ 174,793.88	\$ 696,256.00
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	\$ -	\$ 70,093.68	\$ 413,638.00
FUND 507	GOLF FUND TOTAL	\$ -		
FUND 508	CUST.SVC/UT BUSINESS OFFICE	\$ -	\$ 63,813.37	\$ 496,825.00
FUND 509	MIS	\$ -	\$ 55,131.43	\$ 273,100.00
FUND 510	ADMIN. FACILITY	\$ -	\$ 77,830.58	\$ 244,375.00
FUND 511	FLEET MANAGEMENT	\$ -	\$ 44,424.65	\$ 278,476.00
FUND 512	VEHICLE REPLACEMENT	\$ -	\$ 6,847.35	\$ 22,199.62
FUND 520	SR DIAL A RIDE	\$ -	\$ 22,938.38	\$ 453,450.00
FUND 521	DIAL-A-RIDE MEDICAL TRANS.	\$ -	\$ 3,511.86	\$ 22,320.00
FUND 525	NEEDLES AREA TRANSIT (NAT)	\$ -	\$ 127,400.41	\$ 808,479.00
FUND 575	HOUSING	\$ -	\$ 431,998.43	\$ 1,434,443.00
FUND 580	ELECTRIC	\$ -	\$ 4,909,724.12	\$ 12,742,061.00
FUND 581	NPUA CAPITAL ELECTRIC	\$ -	\$ 12,469.46	\$ 506,170.00
FUND 582	NPUA CAPITAL WATER	\$ -	\$ 2,214,811.18	\$ 8,052,289.00
TOTAL	ALL FUNDS & DEPARTMENTS	\$ 16,775.00	\$ 12,364,055.91	\$ 55,837,990.62

I certify that the expenditures/purchases to be paid by the warrants on this list have complied with the provisions of the City Code Chapter 8, Article II, Purchasing; and further, the funds to cover these purchases/expenditures, as City Audited, are included within the City

Rick Daniels, City Manager

Date

Finance Department

Date

Virginia Tasker, City Treasurer

Date

ACCOUNTS PAYABLE PRELIMINARY CHECK REGISTER

8:36:23

PREPARED 10/16/2023,
PROGRAM: GM348U
CITY OF NEEDLES
BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
19364	1	00	VINTAGE VEHICLE RESTORATIONS INC	10/16/2023	16,775.00	.00
NUMBER OF CHECKS				1	GRAND TOTAL	16,775.00

ACCOUNTS PAYABLE CHECK REGISTER BY BANK NUMBER

8:38:14

PREPARED 10/16/2023,

PROGRAM: GM346L

CITY OF NEEDLES

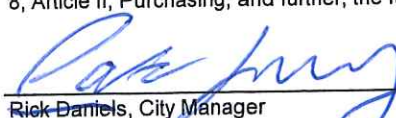
CITY OF NEEDLES
BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CITY OF NEEDLES BANK 04	WELLS FARGO BANK	CITY GENERAL CHECKING	CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19124*	1	VINTAGE VEHICLE RESTORATI	001705					09/14/2023	101-3010-431.43-04	16,775.00- 16,775.00-*	VOIDED
19364	1	VINTAGE VEHICLE RESTORATI	002397					10/16/2023	101-3010-431.43-04	16,775.00 16,775.00*	16,775.00
BANK/CHECK TOTAL										.00	16,775.00
ALL BANKS/CHECKS TOTAL											16,775.00

**CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR OCTOBER 06, 2023**

		FUND AMT.	6-Oct	23-24 BUDGET
FUND 101	GENERAL FUND	\$ 8,024.13		
101.1015.412	CITY ATTORNEY	\$ -	\$ 11,600.00	\$ 80,000.00
101.1020.413	CITY MANAGER	\$ 182.11	\$ 32,312.11	\$ 230,592.00
101.1025.415	FINANCE DEPT.	\$ 816.39	\$ 204,594.50	\$ 987,957.00
101.1030.414	CITY CLERK/COUNCIL/MAYOR	\$ 3,135.48	\$ 44,167.87	\$ 329,339.00
101.1035.416	PLANNING /ZONING	\$ 137.38	\$ 28,225.69	\$ 402,016.00
101.1040.417	ENGINEERING	\$ 410.85	\$ 65,309.29	\$ 439,483.00
101.1060.410	COMMUNITY PROMOTIONS	\$ -	\$ 8,000.00	\$ 103,945.00
101.1070.410	SENIOR CENTER	\$ -	\$ 11,011.99	\$ 62,202.00
101.2010.421	SHERIFF	\$ -	\$ 930,928.51	\$ 3,759,034.00
101.2020.423	ANIMAL SHELTER/CONTROL	\$ 151.33	\$ 42,055.62	\$ 261,130.00
101.2025.424	BUILDING & SAFETY	\$ 364.97	\$ 58,673.00	\$ 488,742.00
101.2030.423	CODE ENFORCEMENT	\$ 797.17	\$ 138,728.68	\$ 806,188.00
101.3010.431	PUBLIC WORKS	\$ 655.00	\$ 127,785.88	\$ 818,943.00
101.4730.472	SANITATION	\$ 66.76	\$ 13,227.85	\$ 177,467.00
101.5770.452	AQUATICS	\$ -	\$ 58,104.62	\$ 246,913.00
101.5772.452	PARKS	\$ 645.45	\$ 125,009.07	\$ 760,504.00
101.5773.452	JACK SMITH PARK MARINA	\$ 101.23	\$ 21,141.94	\$ 115,646.00
101.5774.452	RECREATION	\$ 220.06	\$ 146,417.89	\$ 386,397.00
GENERAL FUND	TOTAL ALL GF DEPARTMENTS	\$ 15,708.31		\$ 10,456,498.00
FUND 102	GEN. FUND CAPITAL PROJECT	\$ -	\$ 92.45	\$ 4,541,710.00
FUND 205	CDBG	\$ -	\$ -	\$ 74,559.00
FUND 206	CEMETERY	\$ 256.87	\$ 45,376.25	\$ 258,022.00
FUND 208	CALTRANS GRANTS	\$ -	\$ -	\$ 1,173,000.00
FUND 210	SPECIAL GAS TAX	\$ -	\$ -	\$ 258,629.00
FUND 213	DEPT OF HOUSE. & COMM DEVL	\$ -	\$ 30,502.50	\$ 48,522.00
FUND 214	SANBAG NEW LOCAL MEAS I	\$ -	\$ -	\$ 450,000.00
FUND 225	COPS-AB 3229 SUPPLEMENTAL	\$ -	\$ 30,255.17	\$ 272,973.00
FUND 233	JACK SMITH PARK MARINA	\$ -	\$ 10,888.20	\$ 175,308.00
FUND 238	STATE RECREATION GRANTS	\$ -	\$ 100.30	\$ 2,819,424.00
FUND 239	CA. CONSERV RECYCLING GRANT	\$ -	\$ 2,919.16	\$ 25,436.00
FUND 270	REDEVELOPMENT AGENCY	\$ -	\$ -	\$ 20,000.00
FUND 470	RDA CAP PROJ.LOW & MOD.	\$ -	\$ 10,000.00	\$ 100,954.00
FUND 501	NPUA	\$ -	\$ 709,194.59	\$ 2,639,851.00
FUND 502	WATER DEPARTMENT	\$ 1,800.76	\$ 311,607.90	\$ 2,161,380.00
FUND 503	WASTEWATER DEPARTMENT	\$ 628.58	\$ 211,297.73	\$ 1,312,828.00
FUND 505	SANITATION	\$ -	\$ 217,083.58	\$ 1,563,015.00
FUND 506	ALL AMERICAN CANAL PROJ.	\$ 128.79	\$ 15,485.76	\$ 1,041,800.00
FUND 507	GOLF FUND	\$ -	\$ -	
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	\$ -	\$ 162,734.04	\$ 696,256.00
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	\$ -	\$ 66,551.43	\$ 413,638.00
FUND 507	GOLF FUND TOTAL	\$ -		
FUND 508	CUST.SVC/UT BUSINESS OFFICE	\$ 726.77	\$ 62,982.53	\$ 496,825.00
FUND 509	MIS	\$ -	\$ 49,129.06	\$ 273,100.00
FUND 510	ADMIN. FACILITY	\$ -	\$ 67,345.87	\$ 244,375.00
FUND 511	FLEET MANAGEMENT	\$ 310.53	\$ 41,272.56	\$ 278,476.00
FUND 512	VEHICLE REPLACEMENT	\$ -	\$ 6,847.35	\$ 22,199.62
FUND 520	SR DIAL A RIDE	\$ -	\$ 15,780.46	\$ 453,450.00
FUND 521	DIAL-A-RIDE MEDICAL TRANS.	\$ -	\$ 2,534.34	\$ 22,320.00
FUND 525	NEEDLES AREA TRANSIT (NAT)	\$ -	\$ 90,561.19	\$ 808,479.00
FUND 575	HOUSING	\$ 1,075.00	\$ 328,433.54	\$ 1,434,443.00
FUND 580	ELECTRIC	\$ 5,178.40	\$ 4,856,714.14	\$ 12,742,061.00
FUND 581	NPUA CAPITAL ELECTRIC	\$ -	\$ 12,469.46	\$ 506,170.00
FUND 582	NPUA CAPITAL WATER	\$ -	\$ 1,372,877.07	\$ 8,052,289.00
TOTAL	ALL FUNDS & DEPARTMENTS	\$ 25,814.01	\$ 10,798,331.14	\$ 55,837,990.62

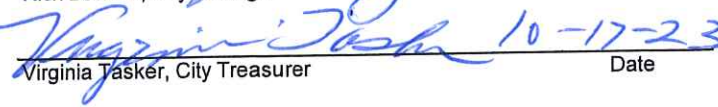
I certify that the expenditures/purchases to be paid by the warrants on this list have complied with the provisions of the City Code Chapter 8, Article II, Purchasing; and further, the funds to cover these purchases/expenditures, as City Audited, are included within the City


Rick Daniels, City Manager

Date


Pauline Smith, Finance Department

Date


Virginia Tasker, City Treasurer

Date

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/ TAKEN	RETAINAGE
19269	1924	00	AHA MACAV POWER SERVICE	10/06/2023	508.66		.00
19270	4022	00	BENEFIT COORDINATORS CORPORATION	10/06/2023	3,621.30		.00
19271	3275	00	CALIFORNIA STATE DISB.UNIT	10/06/2023	255.23		.00
19272	3286	00	COLONIAL LIFE	10/06/2023	3,359.80		.00
19273	3943	00	ELLEN CAMPBELL	10/06/2023	963.39		.00
19274	1305	00	GREAT WEST LIFE	10/06/2023	6,049.00		.00
19275	3634	00	GREAT-WEST LIFE & ANNUITY	10/06/2023	1,188.49		.00
19276	3949	00	JANET JERNIGAN	10/06/2023	970.25		.00
19277	4077	00	JOANNE POGUE	10/06/2023	846.99		.00
19278	3458	00	MUTUAL OF OMAHA	10/06/2023	5,232.64		.00
19279	4144	00	NAN KAY AND ASSOCIATES, INC.	10/06/2023	239.00		.00
19280	1199	00	SBPEA TEAMSTERS LOCAL 1932	10/06/2023	1,144.07		.00
19281	1199	00	SBPEA TEAMSTERS LOCAL 1932	10/06/2023	527.78		.00
19282	1217	00	VISION SERVICE PLAN	10/06/2023	907.41		.00

NUMBER OF CHECKS 14 GRAND TOTAL 25,814.01

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19269	1924	AHA MACAV POWER SERVICE	002149		10/06/2023	580-4750-473.63-12	508.66 508.66 *	508.66
19270	4022	BENEFIT COORDINATORS CORP	002119		10/06/2023	101-1020-413.24-10	74.78	
			002119		10/06/2023	101-1025-415.24-10	326.54	
			002119		10/06/2023	101-1030-414.24-10	155.04	
			002119		10/06/2023	101-1035-416.24-10	81.79	
			002119		10/06/2023	101-1040-417.24-10	103.10	
			002119		10/06/2023	101-2025-424.24-10	92.20	
			002119		10/06/2023	101-2030-423.24-10	299.87	
			002119		10/06/2023	101-3010-431.24-10	204.42	
			002119		10/06/2023	101-4730-472.24-10	27.36	
			002119		10/06/2023	101-5772-452.24-10	280.54	
			002119		10/06/2023	101-5773-452.24-10	45.60	
			002119		10/06/2023	101-5774-452.24-10	82.08	
			002119		10/06/2023	206-5771-452.24-10	126.26	
			002119		10/06/2023	502-4710-471.24-10	273.03	
			002119		10/06/2023	503-4720-475.24-10	160.77	
			002119		10/06/2023	506-4713-477.24-10	41.04	
			002119		10/06/2023	508-4810-478.24-10	160.60	
			002119		10/06/2023	511-3020-432.24-10	62.06	
			002119		10/06/2023	575-5555-485.24-10	182.40	
			002119		10/06/2023	575-5555-485.24-15	91.20	
			002119		10/06/2023	580-4750-473.24-10	750.62	3,621.30
			002119		10/06/2023		3,621.30 *	3,621.30
19271	3275	CALIFORNIA STATE DISB.UNI	002148		10/06/2023	575-0000-209.03-01	255.23 255.23 *	255.23
19272	3286	COLONIAL LIFE	002142		10/06/2023	101-0000-209.03-01	2,665.90	
			002143		10/06/2023	502-0000-209.03-01	115.92	
			002144		10/06/2023	503-0000-209.03-01	195.82	
			002145		10/06/2023	508-0000-209.03-01	168.80	
			002146		10/06/2023	580-0000-209.03-01	145.08	
			002147		10/06/2023	511-0000-209.03-01	68.28	
							3,359.80 *	3,359.80
19273	3943	ELLEN CAMPBELL	002152		10/06/2023	101-1030-414.55-00	963.39 963.39 *	963.39
19274	1305	GREAT WEST LIFE & ANNUITY	002119		10/06/2023	101-0000-209.03-01	3,635.00	
			002119		10/06/2023	502-0000-209.03-01	410.00	
			002119		10/06/2023	580-0000-209.03-01	2,004.00	
							6,049.00 *	6,049.00
19275	3634	GREAT-WEST LIFE & ANNUITY	002118		10/06/2023	101-0000-209.03-01	43.12	
			002118		10/06/2023	101-0000-209.03-01	194.13	
			002118		10/06/2023	101-0000-209.03-01	24.27	
			002118		10/06/2023	101-0000-209.03-01	213.04	
			002118		10/06/2023	101-0000-209.03-01	97.57	

CITY OF NEEDLES
BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19275	3634	GREAT-WEST LIFE & ANNUITY	002118		10/06/2023	101-0000-209.03-01	158.76	
			002118		10/06/2023	502-0000-209.03-01	94.89	
			002118		10/06/2023	580-0000-209.03-01	174.52	
			002118		10/06/2023	580-0000-209.03-01	60.36	
			002119		10/06/2023	580-0000-209.03-01	127.83	
							1,188.49	1,188.49
19276	3949	JANET JERNIGAN	002150		10/06/2023	101-1030-414.55-00	970.25	970.25
19277	4077	JOANNE POGUE	002151		10/06/2023	101-1030-414.55-00	846.99	846.99
19278	3458	MUTUAL OF OMAHA	002119		10/06/2023	101-1020-413.24-10	88.49	
			002119		10/06/2023	101-1025-415.24-10	419.64	
			002119		10/06/2023	101-1030-414.24-10	160.43	
			002119		10/06/2023	101-1035-416.24-10	45.79	
			002119		10/06/2023	101-1040-417.24-10	267.99	
			002119		10/06/2023	101-2020-423.24-10	151.33	
			002119		10/06/2023	101-2025-424.24-10	241.19	
			002119		10/06/2023	101-2030-423.24-10	415.06	
			002119		10/06/2023	101-3010-431.24-10	400.53	
			002119		10/06/2023	101-4730-472.24-10	33.41	
			002119		10/06/2023	101-5772-452.24-10	298.78	
			002119		10/06/2023	101-5773-452.24-10	46.48	
			002119		10/06/2023	101-5774-452.24-10	112.49	
			002119		10/06/2023	206-5771-452.24-10	107.86	
			002119		10/06/2023	502-4710-471.24-10	643.78	
			002119		10/06/2023	503-4720-475.24-10	193.39	
			002119		10/06/2023	506-4713-477.24-10	75.63	
			002119		10/06/2023	508-4810-478.24-10	292.64	
			002119		10/06/2023	511-3020-432.24-10	128.20	
			002119		10/06/2023	575-5555-485.24-10	135.63	
			002119		10/06/2023	575-5555-485.24-15	63.37	
			002119		10/06/2023	580-4750-473.24-10	910.53	
							5,232.64	5,232.64
19279	4144	NAN MCKAY AND ASSOCIATES,	002156		10/06/2023	575-5555-485.31-90	239.00	239.00
19280	1199	SBPEA TEAMSTERS LOCAL 193	002118		10/06/2023	101-0000-209.03-01	584.23	
			002118		10/06/2023	502-0000-209.03-01	144.03	
			002118		10/06/2023	503-0000-209.03-01	33.58	
			002118		10/06/2023	508-0000-209.03-01	67.15	
			002118		10/06/2023	511-0000-209.03-01	36.36	
			002118		10/06/2023	580-0000-209.03-01	230.47	
			002118		10/06/2023	575-0000-209.03-01	48.25	
							1,144.07	1,144.07
19281	1199	SBPEA TEAMSTERS LOCAL 193	002117		10/06/2023	101-0000-209.03-01	408.11	

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING								
CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19281	1199	SBPEA TEAMSTERS LOCAL 193	002118 002118		10/06/2023 10/06/2023	502-0000-209.03-01 580-0000-209.03-01	53.02 66.65 527.78 *	527.78
19282	1217	VISION SERVICE PLAN	002121 002122 002123 002124 002125 002126 002127 002128 002129 002130 002131 002132 002133 002134 002135 002136 002137 002138 002139 002140 002141		10/06/2023 10/06/2023	101-1020-413.24-10 101-1025-415.24-10 101-1030-414.24-10 101-1035-416.24-10 101-1040-417.24-10 101-2025-424.24-10 101-2030-423.24-10 101-3010-431.24-10 101-4730-472.24-10 101-5772-452.24-10 101-5773-452.24-10 101-5774-452.24-10 206-5771-452.24-10 502-4710-471.24-10 503-4720-475.24-10 506-4713-477.24-10 508-4810-478.24-10 511-3020-432.24-10 575-5555-485.24-10 575-5555-485.24-15 580-4750-473.24-10	18.84 70.21 39.38 9.80 39.76 31.58 82.24 50.05 5.99 66.13 9.15 25.49 22.75 66.09 45.02 12.12 37.58 15.63 44.12 15.80 199.68 907.41 *	907.41
BANK/CHECK TOTAL							25,814.01	25,814.01
ALL BANKS/CHECKS TOTAL							25,814.01	25,814.01

**CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR OCTOBER 04, 2023**

Item 4.

FUND 101	GENERAL FUND	\$	FUND AMT.	4-Oct	23-24 BUDGET
101.1015.412	CITY ATTORNEY	\$ -		\$ 11,600.00	\$ 80,000.00
101.1020.413	CITY MANAGER	\$ -		\$ 30,720.80	\$ 230,592.00
101.1025.415	FINANCE DEPT.	\$ -		\$ 201,313.96	\$ 987,957.00
101.1030.414	CITY CLERK/COUNCIL/MAYOR	\$ -		\$ 40,202.37	\$ 329,339.00
101.1035.416	PLANNING /ZONING	\$ -		\$ 27,668.43	\$ 402,016.00
101.1040.417	ENGINEERING	\$ -		\$ 63,388.79	\$ 439,483.00
101.1060.410	COMMUNITY PROMOTIONS	\$ -		\$ 8,000.00	\$ 103,945.00
101.1070.410	SENIOR CENTER	\$ -		\$ 10,875.64	\$ 62,202.00
101.2010.421	SHERIFF	\$ -		\$ 930,928.51	\$ 3,759,034.00
101.2020.423	ANIMAL SHELTER/CONTROL	\$ -		\$ 41,068.63	\$ 261,130.00
101.2025.424	BULDING & SAFETY	\$ -		\$ 56,860.70	\$ 488,742.00
101.2030.423	CODE ENFORCEMENT	\$ -		\$ 136,174.93	\$ 806,188.00
101.3010.431	PUBLIC WORKS	\$ -		\$ 125,322.82	\$ 818,943.00
101.4730.472	SANITATION	\$ -		\$ 13,017.81	\$ 177,467.00
101.5770.452.	AQUATICS	\$ 140.00		\$ 57,927.24	\$ 246,913.00
101.5772.452	PARKS	\$ -		\$ 122,522.18	\$ 760,504.00
101.5773.452	JACK SMITH PARK MARINA	\$ -		\$ 20,735.14	\$ 115,646.00
101.5774.452	RECREATION	\$ -		\$ 145,269.89	\$ 386,397.00
GENERAL FUND	TOTAL ALL GF DEPARTMENTS	\$	140.00	\$	10,456,498.00
FUND 102	GEN. FUND CAPITAL PROJECT	\$ -		\$ 92.45	\$ 4,541,710.00
FUND 205	CDBG	\$ -		\$ -	\$ 74,559.00
FUND 206	CEMETERY	\$ -		\$ 44,533.23	\$ 258,022.00
FUND 208	CALTRANS GRANTS	\$ -		\$ -	\$ 1,173,000.00
FUND 210	SPECIAL GAS TAX	\$ -		\$ -	\$ 258,629.00
FUND 213	DEPT OF HOUSE. & COMM DEVL	\$ -		\$ 30,502.50	\$ 48,522.00
FUND 214	SANBAG NEW LOCAL MEAS I	\$ -		\$ -	\$ 450,000.00
FUND 225	COPS-AB 3229 SUPPLEMENTAL	\$ -		\$ 30,255.17	\$ 272,973.00
FUND 233	JACK SMITH PARK MARINA	\$ -		\$ 10,806.38	\$ 175,308.00
FUND 238	STATE RECREATION GRANTS	\$ -		\$ 100.30	\$ 2,819,424.00
FUND 239	CA.CONSERV RECYLING GRANT	\$ -		\$ 2,919.16	\$ 25,436.00
FUND 270	REDEVELOPMENT AGENCY	\$ -		\$ -	\$ 20,000.00
FUND 470	RDA CAP PROJ.LOW & MOD.	\$ -		\$ 10,000.00	\$ 100,954.00
FUND 501	NPUA	\$ -		\$ 721,193.54	\$ 2,639,851.00
FUND 502	WATER DEPARTMENT	\$ -		\$ 306,567.38	\$ 2,161,380.00
FUND 503	WASTEWATER DEPARTMENT	\$ -		\$ 209,771.05	\$ 1,312,828.00
FUND 505	SANITATION	\$ -		\$ 217,083.58	\$ 1,563,015.00
FUND 506	ALL AMERICAN CANAL PROJ.	\$ -		\$ 15,485.76	\$ 1,041,800.00
FUND 507	GOLF FUND	\$ -		\$ -	
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	\$ -		\$ 162,734.04	\$ 696,256.00
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	\$ -		\$ 66,551.43	\$ 413,638.00
FUND 507	GOLF FUND TOTAL	\$	-	\$	
FUND 508	CUST.SVC/UT BUSINESS OFFICE	\$ -		\$ 60,644.35	\$ 496,825.00
FUND 509	MIS	\$ -		\$ 49,129.06	\$ 273,100.00
FUND 510	ADMIN. FACILITY	\$ -		\$ 66,564.50	\$ 244,375.00
FUND 511	FLEET MANAGEMENT	\$ -		\$ 40,366.03	\$ 278,476.00
FUND 512	VEHICLE REPLACEMENT	\$ -		\$ 6,847.35	\$ 22,199.62
FUND 520	SR DIAL A RIDE	\$ -		\$ 15,780.46	\$ 453,450.00
FUND 521	DIAL-A-RIDE MEDICAL TRANS.	\$ -		\$ 2,534.34	\$ 22,320.00
FUND 525	NEEDLES AREA TRANSIT (NAT)	\$ -		\$ 90,561.19	\$ 808,479.00
FUND 575	HOUSING	\$ -		\$ 326,634.28	\$ 1,434,443.00
FUND 580	ELECTRIC	\$ -		\$ 4,839,284.82	\$ 12,742,061.00
FUND 581	NPUA CAPITAL ELECTRIC	\$ -		\$ 12,469.46	\$ 506,170.00
FUND 582	NPUA CAPITAL WATER	\$ -		\$ 1,372,877.07	\$ 8,052,289.00
TOTAL	ALL FUNDS & DEPARTMENTS	\$	140.00	\$ 10,755,886.72	\$ 55,837,990.62

I certify that the expenditures/purchases to be paid by the warrants on this list have complied with the provisions of the City Code Chapter 8, Article II, Purchasing; and further, the funds to cover these purchases/expenditures, as City Audited, are included within the City


Rick Daniels, City Manager

Date


Pauline Dito, Finance Department

Date


Virginia Tasker, City Treasurer

Date

19268	2892	00	JT ELECTRIC	10/04/2023	140.00	.00
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NUMBER OF CHECKS	1	GRAND TOTAL	140.00
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PROGRAM: GM346L

CITY OF NEEDLES

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19268	2892	JT ELECTRIC	002153		10/04/2023	101-5770-452.43-02	140.00	140.00
							140.00 *	
						BANK/CHECK TOTAL	140.00	140.00
						ALL BANKS/CHECKS TOTAL	140.00	140.00

**CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR OCTOBER 03, 2023**

FUND 101	GENERAL FUND	\$	FUND AMT.	3-Oct	23-24 BUDGET
101.1015.412	CITY ATTORNEY	\$ -		\$ 11,600.00	\$ 80,000.00
101.1020.413	CITY MANAGER	\$ -		\$ 30,720.80	\$ 230,592.00
101.1025.415	FINANCE DEPT.	\$ -		\$ 201,313.96	\$ 987,957.00
101.1030.414	CITY CLERK/COUNCIL/MAYOR	\$ -		\$ 40,202.37	\$ 329,339.00
101.1035.416	PLANNING /ZONING	\$ -		\$ 27,668.43	\$ 402,016.00
101.1040.417	ENGINEERING	\$ -		\$ 63,388.79	\$ 439,483.00
101.1060.410	COMMUNITY PROMOTIONS	\$ -		\$ 8,000.00	\$ 103,945.00
101.1070.410	SENIOR CENTER	\$ -		\$ 10,875.64	\$ 62,202.00
101.2010.421	SHERIFF	\$ -		\$ 930,928.51	\$ 3,759,034.00
101.2020.423	ANIMAL SHELTER/CONTROL	\$ -		\$ 41,068.63	\$ 261,130.00
101.2025.424	BULDING & SAFETY	\$ -		\$ 56,860.70	\$ 488,742.00
101.2030.423	CODE ENFORCEMENT	\$ -		\$ 136,174.93	\$ 806,188.00
101.3010.431	PUBLIC WORKS	\$ -		\$ 125,322.82	\$ 818,943.00
101.4730.472	SANITATION	\$ -		\$ 13,017.81	\$ 177,467.00
101.5770.452	AQUATICS	\$ -		\$ 57,787.24	\$ 246,913.00
101.5772.452	PARKS	\$ -		\$ 122,522.18	\$ 760,504.00
101.5773.452	JACK SMITH PARK MARINA	\$ -		\$ 20,735.14	\$ 115,646.00
101.5774.452	RECREATION	\$ -		\$ 145,269.89	\$ 386,397.00
GENERAL FUND	TOTAL ALL GF DEPARTMENTS	\$ -		\$ 92.45	\$ 4,541,710.00
FUND 102	GEN. FUND CAPITAL PROJECT	\$ -		\$ -	\$ 74,559.00
FUND 205	CDBG	\$ -		\$ 44,533.23	\$ 258,022.00
FUND 206	CEMETERY	\$ -		\$ -	\$ 1,173,000.00
FUND 208	CALTRANS GRANTS	\$ -		\$ -	\$ 258,629.00
FUND 210	SPECIAL GAS TAX	\$ -		\$ 30,502.50	\$ 48,522.00
FUND 213	DEPT OF HOUSE. & COMM DEVL	\$ -		\$ -	\$ 450,000.00
FUND 214	SANBAG NEW LOCAL MEAS I	\$ -		\$ 30,255.17	\$ 272,973.00
FUND 225	COPS-AB 3229 SUPPLEMENTAL	\$ -		\$ 10,806.38	\$ 175,308.00
FUND 233	JACK SMITH PARK MARINA	\$ -		\$ 100.30	\$ 2,819,424.00
FUND 238	STATE RECREATION GRANTS	\$ -		\$ 2,919.16	\$ 25,436.00
FUND 239	CA.CONSERV RECYLING GRANT	\$ -		\$ -	\$ 20,000.00
FUND 270	REDEVELOPMENT AGENCY	\$ -		\$ 10,000.00	\$ 100,954.00
FUND 470	RDA CAP PROJ.LOW & MOD.	\$ -		\$ 721,193.54	\$ 2,639,851.00
FUND 501	NPUA	\$ -		\$ 306,567.38	\$ 2,161,380.00
FUND 502	WATER DEPARTMENT	\$ -		\$ 209,771.05	\$ 1,312,828.00
FUND 503	WASTEWATER DEPARTMENT	\$ -		\$ 217,083.58	\$ 1,563,015.00
FUND 505	SANITATION	\$ -		\$ 15,485.76	\$ 1,041,800.00
FUND 506	ALL AMERICAN CANAL PROJ.	\$ -		\$ -	
FUND 507	GOLF FUND	\$ -		\$ 162,734.04	\$ 696,256.00
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	\$ -		\$ 66,551.43	\$ 413,638.00
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	\$ -			
FUND 507	GOLF FUND TOTAL	\$ -			
FUND 508	CUST.SVC/UT BUSINESS OFFICE	\$ -		\$ 60,644.35	\$ 496,825.00
FUND 509	MIS	\$ -		\$ 49,129.06	\$ 273,100.00
FUND 510	ADMIN. FACILITY	\$ -		\$ 66,564.50	\$ 244,375.00
FUND 511	FLEET MANAGEMENT	\$ -		\$ 40,366.03	\$ 278,476.00
FUND 512	VEHICLE REPLACEMENT	\$ -		\$ 6,847.35	\$ 22,199.62
FUND 520	SR DIAL A RIDE	\$ -		\$ 15,780.46	\$ 453,450.00
FUND 521	DIAL-A-RIDE MEDICAL TRANS.	\$ -		\$ 2,534.34	\$ 22,320.00
FUND 525	NEEDLES AREA TRANSIT (NAT)	\$ -		\$ 90,561.19	\$ 808,479.00
FUND 575	HOUSING	\$ 11,859.00		\$ 326,634.28	\$ 1,434,443.00
FUND 580	ELECTRIC	\$ -		\$ 4,839,284.82	\$ 12,742,061.00
FUND 581	NPUA CAPITAL ELECTRIC	\$ -		\$ 12,469.46	\$ 506,170.00
FUND 582	NPUA CAPITAL WATER	\$ -		\$ 1,372,877.07	\$ 8,052,289.00
TOTAL	ALL FUNDS & DEPARTMENTS	\$ 11,859.00		\$ 10,755,746.72	\$ 55,837,990.62

I certify that the expenditures/purchases to be paid by the warrants on this list have complied with the provisions of the City Code Chapter 8, Article II, Purchasing; and further, the funds to cover these purchases/expenditures, as City Audited, are included within the City

Rick Daniels, City Manager

Date

Finance Department

Date

Virginia Tasker, City Treasurer

Date

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
19257	4102	00	CHARLOTTE SCHROEDER	10/03/2023	5,129.00	.00
19258	3000	00	DON MCCONE	10/03/2023	822.00	.00
19259	4109	00	HAROLD RASPLICKA	10/03/2023	323.00	.00
19260	4103	00	HELEN ELROD	10/03/2023	530.00	.00
19261	4106	00	HENRY BAGHDADY	10/03/2023	1,434.00	.00
19262	4111	00	KATHERINE LAWLER	10/03/2023	58.00	.00
19263	3746	00	OSTERHOLT	10/03/2023	198.00	.00
19264	4104	00	RIVER GARDENS LLC	10/03/2023	1,869.00	.00
19265	4108	00	RIVER PALMS APTS LLC	10/03/2023	736.00	.00
19266	4113	00	SHANEESHA PURTTY	10/03/2023	227.00	.00
19267	4107	00	SYLVIA POLEN	10/03/2023	533.00	.00
NUMBER OF CHECKS				11	GRAND TOTAL	11,859.00

PROGRAM: GM346L

CITY OF NEEDLES

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
19257	4102	CHARLOTTE SCHROEDER	002093 002094 002095 002096 002097		10/03/2023 10/03/2023 10/03/2023 10/03/2023 10/03/2023	575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51	730.00 1,262.00 756.00 1,006.00 1,375.00 5,129.00 *	5,129.00
19258	3000	DON MCCONE	002111		10/03/2023	575-5555-485.69-51	822.00 822.00 *	822.00
19259	4109	HAROLD RASPLICKA	002112		10/03/2023	575-5555-485.69-51	323.00 323.00 *	323.00
19260	4103	HELEN ELROD	002107		10/03/2023	575-5555-485.69-51	530.00 530.00 *	530.00
19261	4106	HENRY BAGHDADY	002103 002104 002105 002106		10/03/2023 10/03/2023 10/03/2023 10/03/2023	575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51	442.00 230.00 339.00 423.00 1,434.00 *	1,434.00
19262	4111	KATHERINE LAWLER	002113		10/03/2023	575-5555-485.69-51	58.00 58.00 *	58.00
19263	3746	OSTERHOLT	002108		10/03/2023	575-5555-485.69-51	198.00 198.00 *	198.00
19264	4104	RIVER GARDENS LLC	002098 002099 002100 002101 002102		10/03/2023 10/03/2023 10/03/2023 10/03/2023 10/03/2023	575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51 575-5555-485.69-51	313.00 385.00 374.00 405.00 392.00 1,869.00 *	1,869.00
19265	4108	RIVER PALMS APTS LLC	002110		10/03/2023	575-5555-485.69-51	736.00 736.00 *	736.00
19266	4113	SHANEESHA PURTTY	002114		10/03/2023	575-5555-485.69-51	227.00 227.00 *	227.00
19267	4107	SYLVIA POLEN	002109		10/03/2023	575-5555-485.69-51	533.00 533.00 *	533.00
BANK/CHECK TOTAL							11,859.00	11,859.00
ALL BANKS/CHECKS TOTAL							11,859.00	11,859.00

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

**TUESDAY, SEPTEMBER, 12, 2023
COUNCIL EXECUTIVE SESSION – 5:00 P.M.
CITY COUNCIL MEETING – 6:00 PM**

CALL TO ORDER - Mayor Jernigan called the meeting to order at 5:03 pm

ROLL CALL

PRESENT

Council Member Ellen Campbell
Council Member Jamie McCorkle
Mayor Janet Jernigan
Council Member JoAnne Pogue
Council Member Henry Longbrake

ABSENT

Vice Mayor Kirsten Merritt arrived at 5:29 p.m.
Council Member Tona Belt arrived at 5:09 p.m.

Also in attendance were City Manager Rick Daniels, Assistant City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones.

RECESSED THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA / HACN MEETING

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS – None

RECESSED TO EXECUTIVE SESSION at 5:06 pm

EXECUTIVE SESSION

Council Member McCorkle declared a conflict on a) as she lives in close proximity to this property and did not participate.

Council Member Pogue and Campbell declared a conflict on b) as they both have sons who work for the business involved in this litigation and did not participate.

Mayor Jernigan declared a conflict because her business is in close proximity to the property and did not participate.

- a) NPUA / COUNCIL: Conference with Legal Counsel regarding existing litigation pursuant to Government Code §54956.9(d)(1) (one case: Rio Buena Vista Assoc. Et. Al. v. City of Needles: Case Number CIVSB 2028439) – No Reportable Action
- b) NPUA / COUNCIL: Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code §54956.9(d)(4). (one potential case) involving MIH

City Attorney Pinkney reported that Council authorized staff to retain special legal counsel GreenbergTraurig regarding a dispute with MIH related cannabis entities.

NPUA and COUNCIL:

Ayes: Members McCorkle, Merritt, Belt and Longbrake

Noes: None
Absent: Members Campbell and Pogue

Item 5.

- c) COUNCIL: Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4). One case
A motion to initiate litigation against Ashot Minasian to enforce an option agreement dated February 26, 2021. Council Members Campbell, McCorkle, Belt, Pogue, and Longbrake voted in favor.
- d) 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 lessor and The LAMAR Companies as the potential lessee of the property located on APN 0186-201-03-0000 generally located near Arizona Avenue and I-40. Under negotiations are the price and terms - No Reportable Action

EXECUTIVE SESSION – Report by City Attorney John Pinkney as noted above

CALL TO ORDER - Mayor Jernigan called the meeting to order at 6:04 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

PLEDGE OF ALLEGIANCE led by Mayor Jernigan

INVOCATION given by Council Member Campbell

APPROVAL OF AGENDA

Council Member Pogue moved, second by Council Member Campbell to approve the agenda.

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

Noes: None

Absent: None

CONFLICT OF INTEREST – Assistant City Manager Patrick Martinez declared a conflict of interest on Agenda Item 27 as he lives within 500' of the property in question. Mayor Jernigan declared a conflict of interest on Agenda Item 28 as she has been involved with the operations of El Garces. Council Member Belt recused herself from Agenda Item 27 as she lives in proximity of the property.

CORRESPONDENCE - None

INTRODUCTIONS - None

CITY ATTORNEY – Parliamentary Procedures given by City Attorney John Pinkney

PUBLIC APPEARANCE

Dyrell Jones spoke regarding claims against a city official falsifying documents and abusing his authority; requested city staff take action before he proceeds further.

Robert Yee invited everyone to attend the 10/10 Celebration 50th Anniversary Event on Tuesday, October 10, 2023; gave history of event and thanked officials for past participation; thanked water department for quick response in dealing with water leaks.

Pastor Jim Jones thanked Rick Daniels for his service as City Manager; reported missing stop signs in his neighborhood that have not been replaced; pothole in pavement in front of his clergy house at 807 Bush Street; overgrown mesquite trees in front of water station on Bush Street impeding traffic.

Lindsey Payson thanked city staff regarding quick response to addressing erosion on sidewalk on Lilly Hill.

Item 5.

PRESENTATIONS

- 1) Dale Jones, City Clerk, administered the Oath of Office to Nancy Huff, Director of Development Services and Angelica Deermer, Housing Authority Manager

PUBLIC COMMENTS PERTAINING TO THE HACN / COUNCIL ITEMS - None

HACN / COUNCIL CONSENT CALENDAR:

Member/Council Member Pogue moved, second by Member/Council Member Campbell to approve HACN/Council consent items 2 through 3. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

- 2) Authorized implementation of new policy for pre-employment background checks of prospective employees in the position of Maintenance Construction Worker assigned to the Housing Authority of the City of Needles
- 3) Waived the reading and adopted Resolution No. 2023-53 naming the Needles City Manager as the Executive Director of the Housing Authority of the City of Needles

End of Consent

PUBLIC HEARINGS

- 4) COUNCIL: Public hearing noticed to consider all evidence and testimony for or against an update to the Needles Zoning Code Development Standards was **continued to October 10, 2023**
- 5) COUNCIL: Public hearing held to consider all evidence and testimony for or against amending Section 13-44 to prohibit stopping, standing, or parking at the Electric Vehicle Charging Stations unless the vehicle is connected for electric charging

Assistant City Manager Patrick Martinez reported, council asked questions and minimal discussion ensued.

Mayor Jernigan opened the public hearing at 6:28 pm

No Public Comment

Mayor Jernigan closed the public hearing at 6:28 pm

Council Member Campbell moved, second by Council Member Pogue to approve 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. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

- 6) HOUSING AUTHORITY: Public hearing noticed to consider all evidence and testimony for or against the Housing Authority Civil Rights Certification Housing Plan

Assistant City Manager Patrick Martinez reported, council asked questions and minimal discussion ensued.

Mayor Jernigan opened the public hearing at 6:32 pm

No Public Comment

Mayor Jernigan closed the public hearing at 6:32 pm

Council Member Campbell moved, second by Council Member McCorkle to accept and file the Civil Rights Certification with the United States Department of Housing and Urban Development. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

PUBLIC COMMENTS PERTAINING TO THE COUNCIL / NPUA ITEMS - None

NPUA / COUNCIL CONSENT CALENDAR:

Council Member Pogue pulled NPUA/Council Consent Item 9 for discussion. Rainie Torrance addressed concerns regarding specific requirements on rebates for energy efficiency upgrades on electric appliances.

Council Member Belt pulled NPUA/Council Consent Item 8 for discussion. Rainie Torrance addressed council questions.

Member/Council Member Merritt moved, second by Member/Council Member Campbell to approve NPUA/Council consent items 7 through 9. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

- 7) Accepted the AB32 Greenhouse Gas (GHG) Emission Verification Report 2022 Emissions prepared by WZI Inc. and authorized the Mayor to send a letter to CARB and requesting a review of the unintended financial hardship and provide relief to avoid such financial hardship
- 8) Authorized Brooks Consulting Electrical Engineering support services for FY24 not to exceed \$15,000 to be funded by electric operations and maintenance budget
- 9) Adopted the Energy Efficiency Rebate Program dated September 12, 2023

End of Consent

ADJOURNED THE JOINT COUNCIL / NPUA / HACN MEETING AND RECONVENED THE CITY COUNCIL MEETING at 6:39 pm

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS - None

CONSENT CALENDAR

Council Member McCorkle pulled Council Consent Item 17 for discussion. City Manager Rick Daniels addressed Item 17 regarding Fire Truck restoration costs being carried over from last Fiscal Year.

Council Member Belt pulled Council Consent Items 12 and 20 for discussion. City Manager Rick Daniels addressed Item 12 regarding Planning Consultant due to vacant City Planner position. City Manager Rick Daniels addressed Item 20 regarding surplus property in Arizona.

Council Member Campbell moved, second by Council Member Merritt to approve Council consent items 10 through 23. Motion carried by the following roll call vote:

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

- 10) Approved the Warrants Registers dated August 22 and September 12, 2023
- 11) Approved the Minutes of August 8, 2023
- 12) Approved Second Amendment to On-Call Development Review Consulting Services Agreement between the City and Michael Baker International for Planning Consultant Services in the amount not to exceed \$80,000
- 13) Waived the reading and adopted Resolution No. 2023-50 authorizing the city manager or his designee, the community services manager, to purchase one (1) 18-Passenger Transit Vehicle for use by the Needles Area Transit budgeted at \$170,000 to be reimbursed by SBCTA
- 14) Waived the reading and adopted Resolution No. 2023-49 approving the Title VI Compliance Plan for the Needles Area Transit
- 15) Ratified the agreement with Nichols Consulting to continue applying for State of California reimbursements for state mandated costs to the city, increase the General Fund FY 24 by \$52,493, approve the 20 percent contingency of \$10,500 payable to Nichols Consulting and future revenue and expenses as needed
- 16) Authorized the Mayor to sign a petition supporting Senate Bill 14 to combat human trafficking
- 17) Approved a single source purchase from Vintage Vehicle Restorations Inc for \$16,775, sales tax of \$1,301 and estimated shipping of \$500 for a total of \$18,576 for the Fire Truck restoration using funds from the general fund reserves
- 18) Awarded the base bid for the Jack Smith Park Walking / Biking Trail Improvements project to Western Construction Specialist, Inc. for a total bid amount of \$134,965.30, total project cost of \$148,462 including 10% contingency, funded by a grant awarded by the California Department of Parks and Recreation through the 2018 Parks Bond Act per capital program and authorized staff to execute a Public Works Agreement with the Contractor and issue a Notice of Award and Notice to Proceed
- 19) Awarded the base bid for the Duke Watkins Park Pump Track project to Three Peaks Corp. for a total bid amount of \$534,716 funded by a grant awarded by the Statewide Park Development and Community Revitalization Program and authorized staff to execute a Public Works Agreement and issue a Notice of Award and Notice to Proceed
- 20) Waived the reading and adopted Resolution No. 2023-54 accepting the purchase and sale agreement between the city and Robert Raskin, representative of Colorado River Properties LLC, with respect to the real property located at the Southeast Corner of East South Lake Drive and South Riverfront Parkway, Mohave Valley, Arizona also known as Mohave County Assessor's Parcel No. 216-14-007
- 21) Ratified the action taken by the City Manager to accept grant funding for the City Hazard Mitigation Plan update from the California Governor's Office of Emergency Services (Cal OES) for the FEMA Hazard Mitigation Grant Program (HMGP) and waive the reading and adopt Resolution No. 2023-52 for Designation of Applicant's Agent to execute for and on behalf of the City for the purpose of obtaining Federal Financial Assistance for any existing or future grant program listed in the resolution

- 22) Waived the reading and adopted Resolution No. 2023-51 authorizing the city manager or designee to submit an application and accept funding for Strategic Growth Council (SGC) under the Community Resilience Center (CRC) Program
- 23) Authorized the Mayor to send a letter in support of Permanent Implementation of Daylight Savings Time

END OF CONSENT CALENDAR REGULAR COUNCIL ITEMS

- 24) Waived the reading and adopted Ordinance No. 662-AC amending Chapter 9 “Fire Protection” Section 9-1 to adopt the San Bernardino County Fire Protection District Fire Ordinance FPD 23-01 referencing its version of the 2022 Edition of the California Fire Code subject to modifications referenced herein and rescinding prior Ordinance No. 630-AC (2nd reading – publish)

City Manager Rick Daniels gave staff report.

Council Member Pogue moved, second by Council Member Campbell to waive the reading and adopt Ordinance No. 662-AC amending Chapter 9 “Fire Protection” Section 9-1 to adopt the San Bernardino County Fire Protection District Fire Ordinance FPD 23-01 referencing its version of the 2022 Edition of the California Fire Code subject to modifications referenced herein and rescinding prior Ordinance No. 630-AC Motion carried by the following roll call vote:

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

- 25) Provide staff direction regarding parking alternatives for the El Garces on “G” Street and Front Street

City Manager Rick Daniels gave staff report.

Council Member Campbell moved, second by Council Member Longbrake to approve the proposed changes per the diagram for the El Garces on “G” Street and Front Street,

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

- 26) Provide staff direction regarding parking alternatives on Lilly Hill Drive west of Clary Drive

City Manager Rick Daniels gave staff report.

Council Member Campbell moved, second by Vice Mayor Merritt to review parking alternatives on Lilly Hill Drive west of Clary Drive

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

- 27) Provide staff direction on Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two Family Residential Zone), APN 0185-233-55 located behind 1335 Lilly Hill Drive and consider possible sale

City Manager Rick Daniels gave staff report.

Council Member Belt declared a conflict because she lives in proximity of the property and left the room.

Vice Mayor Merritt moved, second by Council Member Campbell to bring this back to council and schedule a public hearing on Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two Family Residential Zone), APN 0185-233-55 located behind 1335 Lilly Hill Drive.

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

Noes: None
Absent: Councilmember Belt

28) Provide staff direction regarding the El Garces operational policies and procedures

Mayor Jernigan declared a conflict because she has participated in the El Garces operational policies and procedures and left the room.

City Manager Rick Daniels gave staff report.

Council discussion ensued.

Judy Thornton spoke representing the Needles Tourism Committee.

Further Council discussion ensued.

Council Member Longbrake moved, second by Council Member Campbell, to have staff draft a memorandum of understanding regarding the El Garces operational policies and procedures.

Ayes: Council Members Campbell, McCorkle, Pogue, Belt, and Longbrake
Noes: None
Absent: Mayor Jernigan

29) Concur with the creation of a Utility Manager position, setting employment terms and conditions, and endorse the City Manager's intent to appoint Rainie Torrance as Utility Manager effective October 6, 2023 – salary \$185,000 as adjusted by the city manager on an annual basis in compliance with SB1436 and incorporate into the salary schedule for FY 2023-2024 budget

City Manager Rick Daniels gave staff report and discussion ensued.

Council Member Longbrake moved, second by Council Member Pogue to concur with the creation of Utility Manager position, setting employment terms and conditions, and endorse the City Manager's intent to appoint Rainie Torrance as Utility Manager effective October 6, 2023 – salary \$185,000 as adjusted by the city manager on an annual basis in compliance with SB1436 and incorporate into the salary schedule for FY 2023-2024 budget.

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

Presentation of a plaque given to City Manager Rick Daniels by Mayor Jernigan recognizing his accomplishments as City Manager.

CITY ATTORNEY REPORT

Given by City Attorney John Pinkney

CITY CLERK REPORT

Given by City Clerk Dale Jones

CITY MANAGER REPORT

Given by City Manager Rick Daniels

COUNCIL REQUESTS

Councilmember Campbell asked about the status of BNSF road by K Street Bridge; asked about El Monte Street; thanked Code Enforcement and Sheriff's department for handling motor homes being parked on streets; thanked Public Works for Sandbags; thanked City Manager Rick Daniels for guidance to her as a council member and thanked his wife Joyce for her patience and allowing the City to share her time.

Councilmember McCorkle reported on K Street underpass people not stopping for oncoming traffic; asked about detour signs to prevent turn around issues at the bridge; reported after hours utilities call service is essential and a huge benefit; deadlines for Needles Visitor and Relocation Guide advertisements; acknowledged City Manager Rick Daniels for his reputation and knowledge.

Vice Mayor Merritt acknowledged city staff for preparedness on hurricane threat; praised City Manager Rick Daniels for being so knowledgeable and thanked his wife, Joyce, for sharing time with our City.

Council Member Pogue reported on Emergency Preparedness success for the anticipated hurricane; thanked City Manager Rick Daniels for his response, encouragement, and follow-through.

Councilmember Belt reported on the CJPIA Annual Meeting she attended; participated in "learn the beat" partnership with local first responders to teach 8th graders CPR; reported on the upcoming 2nd annual dyslexia awareness golf tournament October 14 at Rivers Edge Golf Course; joined MAPPED (Mohave Area Partnership Promoting Educated Decisions) upcoming event Recovery in the Park on Saturday, September 23, 11-1pm; Laughlin Chamber of Commerce Community Achievement Award in November; attended Chamber Mixer; place on agenda Employee Christmas Party schedule and create ad hoc committee; wants to look into permit costs; acknowledged City Manager Rick Daniels and his success and expressed appreciation for his accessibility and family attitude.

Councilmember Longbrake thanked City Manager Rick Daniels and acknowledged his ability to handle people of all different energy levels and delegate issues efficiently; reported K-TOX owner wants to do live broadcast of City Council meetings; reported that graffiti is on the rise again; citizen reported that she was not allowed to walk her new kindergartner to the classroom; mobile home park on Coronado has issues with gate access for emergency vehicles; received complaints from a neighbor about a maintenance worker at the park being loud and abusive; reported SOAR (Stop Overdose Addiction Resources) will be at the Recovery in the Park event on Saturday, September 23, 11-1 and he will be attending with Tundra.

Mayor Jernigan attended 9-11 Ceremony at the Elks Lodge; last week Findlay Chevrolet hosted an event and recognized Needles and the Recreation Department.

ADJOURNMENT

Mayor Jernigan adjourned the meeting at 8:15 pm

ATTEST: _____
Mayor Jernigan

City Clerk Dale Jones, CMC



Request for Board Action City of Needles, California

Item 6.

☒ CITY COUNCIL ☐ UTILITY BOARD ☒ NPUA ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Accept Change Order No. 1 (Final) with New Power Contracting for Building Mechanicals for the Public Restroom Sewer Line Repair project and Accept the Notice of Completion for the work.

Background: The existing underground waste sewer pipe at the Rivers Edge Golf Course restrooms failed and began backing up within the building. Maintenance staff investigated the issue and found that the existing pipe beneath the concrete was made of cast iron and had deteriorated beyond repair.

On August 30, 2023, the Public Restroom Sewer Line Repair project was advertised for bids and bids were opened on September 30, 2023. On October 10, 2023, New Power Contracting for Building Mechanicals was awarded the Base Bid in the amount of \$24,750 with a 10% contingency for a total project cost of \$27,225.00.

During construction, the contractor incurred additional costs for installing new venting to comply with current building codes and replacing substandard floor drains and cleanouts.

By issuance of this Change Order, the total project cost is increased by \$1,821.98 from the original approval.

Fiscal Impact: Change Order #1 (Final) results in a net increase of \$1,821.98 to the total project cost and a total contract amount of \$29,046.98 with New Power Contracting for Building Mechanicals to be funded by a budget increase of \$1,821.98 to the Golf Course Pro Shop Building Maintenance/Repair fund from General Fund Reserves.

 Finance Dept.

Recommendation: Accept Change Order No. 1 (Final) for work completed by New Power Contracting for Building Mechanicals for the Public Restroom Sewer Line Repair project and authorize staff to execute said Change Order; and Accept the Notice of Completion for the work.

Submitted By: Kathy Raasch, Projects Manager

City Management Review:  **Date:** 10/19/2023

Approved: ☐ Not Approved: ☐ Tabled: ☐ Other: ☐

AGENDA ITEM: 60

CITY OF NEEDLES CHANGE ORDER

PROJECT: Public Restroom Sewer line Repair

Change Order No. 1

OWNER: City of Needles

CONTRACTOR: New Power Contracting for
Building Mechanics

FOLLOWING CHANGES ARE MADE TO THE CONTRACT:

Description of Changes	Decrease Contract Price	Quantity	Increase Contract Price
1. 4" Vent Modifications		4 @ \$244.00	\$ 976.00
2. 2" Vent Modifications		2 @ \$156.00	\$ 936.00
3. New Floor Drain		2 @ \$263.00	\$ 526.00
4. New Clean Out Assembly		2 @ \$953.00	\$1,906.00
5. Plumbing Permit	\$47.02		

JUSTIFICATION:

Items 1 & 2 - Additional 2" and 4" vents

After opening up the walls, it was determined that the existing vents did not meet current building codes and required additional venting and modifications from the original scope.

2" Vents - \$936.00

4" Vents - \$976.00

Total of \$1,912.00 increase from project contingency**Items 3 & 4 - Floor drains and clean outs**

The existing floor drains and cleanouts were upgraded from existing materials to heavy duty materials for long term performance.

Floor Drains - \$526.00

Clean Outs - \$1906.00

Total of \$2432.00. \$563.00 increase from project contingency and \$1869 from increase due this Change Order.**Item 5 - Plumbing Permit**

Plumbing Permit cost reduced to reflect actual amount charged for the permit.

Reduction of \$47.02

Original Contract Price	\$ 24,750.00
Previous Change Order(s) Amount	\$0.00
Original Contract Price plus previous Change Orders	\$ 24,750.00
Contract Price Due This Change Order	\$ 4,296.98
New Contract Price	\$ 29,046.98

CHANGE IN CONTRACT TIME

Contract Time will be (Increased)	Adjusted Date for Completion of all Work	Calendar Days
N/A	N/A	N/A

**APPROVALS
REQUIRED**

Requested by:

Kathy Raaser
Signature (Project Manager)

Date: 10/18/23

Contractor Acceptance:

Signature (Contractor)

Date: _____

Approved by:

Signature (City Manager)

Date: 10/24/23
CC meeting

CHANGE ORDER

RECORDING REQUESTED BY:

Item 6.

City of Needles
817 Third Street
Needles, CA 92363

AND WHEN RECORDED MAIL TO:

City of Needles
817 Third Street
Needles, CA 92363

No fee per Govt. Code § 27383

~ SPACE ABOVE FOR RECORDER'S USE ONLY ~

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

The undersigned is OWNER or AGENT OF THE OWNER of the interest or estate stated below in the property hereinafter described.

The full NAME of the OWNER is CITY OF NEEDLES

The ADDRESS of the OWNER is 817 THIRD STREET, NEEDLES, CA 92363

The NATURE OF THE INTEREST or estate of the undersigned is In FEE

Street Address / APN (if applicable) 144 Marina Dr / 0186-021-14-0000

The full name(s) and address(es) of all persons, if any, who hold such interest or estate with the undersigned as joint tenants or as tenants in common are:

Contractor's Name

Contractor's Address:

New Power Contracting for Building Mechanicals

17830 Merridy Street, Northridge, CA 91325

The property on which said work of improvement was completed is in the City of **Needles**, County of **San Bernardino**, State of **California**, and was approved by the Needles City Council by minute action at the 10/24/2023 meeting and is DESCRIBED AS FOLLOWS:

Improvement on the property hereinafter described and COMPLETED on 10/23/2023

Improvements described as

Repair Sewer line at River's Edge Golf Course public restroom.

I, Patrick J. Martinez am the City Manager
(Name of below signor) (Owner, President, Authorized Agent, Partner, etc.)

the declarant of the foregoing Notice of Completion. I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 10/25/2023

Signature: _____

Patrick J. Martinez, City Manager, City of Needles

Notice of Completion 03-17-2023

ORDINANCE 663-AC

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEEDLES,
CALIFORNIA, AMENDING THE MUNICIPAL CODE (NMC) SECTIONS:
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"**

WHEREAS, the City of Needles ("City") is required by California Government Code Sections 65854 to 65857 to amend the Zoning Ordinance, as defined therein; and

WHEREAS, California Government Code Sections 65854 to 65857, authorizes the Planning Commission to amend the Zoning Ordinance if it is deemed to be in the public interest; and

WHEREAS, the City last completed a comprehensive update to its Zoning Ordinance in 1995; and

WHEREAS, by its very nature, the Zoning Ordinance is subject to update and revision to account for current and future community needs; and

WHEREAS, the Housing Element, Land Use, and Transportation Elements are three of the seven State mandated General Plan chapters or "elements" and are a component of the City's General Plan and have been recently updated in accordance with State Law; and

WHEREAS, changes to various sections of the Zoning Code related to permitted uses and development standards are proposed to implement and ensure consistency with the recently updated Housing, Land Use, and Transportation Elements; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the Zoning Ordinance Amendment is exempt under Section 15061(b)(3) of the State CEQA Guidelines; and

WHEREAS, as contained here, the City has endeavored in good faith to set forth the basis for its decisions on the Project; and

WHEREAS, the City has endeavored to take steps and impose all conditions necessary to ensure that impacts to the environment would not be significant; and

WHEREAS, all of the findings and conclusions made of the Planning Commission pursuant to this Resolution is based upon the oral and written testimony; and

WHEREAS, it is recognized that all findings made with regard to a Conditional Use Permits application that has been deemed complete by January 1, 2030 will be objective and quantifiable in nature, pursuant to Government Code Section 65589.5,

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star on September 20, 2023; and

10-24-23 #7

WHEREAS, the Needles City Council has sufficiently considered all testimony and evidence presented to them in order to make the following determination.

WHEREAS, on August 8, 2023, at a regularly-scheduled City Council meeting, a public workshop was held and the public was afforded an opportunity to comment and consider amendments to Zoning Code Sections 94, 96, 97, 98, 99, 111, 112, and 115, and Chapter 19 of the City's Municipal Code (collectively, the Zoning Ordinance Amendments known here on as "the Project"); and

WHEREAS, on October 4, 2023, the Needles Planning Commission approved **RESOLUTION NO. 10-04-2023-1 PC** recommending City Council approval of an Ordinance amendments to Zoning Code Sections 94, 96, 97, 98, 99, 111, 112, and 115, and Chapter 19 of the City's Municipal Code (collectively, the Zoning Ordinance Amendments known here on as "the Project"); and

WHEREAS, the Needles City Council has sufficiently considered all testimony and any documentary evidence presented to them in order to make the following determination.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Needles, California, approves an amendment to the City Code as follows set for herein:

SECTION 1. Recitals. The recitals above are hereby incorporated by reference as a substantive component of this Ordinance.

SECTION 2. Compliance with CEQA. As the advisory body to the City Council, the Planning Commission has independently reviewed and considered the project is exempt under the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines. A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Planning Commission finds that the categorical exemption has been completed in compliance with CEQA and the State CEQA Guidelines.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve the amendments to the Needles Municipal Code and Needles Zoning Code, attached as "Exhibit "A".

SECTION 4. The City Council HEREBY APPROVES Ordinance 663-AC for an amendment to the Needles Municipal Code and Needles Zoning Code, attached as Exhibit "A".

SECTION 5. This action shall become final and effective 30 days after this decision by the City Council as provided by the Needles City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 10th day of October 2023, by the following roll call vote:

AYES: Council Members Campbell, Merritt, Pogue, Belt and Longbrake
 NOES None
 ABSENT Councilmember McCorkle

ABSTAIN None



Mayor

Attest:



City Clerk

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 24th day of October 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

(Seal)

Attest:

City Clerk

Approved as to form:


City Attorney

Exhibit A - City of Needles Amendment Tracker

666	Proposed Text																
Table 96.01 Land Use Matrix	EXISTING TABLE	R1	R2	R3	CR	C1	C2	C3	M1	M2	P	PROPOSED TABLE					
	1.00 RESIDENTIAL											1.00 RESIDENTIAL					
	1.20.1 Single Family, 1 du / lot	Z	Z	Z	Z							1.10 Single-Family (Up to 2 du / lot)	Z	Z	Z	Z	
	1.20.2 Single Family, 2 du / lot	Z	Z	Z	Z							1.15 Single-Family Small Lot / Tiny Homes		Z	Z	Z	
	1.30.1 Accessory Dwelling Units	Z	Z	Z	Z		Z					1.20 Accessory and Junior Accessory Dwelling Units	Z	Z	Z	Z	
	1.30.2 Junior Accessory Dwelling Units	Z	Z	Z	Z		Z					1.30 Duplex, Triplex, Quadplex		Z	Z	Z	
	1.30.3 Manufactured & Tiny Homes	Z	Z	Z	Z		Z					1.40 Multifamily Townhomes/Condos			Z	Z	
	1.40 Primary with accessory apartment	S	Z	Z	Z							1.45 Multifamily Apartments			Z	S	
	1.50 Duplex		Z	Z	Z		Z					1.50 Mobile Home Parks		S	S	S	
	1.60 Multifamily apartments			Z	C		Z					1.60 Planned Residential Unit Development		C	C	C	
	1.62 Multi-Family Apt-Conversion				C		C					1.70 Mixed Use				Z	S
	1.70 Multifamily townhomes			Z	C		Z					1.80 Manufactured /3D Printed / Prefab Homes	Z	Z	Z	Z	
	1.75 Multifamily condos			Z	C		Z					1.90 Single-Room Occupancy Units	Z	Z	Z	Z	
	1.80 Mobilehome parks		C	C	S							2.00 RESIDENTIAL/COMMERCIAL					
	1.85 R.V. parks		C	C	S			C				2.10 Emergency Shelters					Z
	1.90 Planned residential development		C	C	C		C					2.20 Transitional Housing	Z	Z	Z	Z	Z
	1.95 Mixed-use residential***						C					2.25 Supportive Housing	Z	Z	Z	Z	Z
	2.00 RESIDENTIAL/COMMERCIAL											2.30 Low Barrier Navigation Centers		Z	Z	Z	Z
	2.10 Homes for handicapped	C	C	S	C	C	C					2.40 Residential Care Facilities (6 or fewer residents)	Z	Z	Z	Z	Z
	2.20 Nursing care	C	C	S	C	C	C					2.45 Residential Care Facilities (7 or more residents)	C	C	S	C	C
	2.30 Adult/child care (residence)	C	S	S	S	C	S					2.50 Homes for Handicapped	CC	CC	SS	CC	CC
	2.40 Halfway home			C	C	C						2.60 Adult/Child Care	C	S	S	S	S
	2.50 Boarding house	C	C	C	C	C	C					2.70 Boarding Houses	CC	CC	CC	CC	SS
	2.55 Bed and breakfast	C	S	S	Z	S	S	S				2.80 Bed and breakfast	C	S	S	Z	S
	2.60 Hotels, motels				C	S	Z	Z	C			2.85 Hotels, motels				C	S
	2.65 Supportive Housing	Z	Z	Z	Z							2.100 Live/Work Units					Z
	2.70 Transitional Housing	Z	Z	Z	Z							2.110 R.V. Parks		C	C	S	
	2.75 Emergency Shelters								Z	Z		2.120 Employee Housing	Z			Z	
	MISCELLANEOUS CHANGES											R1	R2	R3	CR	C1	C2
	9.60 EV Charging											Z	Z	Z	Z	Z	Z
	12.30 Private homeowners keeping horses; one-half- acre minimum lot size	Z	Z				S										S
Sec. 94.00. Permits required	(1) Permit Definitions																
	(a) The use made of property may not be substantially changed, substantial clearing, grading, or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits:																
	(1) A zoning permit issued by the city planner;																
	(2) A special use permit issued by the planning commission;																
	(3) A conditional use permit issued by the city council;																
	(4) Sign permits issued by the city planner;																
	(b) Zoning permits, special use permits, conditional use permits and sign permits are issued under this part only when a review of the application submitted, including the plans contained therein, indicates that the development will comply with the																

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	<p>provisions of this part if completed as proposed. Such plans and applications as are finally approved are incorporated into any permit issued, and except as otherwise provided in section 94.14, all development shall occur strictly in accordance with such approved plans and applications.</p>	Formatted... [1]
(c)	Physical improvements to land to be subdivided may not be commenced except in accordance with a conditional use permit.	Formatted: Double underline
(d)	A zoning permit, conditional use permit, special use permit, or sign permit shall be issued in the name of the applicant (except that application submitted by an agent shall be issued in the name of the principal), shall identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit-issuing authority. All such permits issued with respect to tracts of land in excess of one (1) acre (except sign permits and zoning permits for single- family and two-family residential uses) shall be recorded in the San Bernardino County registry after execution by the record owner. (Ord. 427-AC)	Formatted... [2]
(2) Site Plan Permit Requirements: A site plan shall be drawn to scale of an adequate size and shall indicate clearly and with full dimensions the following data where applicable:		Formatted... [3]
(a)	Exterior boundary lines of the property indicating easements, dimensions and lot size.	Formatted... [4]
(b)	All adjacent streets or rights-of-way, including 1 bicycle and/or hiking trails.	Formatted... [5]
(c)	Location, elevations, size, height, dimensions, materials, colors, and proposed use of all buildings and structures (including walls, fences, signs, lighting and hooding devices) existing and intended to remain on the site.	Formatted... [6]
(d)	Setback information for all buildings existing and proposed at the site.	Formatted... [7]
Distances between all structures and between all property lines or easements and structures.		Formatted... [8]
(e)	Any nearby buildings which are relevant to this application.	Formatted... [9]
(f)	Any existing significant natural features such as rock outcroppings, highly protected trees, creeks, knolls and ridgelines.	Formatted... [10]
(g)	Location, number of spaces, and dimensions of off-street parking spaces, loading docks, and maneuvering areas; indicate internal circulation.	Formatted... [11]
(h)	Pedestrian, vehicular and service points of ingress and egress; driveway widths, and distances between driveways.	Formatted... [12]
(i)	Proposed landscaping; include quantity, location, varieties and container size.	Formatted... [13]
(j)	Proposed grading plan (for sites having over five (5) foot grade differential), showing existing and proposed contours, and the direction and path of drainage on, through and off the site; indicate any proposed drainage channels or facilities.	Formatted... [14]
(k)	Required and existing street dedications and improvements such as sidewalks, curbing and pavement. Indicate widths, radii of curves, street grades and whether streets are public or private.	Formatted... [15]
(l)	Other such data as may be required to by the Planning Commission and City Council or the City Planner to make the required findings for approval of the specific type of application.	Formatted... [16]
(m)	Scale shown as "Scale: 1 inch =feet" and North arrow.	Formatted... [17]
(n)	Vicinity map indicating nearby cross streets in relation to site (need not be to scale).	Formatted... [18]
(o)	Whether the proposed site is in a FEMA flood plain.	Formatted... [19]
Sec. 94.01. Eligible Applicants		Formatted: Double underline
(a)	Applications for zoning, special use, conditional use, or sign permits will be accepted only from persons having the legal authority to take action in accordance with the permit approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this part, or the agents of such persons (who may make application in the name of such owners, lessees, or contract vendees).	Formatted... [20]
(b)	The city planner may require an applicant to submit evidence of his/her authority to submit the application in accordance with subsection (a) of this section whenever there appears to be a reasonable basis for questioning this authority. (Ord. 427-AC)	Formatted... [21]
Sec. 94.02. Complete Applications		Formatted: Double underline
(a)	All applications for zoning, special use, conditional use, or sign permits must be complete before the permit issuing authority is required to consider the application.	Formatted... [22]
(b)	Subject to subsection (c) of this section, an application is complete when it contains all of the information that is necessary for the permit issuing authority to decide whether or not the development, if completed as proposed, will comply with all of the requirements of this part.	Formatted: Double underline
(c)	In this part, detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in one (1) or more of the appendices to this part. It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with these appendices, so long as the plans provide sufficient information in the light of the substantive requirements set forth in this text of this part.	Formatted: Double underline
(d)	The city planner shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the City Planner to determine compliance with this part, such as applications for zoning permits to construct single-family or two-family houses, or applications for sign permits, the city planner shall develop standard forms that will expedite the submission of the necessary plans and other required information. (Ord. 427-AC)	Formatted... [23]
Sec. 94.04. Staff consultation before formal application		Formatted: Double underline
(a)	To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this part, preapplication consultation between the developer and the planning staff is encouraged or required as provided in this section.	Formatted... [25]
(b)	Before submitting an application for a conditional use permit authorizing a development that consists of or contains a major subdivision, the developer shall submit to the City Planner a preliminary site-plan for such subdivision, drawn approximately to scale (one (1) inch equals one hundred (100) feet). The preliminary site plan shall contain:	Formatted... [26]
(1)	The name and address of the developer;	Formatted: Double underline
(2)	The proposed name and location of the subdivision;	Formatted: Double underline

- (3)

The approximate total acreage of the proposed subdivision;
- (4)

The tentative street and lot arrangement;
- (5)

Topographic lines; and
- (6)

Any other information the developer believes necessary to obtain the informal opinion of the planning staff as to the proposed subdivision's compliance with the requirements of this part.

The city planner shall meet with the developer as soon as conveniently possible to review the preliminary site plan.

(C) Before submitting an application for any other permit, developers are strongly encouraged to consult with the planning staff concerning the application of this part to the proposed development. (Ord. 427-AC)

Sec. 94.05. Staff consultation after application submitted

- (a)

Upon receipt of a formal application for a zoning, special use, or conditional use permit, the city planner shall review the application and confer with the applicant to ensure that he understands the planning staff's interpretation of the applicable requirements of this part, that they have submitted all of the information that they intend to submit, and that the application represents precisely and completely what the applicant has proposed to do.
- (b)

If the application is for a special use or conditional use permit, the city planner shall place the application on the agenda of the appropriate body when the application is deemed complete. (Ord. 427-AC)

Sec. 94.06. Zoning permits

- (a)

A completed application form for a zoning permit shall be submitted to the City Planner by filing a copy of the application with the planning department.
- (b)

The City Planner shall issue the zoning permit unless they finds, after reviewing the application and consulting with the applicant that:

(1)

The requested permit is not within his jurisdiction according to the table of permissible uses; or

(2)

The application is incomplete; or

(3)

If completed as proposed in the application, the development will not comply with one (1) or more requirements of this part. (Ord. 427-AC)

Sec. 94.07. Special Use Permits and Conditional Use Permits

- (a)

An application for a Special Use Permit shall be submitted to the Planning Department to be placed on a Planning Commission meeting agenda.
- (b)

An application for a Conditional Use Permit shall be submitted to the Planning Department to be placed on a City Council meeting agenda for final approval.
- (c)

Subject to subsection (d) of this section, the planning commission or the council, respectively, shall issue the requested permit unless it concludes, based upon the information submitted at the hearing, that:

(1)

The requested permit is not within its jurisdiction according to the table of permissible uses; or

(2)

The application is incomplete; or

(3)

If completed as proposed in the application, the development will not comply with one (1) or more requirements of this part.
- (d)

Even if the permit-issuing body finds that the application complies with all other provisions of this part, it may still deny the permit if it concludes based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not:

(1)

Will materially endanger the public health or safety; or

(2)

Will not be in general conformity with the general plan. (Ord. 427-AC)

Sec. 94.08. Recommendations on conditional use permit applications

- (a)

Before being presented to the council, an application for a conditional use permit shall be submitted to the planning commission for a public hearing and action.
- (b)

When presented to the planning commission, the application shall be accompanied by a staff report setting forth the planning department's proposed findings concerning the application's compliance with other requirements of this part, as well as any staff recommendations for additional requirements to be imposed by the council. If the planning department's report proposes a finding or conclusion that the application fails to comply with any other requirement of this part, it shall identify the requirement in question and specifically state supporting reasons for the proposed findings or conclusions.
- (c)

The planning commission shall consider the application and the attached staff report in a timely fashion.
- (d)

After planning commission action, the planning staff shall report to the council the planning commission recommendation and the reasons thereof.
- (e)

In response to the planning commission recommendations, the applicant may modify his application prior to submission to the council, and the planning staff may likewise revise its recommendations. (Ord. 427-AC)

Sec. 94.09. Council action on conditional use permits

In considering whether to approve an application for a conditional use permit, the council shall proceed according to the following format:

- (1)

The council shall consider whether the application is complete. If no member moves that the application be found incomplete (specifying either the particular type of information lacking or the particular requirement with respect to which the application is incomplete) then this shall be taken as an affirmative finding by the council that the application is complete.
- (2)

The council shall consider whether the application complies with all of the applicable requirements of this part. If a motion to this effect passes, the council need not make timer findings concerning such requirements.

If such a motion fails or is not made then a motion shall be made that the application be found not in compliance with one or more of the requirements of this part. Such a motion shall specify the particular requirements the application fails to meet. Separate votes may be taken with respect to each requirement not met by the application.

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(3) If the council concludes that the application fails to comply with one (1) or more requirements of this part, the application shall be denied.

If the council concludes that all such requirements are met, it shall issue the permit unless it adopts a motion to deny the application for one (1) or more of the reasons set forth in section 94.07(d). Such a motion shall propose specific findings, based upon the evidence submitted, justifying such a conclusion. (Ord. 427-AC)

Sec. 94.10. Planning commission action on special use permits

In considering whether to approve an application for a special use permit, the planning commission shall proceed in the same manner as the council when considering conditional use permit applications.

- (1) The planning commission shall consider whether the application is complete. If the planning commission concludes that the application is incomplete and the applicant refuses to provide the necessary information, the application shall be denied. A motion to this effect shall specify either the particular type of information lacking or the particular requirement with respect to which the application is incomplete. A motion to this effect, concurred in by two (2) members of the planning commission, shall constitute the planning commission's finding on this issue. If a motion to this effect is not made and concurred in by at least two (2) members, this shall be taken as an affirmative finding by the commission that the application is complete.
- (2) The planning commission shall consider whether the application complies with all of the applicable requirements of this part. If a motion to this effect passes by the necessary majority vote, the planning commission need not make further findings concerning such requirements. If such a motion fails to receive the necessary majority vote or is not made, then a motion shall be made that the application be found not in compliance with one (1) or more requirements of this part. Such a motion shall specify the particular requirements the application fails to meet. A separate vote may be taken with respect to each requirement not met by the application, and a majority vote of the commission (excluding vacant seats) in favor of such a motion shall be sufficient to constitute such motion a finding of the commission.

If the planning commission concludes that the application fails to meet one (1) or more of the requirements of this part, the application shall be denied.

If the planning commission concludes that all such requirements are met, it shall issue the permit unless it adopts a motion to deny the application for one (1) or more of the reasons set forth in section 94.07(d). Such a motion shall propose specific findings, based upon the evidence submitted, justifying such a conclusion. Since such a motion is not in favor of the applicant, it is carried by a simple majority vote. (Ord. 427-AC)

Sec. 94.11. Additional requirements on special use and conditional use permits

- (a) Subject to subsection (b) of this section, in granting a special or conditional use permit, the planning commissioner or city council, respectively, may attach to the permit such reasonable requirements in addition to those specified in this part as will ensure that the development in its proposed location;
- (1) Will not endanger the public health or safety;
- (2) Will be in conformity with the general plan.
- (b) The permit-issuing body may not attach additional conditions that modify or alter the specific requirements set forth in the ordinance codified in this part unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.
- (c) Without limiting the foregoing, the planning commission may attach to a permit a condition limiting the permit to a specified duration.
- (d) All additional conditions or requirements shall be entered on the permit. (Ord.427- AC)

Sec. 94.12. No occupancy, use, or sale of subdivision lots until requirements fulfilled

Issuance of a conditional use, special use, zoning permit, or sign permit authorizes the recipient to commence the activity resulting in a change in use of the land or (subject to obtaining a building permit) to commence work designed to construct, erect, move, or substantially alter buildings or other substantial structures or to make necessary improvements to a subdivision. However, except as provided in section 94.13, the intended use may not be commenced, no building may be occupied, and in the case of subdivisions, no lots may be sold until all of the requirements of this part and all additional requirements imposed pursuant to the issuance of a conditional use or special use permit have been complied with, as required. (Ord. 427-AC)

Sec. 94.13. Completing developments in phases

- (a) If a development is constructed in phases or stages in accordance with this section, then, subject to subsection (c) of this section, the provisions of Section 94.12 (No occupancy, use, or sale of lots until requirements fulfilled) shall apply to each phase as if it were the entire development.
- (b) As a prerequisite to taking advantage of the provisions of subsection (a) of this section, the developer shall submit plans that clearly show the various phases or stages of the proposed development and the requirements of this part that will be satisfied with respect to each phase or stage.
- (c) If a development that is to be built in phases or stages includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of his application for development approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one (1) or more phases or stages of the entire development. Once a schedule has been approved and made part of the permit by the permit-issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the approved schedule. (Ord. 427-AC)

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Sec. 94.14. Expiration of permits

Zoning, special use, conditional use, and sign permits shall expire automatically if, within twelve (12) months after issuance of such permits:

(1) The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or

(2) Less than ten (10) percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site. With respect to phased development this requirement shall apply only to the first phase.

(b) If after some physical alteration to land or structures begins to take place, such work is discontinued for a period of twelve (12) months, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of section 94.15.

(c) The permit-issuing authority may extend for a period up to twelve (12) months the date when a permit would otherwise expire pursuant to subsections (a) or (b) of this section if it concludes that: (1) the permit has not yet expired; (2) the permit recipient has proceeded with due diligence and in good faith; and (3) conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to twelve (12) months upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit.

(d) For purposes of this section, the permit within the jurisdiction of the council or the planning commission is issued when such commission votes to approve the applications and issue the permit. A permit within the jurisdiction of the city planner is issued when the earlier of the following takes place:

(1) A copy of the fully executed permit is delivered to the permit recipient, and delivery is accomplished when the permit is mailed to the permit applicant or sent through electronic delivery; or

(2) The city planner notifies the permit applicant that the application has been approved and that all that remains before a fully executed permit can be delivered is for the applicant to take certain specified actions, such as having the permit executed by the property owner so it can be recorded if required. (Ord. 427-AC)

Sec. 94.15. Effect of permit on successors and assigns

(a) Zoning, special use, conditional use, and sign permits authorize the permittee to make use of land and structures in a particular way. Such permits are transferable. However, so long as the land or structures or any portion thereof covered under a permit continues to be used for the proposes for which the permit was granted, then:

(1) No person (including successors or assigns of the person who obtained the permit) may make use of the land or structures covered under such permit for the purposes authorized in the permit except in accordance with all the terms and requirements of that permit; and

(2) The terms and requirements of the permit apply to and restrict the use of land or structures covered under the permit, not only with respect to all persons having any interest in the property at the time the permit was obtained, but also with respect to persons who subsequently obtain, any interest in all or part of the covered property and wish to use it for or in connection with purposes other than those for which the permit was originally issued, so long as the persons who subsequently obtain an interest in the property had actual or record notice (as provided in subsection (b) of this section) of the existence of the permit at the time they acquired their interest.

(b) Whenever a special use, or conditional use permit is issued to authorize development (other than single-family or two-family residences) on a tract of land, nothing authorized by the permit may be done until the record owner of the property signs a written acknowledgment that the permit has been issued so that the permit. (Ord. 427-AC)

Sec. 94.15. Amendments to and modifications of permit

(a) Insignificant deviations from the permit (including approved plans) issued by the city council, the planning commission or the city planner are permissible and the city planner may authorize such insignificant deviations. A deviation is insignificant if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

(b) Minor design modifications or changes in permits (including approved plans) are permissible with the approval of the permit-issuing authority. For purposes of this section, minor design modifications or changes are those that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

(c) All other requests for changes in approved plans will be processed as new applications. If such requests are required to be acted upon by the council or planning commission, new conditions may be imposed, but the applicant retains the right to reject such additional conditions by withdrawing his request for an amendment and may then proceed in accordance with the previously issued permit.

(d) The city planner shall determine whether amendments to and modifications of permits fall within the categories set forth above in subsections (a), (b), and (c) of this section.

(e) A developer requesting approval of changes shall submit a written request for such approval to the city planner and that request shall identify the changes. Approval of all changes must be given in writing. (Ord. 427-AC)

Sec. 94.16. Reconsideration of planning commission actions

(a) Whenever: (1) the city council disapproves a conditional use permit application; or

(2) the planning commission disapproves an application for a special use permit or a variance, on any basis other than the failure of the applicant to submit a complete application, such action may not be reconsidered by the respective body at a later time unless the applicant clearly demonstrates that:

(A) Circumstances affecting the property that is the subject of the application have substantially changed, or

(B) New information is available that could not with reasonable diligence have (C) The Applicant has substantially changed the design of the project.

(C) The Applicant has substantially changed the design of the project.

A request to be heard on this basis must be filed with the city planner within the time period for an appeal. However, such a request does not extend the period within which an appeal must be taken. (Ord. 427-AC)

Sec. 94.17. Applications to be processed expeditiously.

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Recognizing that inordinate delays in acting upon appeals or applications may impose unnecessary costs on the appellant or applicant, the city shall make every reasonable effort to process appeals and permit applications as expeditiously as possible, consistent with the need to ensure that all development conforms to the requirements of this part. (Ord. 427-AC)

Sec. 94.18. Maintenance of common areas, improvements and facilities

The recipient of any zoning, special use, conditional use, or sign permit, or his successor, shall be responsible for maintaining all common areas, improvements, or facilities required by this part or any permit issued in accordance with its provisions, except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. As illustrations, and without limiting the generality of the foregoing, this means that private roads and parking areas, water and sewer lines, and recreational facilities must be properly maintained so that they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be replaced if they die or are destroyed. (Ord. 427-AC)

Sect. 94.19. Reasonable Accommodation applications.

Reasonable Accommodation: A modification in the application of land use or zoning regulations or in the application of land use, zoning, or building policies, procedures, or practices when necessary to eliminate barriers to housing opportunities, which does not impose undue financial or administrative burdens on the City or require a fundamental or substantial alteration of the City's regulations, policies, procedures or practices.

Reasonable Accommodation for Residential Uses. A request for reasonable accommodation can be made by any individual with a disability, his or her representative, or a developer or provider of housing for an individual with a disability, when the application of a land use or zoning regulation, or land use, zoning, or building policy, practice or procedure acts as a barrier to fair housing.

The purpose of granting an application for Reasonable Accommodation is to provide an individual with health conditions and impairments, the representative, or a developer or provider of housing for an individual with a disability, a modification with respect to the application of land use, or zoning regulations, and in the application of land use, zoning, or building policies, practices or procedures when those regulations, policies and procedures act as a barrier to fair housing. An application for Reasonable Accommodation may be filed with the Planning Department as provided in Article IV Section

(1) Definitions. Article II Section 92 is hereby amended to add the following definitions:

- (a) Fair Housing Laws: The Federal Fair Housing Act (42 U.S.C. § 3601 et. Seq.), the California Fair Employment and Housing Act (Government Code §12900 et seq.), and the California Disabled Persons Act (Civil Code § 54 et.Seq.). Individual with a Disability: A person who has a medical, physical, or mental conditions that limits a major life activity, as those terms are defined in California Government Code section 12926

(2) Submittal requirements for reasonable accommodations. Each application for a Reasonable Accommodation shall be accompanied by the site plan information required by Article IV Section 94 (2) (a) through (o). The application shall be accompanied by the following information:

- (a) The name, address, and phone number for the applicant and owner of the property for which the reasonable accommodation request is being made;
(b) The current and proposed use of the property for which the reasonable accommodation request is being made;
(c) If the applicant is someone other than the property owner, a letter of agency or authorization signed by the property owner consenting to the application being made;
(d) The basis for the claim that the individual to be reasonably accommodated is an Individual with a Disability under the Fair Housing Laws;
(e) The land use or zoning regulation, or land use, zoning, or building policy, practice or procedure for which reasonable accommodation is being requested;
(f) The type of accommodation sought;
(g) The reason(s) why the accommodation is necessary for the needs of the people with health conditions or impairment person. Where appropriate, include a summary of any potential means and alternatives considered in evaluating the need for the accommodation;
(h) Copies of memoranda, correspondence, pictures, plans or background information reasonably necessary to reach a decision regarding the need for the accommodation;
(i) Other supportive information deemed necessary by the department to facilitate proper consideration of the request, consistent with fair housing laws;
(j) Completion of a CEQA Checklist if proposed site is on vacant land.

(3) Findings. The reviewing authority shall approve the application, with or without conditions, unless it determines on the basis of substantial evidence that one or more of the following findings cannot be made:

- a. The accommodation is requested by or on behalf of an individual with a disability protected under the fair housing laws.
b. The housing, which is subject to the requested accommodation, will be used by an individual with a disability protected under fair housing laws.
c. The requested accommodation is necessary to provide an individual with a disability an equal opportunity to use and enjoy a dwelling.
d. The requested accommodation will not impose an undue financial or administrative burden on the City.
e. The requested accommodation would not require a fundamental alteration in the nature of a City program or law, including land use and zoning.

(4) Other Discretionary approvals. If the project requires other discretionary approval (such as a Conditional Use Permit or Variance) independent of the reasonable accommodation request, then the reasonable accommodation application will be decided prior to the other applications. Such decisions shall not to be reconsidered as part of the subsequent approvals but shall be regarded as independent entitlements.

(5) Decisions. The City Planner shall, within 30 days of determining the application complete, approve, approve with conditions, or deny the application based on the findings set forth in Article IV Section 94.19 (2), and may impose such conditions as it deems necessary to ensure the accommodation will comply with the findings required in Article IV Section 94.19 (2) and fair housing laws. As part of consideration of a request for a reasonable accommodation related to construction of new dwelling or dwellings, the City Planner may consult with the Design Review Committee regarding the requested accommodation and any options that may result in a reasonable accommodation. While any request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect

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	<p><u>larger than the primary unit, and detached and attached accessory dwelling units shall comply with setback requirements, the required distance between units, open space requirements and maximum lot coverage/FAR requirements applicable to the parcel on which the unit is located.</u></p> <p>8. Height. A detached Accessory Dwelling Unit shall not exceed <u>the height of maximum height limit of its respective zone. 15 feet in height.</u></p> <p>9. Passageway. No Passageway shall be required in conjunction with the construction of an Accessory Dwelling Unit.</p> <p>10. Setback Exceptions. A detached Accessory Dwelling Unit must have a minimum set back of <u>four</u> (4) feet from side and rear property lines. No setback shall be required for a lawfully constructed garage or other accessory structure in existence prior to execution of this Ordinance that is converted to an Accessory Dwelling Unit, and a setback of no more than <u>four (4) feet</u> from the side and rear lot lines shall be required for an Accessory Dwelling Unit that is constructed above a garage. In the event an Accessory Dwelling Unit is permitted prior to the primary residence, a minimum front set back of 26 feet shall apply. <u>Note: the adopted Fire Code setback standards must be met.</u></p> <p>11. Parking. The application shall comply with parking provisions of Needles’ Municipal Code Section 111, including parking setback limitations, except as set forth below:</p> <p>a. One parking space per accessory dwelling unit or per bedroom, whichever is less, of the proposed Accessory Dwelling Unit in addition to those required for the Primary Unit(s).</p> <p>b. Required parking for the Accessory Dwelling Unit may be uncovered.</p> <p>c. Off-street parking for an Accessory Dwelling Unit may be in tandem with parking for the Primary Unit or may be allowed in the front setback, unless specific findings are made that such is not feasible based on specific site topographical or fire and life safety conditions. All parking spaces shall be on an Improved Parking Surface that satisfies City Standards.</p> <p>d. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an Accessory Dwelling Unit, the City does not require that those parking spaces be replaced,</p> <p>e. Subsections A through D of this Standard 11 shall not apply to a unit described in subsection 11F below.</p> <p>f. On-site parking is not required for an Accessory Dwelling Unit in any of the following circumstances:</p> <ul style="list-style-type: none">• The unit is located within one-half mile of Public Transit.• The unit is part of the existing Primary Unit or an existing Accessory Building.• When on-street parking permits are required but not offered to the occupant of the unit.• When there is a car share vehicle located within one block of the unit. <p>12. Feasibility Inspection. Unless the project constitutes new construction, a building inspection shall be performed by the City's Building Dept. at applicant's cost, and a report establishing the feasibility of the project to meet applicable building and residential codes shall be provided to the City Planner, or his/her designee, of Development Services prior to approval of an Accessory Dwelling Unit permit.</p> <p>13. Adequate sanitary service capacity for the additional increment of effluent resulting from the Accessory Dwelling Unit would be available. If the lot is connected to the public sewer system, the applicant has submitted a letter from the appropriate Sanitary District to that effect. If the lot is not connected to the public sewer system, the applicant will need to demonstrate that the individual or alternative sewage disposal system serving the lot has adequate capacity to accommodate the proposed Accessory Dwelling Unit.</p> <p>14. The Accessory Dwelling Unit would comply with all applicable Fire District regulations, subject to provisions and limitations set forth in Government Code Section 65852.2.</p> <p>15. The Accessory Dwelling Unit would comply with all applicable Water District regulations, subject to provisions and limitations set forth in Government Code Section 65852.2</p> <p>f. Standards for Accessory Dwelling Units Created Exclusively through Conversion of Existing Floorspace in a Single-Family Dwelling, Multifamily Structure, or a Detached Accessory Building</p> <p>1. The unit shall be located in one of the following residential zones: R-1, R-2, R-3, CRR, <u>and C-2.</u></p> <p>2. The unit shall be created within an existing legal structure (a single-family dwelling or a Detached Accessory Building appurtenant to a single-family dwelling) and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure.</p> <p>3. The unit shall provide independent exterior access from the Primary Unit.</p> <p>4. The unit has sufficient setbacks to meet fire safety requirements.</p> <p>5. There shall be no more than one Accessory Dwelling Unit per primary dwelling on a single family lot. On a multifamily lot, non-livable space may be converted into at least one ADU, and up to 25 percent of the number of existing multifamily dwelling units, if each converted unit complies with the state building standards for dwellings.</p> <p>6. Rental. The unit may be rented but may not be rented for a period less than 30 consecutive days or used as a Vacation Rental.</p> <p>7. Feasibility Inspection. A building inspection shall be performed by the City's Building Division at applicant's cost, and a memo establishing the feasibility of the project to meet applicable building and residential codes shall be provided to the City Planner, or his/her designee, of Community Development, prior to approval of a permit.</p>
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	<p>g. Standard for Junior Accessory Dwelling Units</p> <p>1. The proposed junior accessory dwelling unit would be located in a residential zone, including the R-1, R2, R-3 and CRR, <u>and C-2</u> zones.</p>										
Sec. 97.00. Residential zone densities with no bonuses.	<p>Before any density bonuses are applied, the number of dwelling units permitted in a residential development shall not exceed <u>or be developed at less than</u> the following amounts:</p> <table><tr><td>ZONE</td><td>DENSITY <u>RANGE</u></td></tr><tr><td>R-1</td><td>1.0 - 7.0</td></tr><tr><td>R-2</td><td>8.0 - 17.0</td></tr><tr><td>R-3</td><td>18.0 - 30.0</td></tr><tr><td>CRR</td><td>1.0 - 30.0</td></tr></table> <p><u>Residential development shall equal at least the lowest value for each zone’s density range, exclusive of properties encumbered by or proposed for deeded or dedicated easements, unless the property owner can demonstrate to the City Planner <u>City Planner</u> that physical or environmental constraints on the property make development to the minimum density infeasible.</u></p>	ZONE	DENSITY <u>RANGE</u>	R-1	1.0 - 7.0	R-2	8.0 - 17.0	R-3	18.0 - 30.0	CRR	1.0 - 30.0
ZONE	DENSITY <u>RANGE</u>										
R-1	1.0 - 7.0										
R-2	8.0 - 17.0										
R-3	18.0 - 30.0										
CRR	1.0 - 30.0										
Sec. 97.01. Density Bonus and Related Incentives and Concessions Program.	<p>Sec. 97.01(a). Purpose. The purpose of this Section 97.01 is to satisfy the requirements set forth in the Government Code Section 65915, et seq. (known as the State Density Bonus Law). If any provision of this Division conflicts with state law, or provides more rights than are legally required by state law, the minimum requirements of State law shall control.</p> <p><u>(1) When an applicant seeks a density bonus for a housing development within, or for the donation of land for housing within the City shall comply with this section.</u></p> <p><u>(2) The City shall not condition the submission, review, or approval of an application pursuant to this chapter on the preparation of an additional report or study that is not otherwise required by state law, including this section. This subdivision does not prohibit the City from requiring an applicant to provide reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p).</u></p> <p><u>(3) In order to provide for the expeditious processing of a density bonus application, the City shall do all of the following:</u></p> <p><u>(A) Adopt procedures and timelines for processing a density bonus application.</u></p> <p><u>(B) Provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete. This list shall be consistent with this chapter.</u></p> <p><u>(C) Notify the applicant for a density bonus whether the application is complete in a manner consistent with the timelines specified in Section 65943.</u></p> <p><u>(D) (i) If the City notifies the applicant that the application is deemed complete pursuant to subparagraph (C), provide the applicant with a determination as to the following matters:</u></p> <p><u>(I) The amount of density bonus, calculated pursuant to subdivision (f), for which the applicant is eligible.</u></p> <p><u>(II) If the applicant requests a parking ratio pursuant to subdivision (p), the parking ratio for which the applicant is eligible.</u></p> <p><u>(III) If the applicant requests incentives or concessions pursuant to subdivision (d) or waivers or reductions of development standards pursuant to subdivision (e), whether the applicant has provided adequate information for the City to make a determination as to those incentives, concessions, or waivers or reductions of development standards.</u></p> <p><u>(ii) Any determination required by this subparagraph shall be based on the development project at the time the application is deemed complete. The City shall adjust the amount of density bonus and parking ratios awarded pursuant to this section based on any changes to the project during the course of development.</u></p> <p><u>(b) (1) The City shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p), if an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:</u></p> <p><u>(A) Ten percent of the total units of a housing development, including a shared housing building development, for rental or sale to lower income households, as defined in Section 50079.5 of the Health and Safety Code.</u></p>										

	<p><u>(B) Five percent of the total units of a housing development, including a shared housing building development, for rental or sale to very low income households, as defined in Section 50105 of the Health and Safety Code.</u></p> <p><u>(C) A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code. For purposes of this subparagraph, “development” includes a shared housing building development.</u></p> <p><u>(D) Ten percent of the total dwelling units of a housing development are sold to persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.</u></p> <p><u>(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.</u></p> <p><u>(F) (i) Twenty percent of the total units for lower income students in a student housing development that meets the following requirements:</u></p> <p><u>(I) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this subclause, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the City that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this subclause is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.</u></p> <p><u>(II) The applicable 20-percent units will be used for lower income students.</u></p> <p><u>(III) The rent provided in the applicable units of the development for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.</u></p> <p><u>(IV) The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person’s homeless status may verify a person’s status as homeless for purposes of this subclause.</u></p> <p><u>(ii) For purposes of calculating a density bonus pursuant to this subparagraph, the term “unit” as used in this section means one rental bed and its pro rata share of associated common area facilities. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years.</u></p> <p><u>(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code. For purposes of this subparagraph, “development” includes a shared housing building development.</u></p> <p><u>(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), an applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), (D), (E), (F), or (G) of paragraph (1).</u></p> <p><u>(c) (1) (A) An applicant shall agree to, and The City shall ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.</u></p> <p><u>(B) (i) Except as otherwise provided in clause (ii), rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.</u></p> <p><u>(ii) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), rents for all units in the development, including both base density and density bonus units, shall be as follows:</u></p> <p><u>(I) The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.</u></p> <p><u>(II) The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by the California Tax Credit Allocation Committee.</u></p> <p><u>(2) (A) An applicant shall agree to ensure, and The City shall ensure, that a for-sale unit that qualified the applicant for the award of the density bonus meets either of the following conditions:</u></p> <p><u>(i) The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code and is subject to an equity sharing agreement.</u></p> <p><u>(ii) The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contract that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code and that includes all of the following:</u></p> <p><u>(I) A repurchase option that requires a subsequent purchaser of the property that desires to resell or convey the property to offer the qualified nonprofit corporation the right to repurchase the property prior to selling or conveying that property to any other purchaser.</u></p> <p><u>(II) An equity sharing agreement.</u></p> <p><u>(III) Affordability restrictions on the sale and conveyance of the property that ensure that the property will be preserved for lower income housing for at least 45 years for owner-occupied housing units and will be sold or resold only to persons or families of very low, low, or moderate income, as defined in Section 50052.5 of the Health and Safety Code.</u></p> <p><u>(B) For purposes of this paragraph, a “qualified nonprofit housing corporation” is a nonprofit housing corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.</u></p>
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	<p><u>(C) The City shall enforce an equity sharing agreement required pursuant to clause (i) or (ii) of subparagraph (A), unless it is in conflict with the requirements of another public funding source or law or may defer to the recapture provisions of the public funding source. The following apply to the equity sharing agreement:</u></p> <p><u>(i) Upon resale, the seller of the unit shall retain the value of any improvements, the downpayment, and the seller’s proportionate share of appreciation.</u></p> <p><u>(ii) Except as provided in clause (v), the City shall recapture any initial subsidy, as defined in clause (iii), and its proportionate share of appreciation, as defined in clause (iv), which amount shall be used within five years for any of the purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership.</u></p> <p><u>(iii) For purposes of this subdivision, the City’s initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.</u></p> <p><u>(iv) For purposes of this subdivision, the City’s proportionate share of appreciation shall be equal to the ratio of the City’s initial subsidy to the fair market value of the home at the time of initial sale.</u></p> <p><u>(v) If the unit is purchased or developed by a qualified nonprofit housing corporation pursuant to clause (ii) of subparagraph (A) the City may enter into a contract with the qualified nonprofit housing corporation under which the qualified nonprofit housing corporation would recapture any initial subsidy and its proportionate share of appreciation if the qualified nonprofit housing corporation is required to use 100 percent of the proceeds to promote homeownership for lower income households as defined by Health and Safety Code Section 50079.5 within the jurisdiction of the City.</u></p> <p><u>(3) (A) An applicant shall be ineligible for a density bonus or any other incentives or concessions under this section if the housing development is proposed on any property that includes a parcel or parcels on which rental dwelling units are or, if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control through a public entity’s valid exercise of its police power; or occupied by lower or very low income households, unless the proposed housing development replaces those units, and either of the following applies:</u></p> <p><u>(i) The proposed housing development, inclusive of the units replaced pursuant to this paragraph, contains affordable units at the percentages set forth in subdivision (b).</u></p> <p><u>(ii) Each unit in the development, exclusive of a manager’s unit or units, is affordable to, and occupied by, either a lower or very low income household.</u></p> <p><u>(B) For the purposes of this paragraph, “replace” shall mean either of the following:</u></p> <p><u>(i) If any dwelling units described in subparagraph (A) are occupied on the date of application, the proposed housing development shall provide at least the same number of units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy. If the income category of the household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database. For unoccupied dwelling units described in subparagraph (A) in a development with occupied units, the proposed housing development shall provide units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as the last household in occupancy. If the income category of the last household in occupancy is not known, it shall be rebuttably presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).</u></p> <p><u>(ii) If all dwelling units described in subparagraph (A) have been vacated or demolished within the five-year period preceding the application, the proposed housing development shall provide at least the same number of units of equivalent size as existed at the highpoint of those units in the five-year period preceding the application to be made available at affordable rent or affordable housing cost to, and occupied by, persons and families in the same or lower income category as those persons and families in occupancy at that time, if known. If the incomes of the persons and families in occupancy at the highpoint is not known, it shall be rebuttably presumed that low-income and very low income renter households occupied these units in the same proportion of low-income and very low income renter households to all renter households within the jurisdiction, as determined by the most recently available data from the United States Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database. All replacement calculations resulting in fractional units shall be rounded up to the next whole number. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).</u></p> <p><u>(C) Notwithstanding subparagraph (B), for any dwelling unit described in subparagraph (A) that is or was, within the five-year period preceding the application, subject to a form of rent or price control through the City’s valid exercise of its police power and that is or was occupied by persons or families above lower income, the City may do either of the following:</u></p> <p><u>(i) Require that the replacement units be made available at affordable rent or affordable housing cost to, and occupied by, low-income persons or families. If the replacement units will be rental dwelling units, these units shall be subject to a recorded affordability restriction for at least 55 years. If the proposed development is for-sale units, the units replaced shall be subject to paragraph (2).</u></p> <p><u>(ii) Require that the units be replaced in compliance with the jurisdiction’s rent or price control ordinance, provided that each unit described in subparagraph (A) is replaced. Unless otherwise required by the jurisdiction’s rent or price control ordinance, these units shall not be subject to a recorded affordability restriction.</u></p> <p><u>(D) For purposes of this paragraph, “equivalent size” means that the replacement units contain at least the same total number of bedrooms as the units being replaced.</u></p> <p><u>(E) Subparagraph (A) does not apply to an applicant seeking a density bonus for a proposed housing development if the applicant’s application was submitted to, or processed by, The City before January 1, 2015.</u></p> <p><u>(d) (1) An applicant for a density bonus pursuant to subdivision (b) may submit to The City a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with The City. The City shall grant the concession or incentive requested by the applicant unless The City makes a written finding, based upon substantial evidence, of any of the following:</u></p> <p><u>(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).</u></p>
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(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

(2) The applicant shall receive the following number of incentives or concessions:

(A) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least 5 percent for very low income households, or at least 10 percent for persons and families of moderate income in a development in which the units are for sale.

(B) Two incentives or concessions for projects that include at least 17 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a development in which the units are for sale.

(C) Three incentives or concessions for projects that include at least 24 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a development in which the units are for sale.

(D) Four incentives or concessions for a project meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). If the project is located within one-half mile of a major transit stop or is located in a very low vehicle travel area in a designated county, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.

(E) One incentive or concession for projects that include at least 20 percent of the total units for lower income students in a student housing development.

(3) The applicant may initiate judicial proceedings if the City refuses to grant a requested density bonus, incentive, or concession. If a court finds that the refusal to grant a requested density bonus, incentive, or concession is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require the City to grant an incentive or concession that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require the City to grant an incentive or concession that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. The City shall establish procedures for carrying out this section that shall include legislative body approval of the means of compliance with this section.

(4) The City shall bear the burden of proof for the denial of a requested concession or incentive.

(e) (1) In no case may The City apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to The City a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the City. If a court finds that the refusal to grant a waiver or reduction of development standards is in violation of this section, the court shall award the plaintiff reasonable attorney's fees and costs of suit. This subdivision shall not be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. This subdivision shall not be interpreted to require the City to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

(2) A proposal for the waiver or reduction of development standards pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).

(3) A housing development that receives a waiver from any maximum controls on density pursuant to clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f) shall only be eligible for a waiver or reduction of development standards as provided in subparagraph (D) of paragraph (2) of subdivision (d) and clause (ii) of subparagraph (D) of paragraph (3) of subdivision (f), unless The City agrees to additional waivers or reductions of development standards.

(f) For the purposes of this chapter, "density bonus" means a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the City, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

(1) For housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

<u>Percentage Low-Income Units</u>	<u>Percentage Density Bonus</u>
<u>10</u>	<u>20</u>
<u>11</u>	<u>21.5</u>
<u>12</u>	<u>23</u>
<u>13</u>	<u>24.5</u>
<u>14</u>	<u>26</u>
<u>15</u>	<u>27.5</u>
<u>16</u>	<u>29</u>
<u>17</u>	<u>30.5</u>
<u>18</u>	<u>32</u>
<u>19</u>	<u>33.5</u>
<u>20</u>	<u>35</u>
<u>21</u>	<u>38.75</u>
<u>22</u>	<u>42.5</u>
<u>23</u>	<u>46.25</u>

	24	50
(2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:		
	Percentage Very Low Income Units	Percentage Density Bonus
	5	20
	6	22.5
	7	25
	8	27.5
	9	30
	10	32.5
	11	35
	12	38.75
	13	42.5
	14	46.25
	15	50
(3) (A) For housing developments meeting the criteria of subparagraph (C) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of senior housing units.		
(B) For housing developments meeting the criteria of subparagraph (E) of paragraph (1) of subdivision (b), the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that subparagraph.		
(C) For housing developments meeting the criteria of subparagraph (F) of paragraph (1) of subdivision (b), the density bonus shall be 35 percent of the student housing units.		
(D) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:		
(i) Except as otherwise provided in clauses (ii) and (iii), the density bonus shall be 80 percent of the number of units for lower income households.		
(ii) If the housing development is located within one-half mile of a major transit stop, the City shall not impose any maximum controls on density.		
(iii) If the housing development is located in a very low vehicle travel area within a designated county, the City shall not impose any maximum controls on density.		
(4) For housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:		
	Percentage Moderate-Income Units	Percentage Density Bonus
	10	5
	11	6
	12	7
	13	8
	14	9
	15	10
	16	11
	17	12
	18	13
	19	14
	20	15
	21	16
	22	17
	23	18
	24	19
	25	20
	26	21
	27	22
	28	23
	29	24
	30	25
	31	26
	32	27
	33	28

<u>34</u>	<u>29</u>
<u>35</u>	<u>30</u>
<u>36</u>	<u>31</u>
<u>37</u>	<u>32</u>
<u>38</u>	<u>33</u>
<u>39</u>	<u>34</u>
<u>40</u>	<u>35</u>
<u>41</u>	<u>38.75</u>
<u>42</u>	<u>42.5</u>
<u>43</u>	<u>46.25</u>
<u>44</u>	<u>50</u>

(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.

(g) (1) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City in accordance with this subdivision, the applicant shall be entitled to a 15-percent increase above the otherwise maximum allowable residential density for the entire development, as follows:

<u>Percentage Very Low Income</u>	<u>Percentage Density Bonus</u>
<u>10</u>	<u>15</u>
<u>11</u>	<u>16</u>
<u>12</u>	<u>17</u>
<u>13</u>	<u>18</u>
<u>14</u>	<u>19</u>
<u>15</u>	<u>20</u>
<u>16</u>	<u>21</u>
<u>17</u>	<u>22</u>
<u>18</u>	<u>23</u>
<u>19</u>	<u>24</u>
<u>20</u>	<u>25</u>
<u>21</u>	<u>26</u>
<u>22</u>	<u>27</u>
<u>23</u>	<u>28</u>
<u>24</u>	<u>29</u>
<u>25</u>	<u>30</u>
<u>26</u>	<u>31</u>
<u>27</u>	<u>32</u>
<u>28</u>	<u>33</u>
<u>29</u>	<u>34</u>
<u>30</u>	<u>35</u>

(2) This increase shall be in addition to any increase in density mandated by subdivision (b), up to a maximum combined mandated density increase of 35 percent if an applicant seeks an increase pursuant to both this subdivision and subdivision (b). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

(A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

(B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned with appropriate development standards for development at the density described in paragraph (3) of subdivision (c) of Section 65583.2, and is or will be served by adequate public facilities and infrastructure.

(D) The transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the City may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Section 65583.2 if the design is not reviewed by the City before the time of transfer.

	<p><u>(E) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with paragraphs (1) and (2) of subdivision (c), which shall be recorded on the property at the time of the transfer.</u></p> <p><u>(F) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.</u></p> <p><u>(G) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.</u></p> <p><u>(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.</u></p> <p><u>(h) (1) When an applicant proposes to construct a housing development that conforms to the requirements of subdivision (b) and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project, The City shall grant either of the following:</u></p> <p><u>(A) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.</u></p> <p><u>(B) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.</u></p> <p><u>(2) The City shall require, as a condition of approving the housing development, that the following occur:</u></p> <p><u>(A) The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to subdivision (c).</u></p> <p><u>(B) Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income pursuant to subdivision (b).</u></p> <p><u>(3) Notwithstanding any requirement of this subdivision, the City shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.</u></p> <p><u>(4) “Childcare facility,” as used in this section, means a child daycare facility other than a family daycare home, including, but not limited to, infant centers, preschools, extended daycare facilities, and schoolage childcare centers.</u></p> <p><u>(i) “Housing development,” as used in this section, means a development project for five or more residential units, including mixed-use developments. For the purposes of this section, “housing development” also includes a subdivision or common interest development, as defined in Section 4100 of the Civil Code, approved by The City and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.</u></p> <p><u>(j) (1) The granting of a concession or incentive shall not require or be interpreted, in and of itself, to require a general plan amendment, local coastal plan amendment, zoning change, study, or other discretionary approval. For purposes of this subdivision, “study” does not include reasonable documentation to establish eligibility for the concession or incentive or to demonstrate that the incentive or concession meets the definition set forth in subdivision (k). This provision is declaratory of existing law.</u></p> <p><u>(2) Except as provided in subdivisions (d) and (e), the granting of a density bonus shall not require or be interpreted to require the waiver of a local ordinance or provisions of a local ordinance unrelated to development standards.</u></p> <p><u>(k) For the purposes of this chapter, concession or incentive means any of the following:</u></p> <p><u>(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).</u></p> <p><u>(2) Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.</u></p> <p><u>(3) Other regulatory incentives or concessions proposed by the developer or the City that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).</u></p> <p><u>(l) Subdivision (k) does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the City, or the waiver of fees or dedication requirements.</u></p> <p><u>(m) This section does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which the applicant is entitled under this section shall be permitted in a manner that is consistent with this section and Division 20 (commencing with Section 30000) of the Public Resources Code.</u></p> <p><u>(n) If permitted by local ordinance, nothing in this section shall be construed to prohibit the City from granting a density bonus greater than what is described in this section for a development that meets the requirements of this section or from granting a proportionately lower density bonus than what is required by this section for developments that do not meet the requirements of this section.</u></p> <p><u>(o) For purposes of this section, the following definitions shall apply:</u></p> <p><u>(1) “Designated county” includes the Counties of Alameda, Contra Costa, Los Angeles, Marin, Napa, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Mateo, Santa Barbara, Santa Clara, Solano, Sonoma, and Ventura.</u></p> <p><u>(2) “Development standard” includes a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation.</u></p> <p><u>(3) “Located within one-half mile of a major transit stop” means that any point on a proposed development, for which an applicant seeks a density bonus, other incentives or concessions, waivers or reductions of development standards, or a vehicular parking ratio pursuant to this section, is within one-half mile of any point on the property on which a major transit stop is located, including any parking lot owned by the transit authority or other local agency operating the major transit stop.</u></p>
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	<p><u>(4) “Lower income student” means a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student to occupy a unit for lower income students under this section shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.</u></p> <p><u>(5) “Major transit stop” has the same meaning as defined in subdivision (b) of Section 21155 of the Public Resources Code.</u></p> <p><u>(6) “Maximum allowable residential density” or “base density” means the maximum number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the maximum number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail. Density shall be determined using dwelling units per acre. However, if the applicable zoning ordinance, specific plan, or land use element of the general plan does not provide a dwelling-units-per-acre standard for density, then the local agency shall calculate the number of units by:</u></p> <p><u>(A) Estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limited to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and private open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project. Parking requirements shall include considerations regarding number of spaces, location, design, type, and circulation. A developer may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.</u></p> <p><u>(B) Maintaining the same average unit size and other project details relevant to the base density study, excepting those that may be modified by waiver or concession to accommodate the bonus units, in the proposed project as in the study.</u></p> <p><u>(7) (A) (i) “Shared housing building” means a residential or mixed-use structure, with five or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.</u></p> <p><u>(ii) A “shared housing building” may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.</u></p> <p><u>(B) “Shared housing unit” means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of “guestroom” in Section R202 of the California Residential Code. If a local ordinance further restricts the attributes of a shared housing building beyond the requirements established in this section, the local definition shall apply to the extent that it does not conflict with the requirements of this section.</u></p> <p><u>(8) (A) “Total units” or “total dwelling units” means a calculation of the number of units that:</u></p> <p><u>(i) Excludes a unit added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.</u></p> <p><u>(ii) Includes a unit designated to satisfy an inclusionary zoning requirement of The City.</u></p> <p><u>(B) For purposes of calculating a density bonus granted pursuant to this section for a shared housing building, “unit” means one shared housing unit and its pro rata share of associated common area facilities.</u></p> <p><u>(9) “Very low vehicle travel area” means an urbanized area, as designated by the United States Census Bureau, where the existing residential development generates vehicle miles traveled per capita that is below 85 percent of either regional vehicle miles traveled per capita or city vehicle miles traveled per capita. For purposes of this paragraph, “area” may include a travel analysis zone, hexagon, or grid. For the purposes of determining “regional vehicle miles traveled per capita” pursuant to this paragraph, a “region” is the entirety of incorporated and unincorporated areas governed by a multicounty or single-county metropolitan planning organization, or the entirety of the incorporated and unincorporated areas of an individual county that is not part of a metropolitan planning organization.</u></p> <p><u>(p) (1) Except as provided in paragraphs (2), (3), and (4), upon the request of the developer, The City shall not require a vehicular parking ratio, inclusive of parking for persons with a disability and guests, of a development meeting the criteria of subdivisions (b) and (c), that exceeds the following ratios:</u></p> <p><u>(A) Zero to one bedroom: one onsite parking space.</u></p> <p><u>(B) Two to three bedrooms: one and one-half onsite parking spaces.</u></p> <p><u>(C) Four and more bedrooms: two and one-half parking spaces.</u></p> <p><u>(2) (A) Notwithstanding paragraph (1), if a development includes at least 20 percent low-income units for housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b) or at least 11 percent very low income units for housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, The City shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per unit. Notwithstanding paragraph (1), if a development includes at least 40 percent moderate-income units for housing developments meeting the criteria of subparagraph (D) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, and the residents of the development have unobstructed access to the major transit stop from the development then, upon the request of the developer, The City shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per bedroom.</u></p> <p><u>(B) For purposes of this subdivision, “unobstructed access to the major transit stop” means a resident is able to access the major transit stop without encountering natural or constructed impediments. For purposes of this subparagraph, “natural or constructed impediments” includes, but is not limited to, freeways, rivers, mountains, and bodies of water, but does not include residential structures, shopping centers, parking lots, or rails used for transit.</u></p> <p><u>(3) Notwithstanding paragraph (1), if a development meets the criteria of subparagraph (G) of paragraph (1) of subdivision (b), then, upon the request of the developer, The City shall not impose vehicular parking standards if the development meets any of the following criteria:</u></p>
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	<p><u>(A) The development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.</u></p> <p><u>(B) The development is a for-rent housing development for individuals who are 55 years of age or older that complies with Sections 51.2 and 51.3 of the Civil Code and the development has either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.</u></p> <p><u>(C) The development is either a special needs housing development, as defined in Section 51312 of the Health and Safety Code, or a supportive housing development, as defined in Section 50675.14 of the Health and Safety Code. A development that is a special needs housing development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.</u></p> <p><u>(4) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subdivision, a development may provide onsite parking through tandem parking or uncovered parking, but not through on street parking.</u></p> <p><u>(5) This subdivision shall apply to a development that meets the requirements of subdivisions (b) and (c), but only at the request of the applicant. An applicant may request parking incentives or concessions beyond those provided in this subdivision pursuant to subdivision (d).</u></p> <p><u>(6) This subdivision does not preclude The City from reducing or eliminating a parking requirement for development projects of any type in any location.</u></p> <p><u>(7) Notwithstanding paragraphs (2) and (3), if a city, county, city and county, or an independent consultant has conducted an areawide or jurisdiction wide parking study in the last seven years, then The City may impose a higher vehicular parking ratio not to exceed the ratio described in paragraph (1), based upon substantial evidence found in the parking study, that includes, but is not limited to, an analysis of parking availability, differing levels of transit access, walkability access to transit services, the potential for shared parking, the effect of parking requirements on the cost of market-rate and subsidized developments, and the lower rates of car ownership for low-income and very low income individuals, including seniors and special needs individuals. The City shall pay the costs of any new study. The City shall make findings, based on a parking study completed in conformity with this paragraph, supporting the need for the higher parking ratio.</u></p> <p><u>(8) A request pursuant to this subdivision shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to subdivision (d).</u></p> <p><u>(q) Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number. The Legislature finds and declares that this provision is declaratory of existing law.</u></p> <p><u>(r) This chapter shall be interpreted liberally in favor of producing the maximum number of total housing units.</u></p> <p><u>(s) Notwithstanding any other law, if a city, including a charter city, county, or city and county has adopted an ordinance or a housing program, or both an ordinance and a housing program, that incentivizes the development of affordable housing that allows for density bonuses that exceed the density bonuses required by the version of this section effective through December 31, 2020, that city, county, or city and county is not required to amend or otherwise update its ordinance or corresponding affordable housing incentive program to comply with the amendments made to this section by the act adding this subdivision, and is exempt from complying with the incentive and concession calculation amendments made to this section by the act adding this subdivision as set forth in subdivision (d), particularly subparagraphs (B) and (C) of paragraph (2) of that subdivision, and the amendments made to the density tables under subdivision (f).</u></p> <p><u>(t) When an applicant proposes to construct a housing development that conforms to the requirements of subparagraph (A) or (B) of paragraph (1) of subdivision (b) that is a shared housing building. The City shall not require any minimum unit size requirements or minimum bedroom requirements that are in conflict with paragraph (7) of subdivision (o).</u></p>																																															
Sec. 99.01. Building Type.	<p>Sec. 99.00. Buildings. Every building shall be designed or remodeled to accommodate its use in accordance with applicable building codes and other laws. (Ord. 427)</p> <p>Sec. 99.01. Downtown Core Building Type.</p> <p><u>The Downtown Core is intended to be a mix of medium-density, high-density, and mixed-use residential and commercial uses, with building and site designs that are pedestrian oriented and reflect and celebrate the historic downtown along and around Broadway.</u></p> <p>Development Standards (to be inserted as a table):</p> <table><tr><th colspan="3"><u>Downtown Core Development Standards</u></th></tr><tr><td colspan="2"><u>Floor Area Ratio</u></td><td><u>2.0</u></td></tr><tr><td colspan="2"><u>Density Range</u></td><td><u>18 – 30 units/acre</u></td></tr><tr><td colspan="3"><u>Setbacks</u></td></tr><tr><td colspan="2"><u>Primary Street Setback</u></td><td><u>Ground floor: 0 feet minimum / 5 feet maximum</u></td></tr><tr><td colspan="2"><u>Side Street Setback</u></td><td><u>Ground floor: 0 feet minimum / 5 feet maximum</u></td></tr><tr><td colspan="2" rowspan="2"><u>Rear Setback</u></td><td><u>With Alley: 5 ft. minimum</u></td></tr><tr><td><u>Without Alley: 15 ft. minimum</u></td></tr><tr><td colspan="3"><u>Height</u></td></tr><tr><td colspan="2"><u>1. Top of plate height above adjacent sidewalk (max.) 45 ft.</u></td><td><u>45 ft.</u></td></tr><tr><td colspan="2"><u>2. Top of parapet height above top of plate (max.) 4 ft.</u></td><td><u>4 ft.</u></td></tr><tr><td colspan="2"><u>3. Pitched roof height above top of plate (max.) allowed</u></td><td><u>Allowed</u></td></tr><tr><td colspan="2"><u>4. Ground story floor to floor height (min.) 15 ft. min.</u></td><td><u>15 ft. min.</u></td></tr><tr><td colspan="3"><u>Parking</u></td></tr><tr><td rowspan="3"><u>Residential</u></td><td><u>Studio/Efficiency Units:</u></td><td><u>0.5 space/unit</u></td></tr><tr><td><u>Units up to s999 sf</u></td><td><u>1.0 space/unit</u></td></tr><tr><td><u>Units between 1,000 – 1,499 sf</u></td><td><u>1.5 spaces/unit</u></td></tr></table>	<u>Downtown Core Development Standards</u>			<u>Floor Area Ratio</u>		<u>2.0</u>	<u>Density Range</u>		<u>18 – 30 units/acre</u>	<u>Setbacks</u>			<u>Primary Street Setback</u>		<u>Ground floor: 0 feet minimum / 5 feet maximum</u>	<u>Side Street Setback</u>		<u>Ground floor: 0 feet minimum / 5 feet maximum</u>	<u>Rear Setback</u>		<u>With Alley: 5 ft. minimum</u>	<u>Without Alley: 15 ft. minimum</u>	<u>Height</u>			<u>1. Top of plate height above adjacent sidewalk (max.) 45 ft.</u>		<u>45 ft.</u>	<u>2. Top of parapet height above top of plate (max.) 4 ft.</u>		<u>4 ft.</u>	<u>3. Pitched roof height above top of plate (max.) allowed</u>		<u>Allowed</u>	<u>4. Ground story floor to floor height (min.) 15 ft. min.</u>		<u>15 ft. min.</u>	<u>Parking</u>			<u>Residential</u>	<u>Studio/Efficiency Units:</u>	<u>0.5 space/unit</u>	<u>Units up to s999 sf</u>	<u>1.0 space/unit</u>	<u>Units between 1,000 – 1,499 sf</u>	<u>1.5 spaces/unit</u>
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	<p><u>Sec 99.01.01 Vehicular Access.</u></p> <p>a. <u>Parking shall be accessed from an alley.</u></p> <p>b. <u>Where an alley is not present, parking/service areas may be accessed from primary street. Driveways shall be located as close to side property line as possible.</u></p> <p>c. <u>Parking/service areas for corner lots shall be accessed from side street.</u></p> <p>d. <u>Residential and commercial uses may utilize delineated parking stalls within the right-of-way adjacent to each respective lot as counting toward the required parking.</u></p> <p>e. <u>Residential and commercial uses may utilize every 22 feet of useable lot frontage (excluding driveway entrances) along roadways conforming to the City’s standards as counting toward one (1) stall of required parking.</u></p> <p><u>Sec 99.01.02 Common On-Site Open Space.</u></p> <p><u>One (1) or more of the On-Site Open Space Types listed below shall be provided on each lot that accommodates residential uses. The required On-Site Open Space shall be generally rectangular in form, per the below listed minimum size requirements, and must be accommodated behind the Primary Street setback line.</u></p> <p><u>Open Space Type:</u></p> <ul style="list-style-type: none">• <u>Courtyard, minimum of 10% of total lot area, minimum of 20 ft. x 20 ft.</u>• <u>Roof Deck, minimum of 10% of total lot area, minimum of 20 ft. x 20 ft.</u> <p><u>Sec 99.01.03 Private On-Site Open Space.</u></p> <p><u>Private open space in the form of a yard, balcony, or roof deck shall be provided for each residential unit.</u></p> <ul style="list-style-type: none">• <u>Min. area: 40 square feet.</u>• <u>Min. width: 5 feet. Setbacks:</u>• <u>Front, residential use: 10 feet</u>• <u>Front, nonresidential use: 0 feet</u>• <u>Side, residential use: 5 feet</u>• <u>Side, nonresidential use: 0 feet</u>• <u>Rear, residential use: 10 feet</u>• <u>Rear, nonresidential use: 0 feet</u>																											
Section 99.02	<p><u>Sec. 99.02. Building Materials.</u> Metal building materials, <u>including shipping containers modified for habitation</u>, are permitted <u>outright via a zoning permit</u> except when Municipal Code Section 96.01 “Table of Permissible Uses” requires an entitlement to be processed for the use, then may be approved with the entitlement and when compliant with the architecture requirements, <u>except:</u></p>																											
Section 99.06.05	<p>_____ 1) _____ Shipping Containers</p> <p>_____ a. _____ Zoning Permit (see also Section 99.06.05(b)).</p> <p>Sec. 99.06.05(b) Shipping Containers used as accessory buildings Ordinance 568-AC.</p>																											

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	<div>(1) Permitted in all zones, provided setbacks are met.</div> <div>(2) Units to be painted in a color that blends with the existing structures and surrounding area.</div> <div>(3) Containers may not be placed in a required parking area. Stacking of containers is not permitted.</div> <div>(4) Containers may not be placed between the primary structure and the immediately adjacent road or access easement (front of property).</div> <div>(5) Under no circumstances shall a shipping container be used for human or animal habitation, unless modified as such according to the California Building Standards Code and approved with the entitlement and when compliant with the architecture requirements.</div> <div>(5) unless modified as such according to the California Building Standards Code and approved with the entitlement and when compliant with the architecture requirements.</div> <div>(6) Units must be located or screened so as not to be in public view, unless modified to be used as habitable space,unless modified to be used as habitable space.</div>																																								
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Section 99.06.09.	Sec. 99.06.09. Courts. In the CRR, R-2 and R-3 zones, where the arrangement of a building or buildings on the same lot creates a court (an open space surrounded on all sides by buildings, but not necessarily completely enclosed), such court shall contain a rectangular open area at least thirty (30) feet by forty (40) <u>twenty (20) by twenty (20)</u> feet in horizontal dimensions. (Ord. No. 427-AC, (part).) This standard shall also apply to multifamily and mixed-use residential development in the C-2 zone. (Ord. 427-AC, 659-AC).																																								

Section 99.07.03

Sec. 99.07.03 Swimming pools, spas and other bodies of water.

To ensure public safety, construction, installation and maintenance of all private swimming pools, spas and other bodies of water with a depth in excess of 18 inches at any given point shall be subject to the following provisions.

Definitions.

A. "Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.

B. "Public swimming pool" means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home or multifamily residence.

C. "Enclosure" means a fence, wall, or other barrier that isolates a swimming pool from access to the home.

D. "Approved safety pool cover" means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.

E. "Exit alarms" means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.

Drowning prevention safety features required.

B. Whenever a building permit is issued for construction of a new swimming pool or spa, or any building permit is issued for remodeling of an existing pool or spa, at a private, single-family home or multifamily residence, the pool shall be isolated by an enclosure, or the pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 Standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device, or the pool shall be equipped with an approved safety pool cover that meets all requirements of the ASTM Specifications F1346.

Design Standards

Pools must be set back a minimum of 5 feet from all property lines, structures, fencing, and walls.

D. Pools, spas, and other bodies of water are reviewed and approved by the City's Building Department. All pools, spas, and other bodies of water shall be compliant with the California Building Code.

Enclosures.

An enclosure shall have all of the following characteristics:

A. Any access gates through the enclosure open away from the swimming pool, and are self-closing with self-latching device placed no lower than 60 inches above the ground.

B. A minimum height of 60 inches.

C. A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.

D. Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.

E. An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.

Exceptions to requirements of this Chapter.

The requirements of this Chapter shall not apply to any of the following:

A. Public swimming pools.

B. Hot tubs or spas with locking safety covers that comply with the American Society for Testing Materials Emergency Performance Specification (ASTM ES 13-89).

Pool and spa requirements.

A. Whenever the building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:

1. The suction outlet of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa.

2. The swimming pool or spa shall have at least two circulation drains per pump that shall be hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three feet in any dimension between the drains.

B. Suction outlets that are less than 12 inches across shall be covered with anti entrapment grates, as specified in the ASME/ANSI Standard A, 112.19.8, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.

C. Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in Subsections A. and B. shall meet the standards as published in the document, "Guidelines for Entrapment Hazards: Making Pools and Spas Safer," Publication Number 363, March 2005, United States Consumer Product Safety Commission.

C. D. Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with an anti entrapment cover meeting current standards of the American Society for Testing and Materials (ASTM) or the American Society of Mechanical Engineers (ASME).

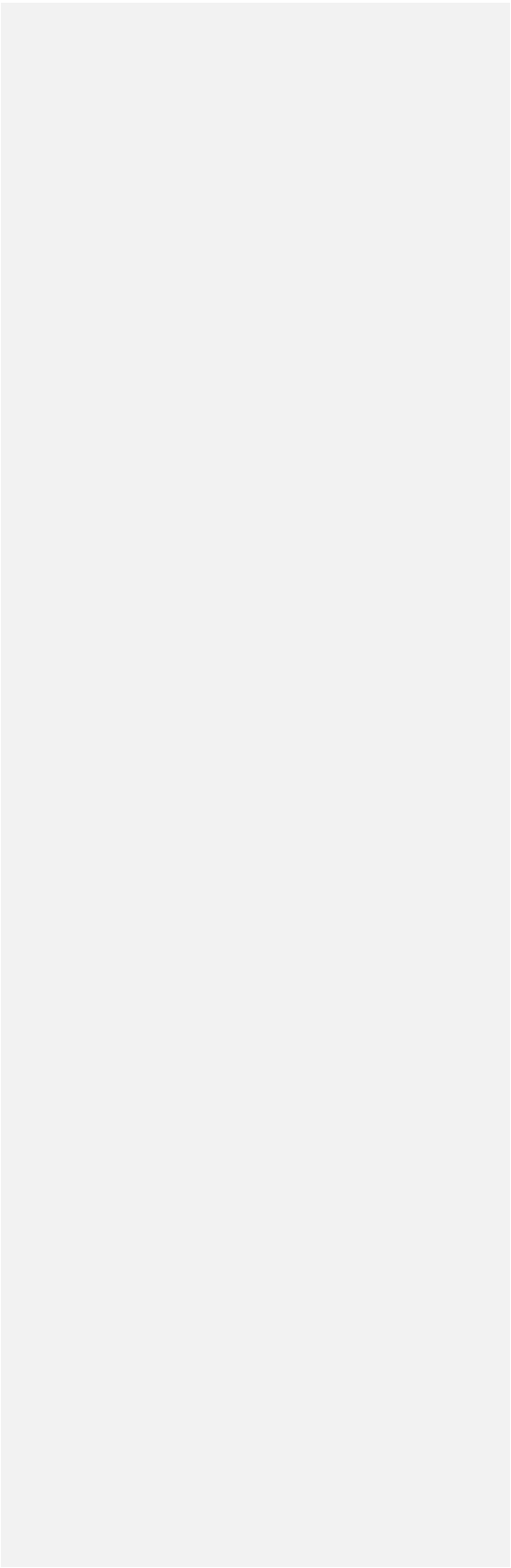
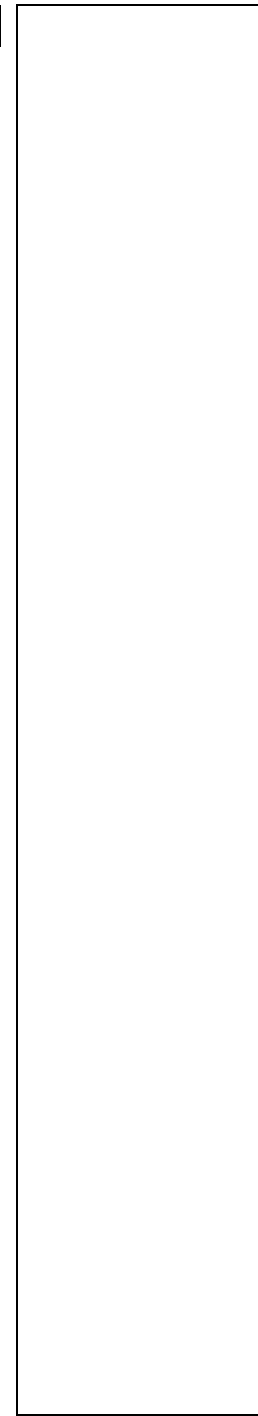
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Section 99.08.02	<p><u>Sec. 99.08.02. Fence height. (a) The maximum height of fences between two or more residential uses in residential zones shall be six (6) seven (7) feet, and the maximum height of any fence shall be fifteen (15) feet except where a greater height is required for sight-screening or noise reduction. The maximum height of a fence within the front setback shall be four (4) feet. In all setback areas, fences more than (4) feet in height shall be permitted only when approved under the site plan review procedure and subject to the terms of such approval.</u>¹</p> <p><u>Other walls and fence regulations include:</u></p> <p class="list-item-l1">a. <u>Walls and fences within the front setback shall not exceed 4 feet in height.</u></p> <p class="list-item-l1">b. <u>Walls and fences height shall be measured from the highest grade.</u></p> <p><u>Prohibited fence materials in the residential and mixed-use zones include: sharp-edge, barbed wire, razor wire, and electrically charged fences.</u></p>	<div>Formatted: Font: Italic</div> <div>Formatted: Font: Italic</div> <div>Formatted: Font: Italic</div>
Section. 99.09.04 ©	<p><u>(25) On terms and in an amount acceptable to the City Planner, adequate surety is provided for reclamation of commercial solar energy generation facility sites should energy production cease for a continuous period of 180 days and/or if the site is abandoned.</u></p> <p><u>Solar Energy Development Standards.</u></p> <p><u>(c) Night Lighting. Outdoor lighting within a commercial solar energy generation facility shall comply with the provisions of Chapter 83.07 of this Development Code.</u></p> <p><u>(d) Public Safety Services Impact Fees. The developer of an approved commercial solar energy generation facility shall pay a fee on an annual basis according to the following schedule:</u></p> <p><u>(e) Special Use Permit. Prior to the start of construction, the developer of an approved commercial solar energy generation facility shall submit for review, and gain approval for, a Conditional Use Permit (CUP). Thereafter, the CUP shall be renewed annually subject to annual inspections and the payment of fees.</u></p> <p><u>The annual CUP inspections shall review and confirm continuing compliance with the performance standards included in the findings of fact and the listed conditions of approval, including all mitigation measures. This comprehensive compliance review shall include evaluation of the operation and maintenance of the entire commercial solar energy generation facility. Failure to comply shall cause enforcement actions against the operator and owner of the facility. Such actions may cause a hearing or an action that could result in revocation of the facility's conditional use permit and imposition of additional sanctions and/or penalties.</u></p> <p><u>(f) Project Notices. Notice of an application for approval of a commercial solar energy generation facility shall be provided to all property owners, whether located in a city or in the unincorporated area of the County, within the following parameters:</u></p> <p><u>(1) Area to be Notified: Owners of property located within 1,000 feet of the external boundaries of the parcel of the proposed site, or owners of property located up to 20 separate parcels away but not to exceed one quarter mile (1,320 ft.), whichever is greater.</u></p> <p><u>(A) Notification Timing. Notification shall be accomplished upon acceptance of a new Conditional Use Permit application or a Revision to an Approved Action application for a commercial solar energy generation facility, with additional notice of public hearings provided as required by law to property owners within the Area to be Notified cited above.</u><u>Add SECTION ON SOLAR FACILITIES Required Findings for Approval of a Commercial Solar Energy Facility.</u></p> <p><u>(a) In order to approve a commercial solar energy generation facility, the Planning Commission shall determine that the location of the proposed commercial solar energy facility is appropriate in relation to the desirability and future development of communities, neighborhoods, and rural residential uses, and will not lead to loss of the scenic desert qualities that are key to maintaining a vibrant desert tourist economy by making each of the findings of fact in subdivision (c).</u></p> <p><u>(b) In making these findings of fact, the Planning Commission shall consider:</u></p> <p><u>(1) the characteristics of the commercial solar energy facility development site and its physical and environmental setting, as well as the physical layout and design of the proposed development in relation to nearby communities, neighborhoods, and rural residential uses; and</u></p> <p><u>(2) the location of other commercial solar energy generation facilities that have been constructed, approved, or applied for in the vicinity, whether within a city or unincorporated territory, or on state or federal land.</u></p> <p><u>(c) The finding of fact shall include the following:</u></p> <p><u>(1) The proposed commercial solar energy generation facility is either</u></p> <p><u>(A) sufficiently separated from existing communities and existing/developing rural residential areas so as to avoid adverse effects, or</u></p> <p><u>(B) of a sufficiently small size, provided with adequate setbacks, designed to be lower profile than otherwise permitted, and sufficiently screened from public view so as to not adversely affect the desirability and future development of communities, neighborhoods, and rural residential use.</u></p> <p><u>(2) Proposed fencing, walls, landscaping, and other perimeter features of the proposed commercial solar energy generation facility will minimize the visual impact of the project so as to blend with and be subordinate to the environment and character of the area where the facility is to be located.</u></p> <p><u>(3) The siting and design of the proposed commercial solar energy generation facility will be either:</u></p> <p><u>(A) (A) unobtrusive and not detract from the natural features, open space and visual qualities of the area as viewed from communities, rural residential uses, and major roadways and highways, or</u></p>	<div>Formatted: Font: Italic</div> <div>Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.07" + Indent at: 0.32"</div>



Section 99.05 B Section 99.09.04	<p>Section 99.05 B</p> <p>(b) Antennae. Notwithstanding the restrictions of subsection (a) of this section, radio, television, cellular, telecommunication<u>telecommunications tower, and</u> microwave antennae and similar equipment shall be subject to the following regulations:</p> <p>(1) Ground-mounted antennae which are incidental or accessory uses are permitted to a height of fifty (50) feet, unless permitted higher by a conditional use permit.</p> <p>(2) Roof-mounted antenna <u>and telecommunications facilities</u>, which shall <u>may</u> include dishes to a maximum of twenty-four (24) inches in diameter, may be used but may not be more than twenty-five (25) feet higher than the highest point of the building to which they are attached, excluding chimneys and like projects, unless permitted higher by the issuance of a conditional use permit.</p> <p>***</p> <p>Add as Section 99.05 C</p> <p><u>All rooftop equipment shall be screened form public view by screening materials of the same nature as the building's basic materials. Mechanical equipment should be located below the highest vertical element of the building.</u></p> <p><u>All rooftop mechanical equipment shall be located at a distance from the edge of the building so as not to be visible from the pedestrian level, from adjacent properties, and from adjacent roadways. If such units must be placed in a visible location for functional reasons, they shall be screened in a manner consistent with the building facade.</u></p> <p><u>Landscaping and screening of areas needed for services, such as deliveries, trash collection is required. Other appurtenances such as ground mechanical units, utility boxes, back-flow devices, and similar equipment shall either be screened or blended with surrounding area.</u></p> <p>Add as Section 99.09.05</p> <p><u>A. Telecommunications tower on residentially zoned lots. A telecommunication tower is prohibited on a residentially zoned lot unless either of the following applies:</u></p> <p><u>1. The residentially zoned lot is developed and used for nonresidential purposes; or</u></p> <p><u>2. The residentially zoned lot is owned by a governmental entity.</u></p> <p><u>B. New telecommunications towers.</u></p> <p>1) <u>Level of approval required.</u></p> <p><u>a. City Planner-level—A City Planner-level site plan and design review is required for a new roof-mounted telecommunications facility that is no higher than twenty-five (25) feet higher than the highest point of the building to which it is attached, or a new monopole under fifty (50) feet, or a new monopole that replaces an existing monopole, does not exceed the height of the existing pole where it is located, and is located in the same or proximate location as the monopole being replaced.</u></p> <p><u>b. Commission-level. A conditional use permit is required for a new telecommunications tower that is not subject to City Planner-level review.</u></p> <p>1. <u>Site plan and design review. A new telecommunications tower is subject to site plan and design review approval at the same level as the conditional use permit.</u></p> <p>2. <u>Standards applicable only to discretionary projects. All wireless telecommunications comply with the following, except that small wireless telecommunications facilities which comply with the most recent version of the City’s wireless design standards, as approved by the City Council by resolution, after recommendation (for or against) by the Planning Commission, need not comply with the following:</u></p>
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- a. Screening. The applicant shall employ screening, undergrounding and camouflage design techniques to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility’s visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.
- b. Space. Each facility shall be designed to occupy the least amount of space in the right-of-way that is technically feasible.
- c. Landscaping. Where appropriate, each facility shall be installed so as to maintain and enhance existing landscaping on the site, including trees, foliage and shrubs. Additional landscaping shall be planted, irrigated and maintained by applicant where such landscaping is deemed necessary by the City to provide screening or to conceal the facility.
- d. Modification. Consistent with current State and Federal laws and if permissible under the same, at the time of modification of a wireless telecommunications facility, existing equipment shall, to the extent feasible, be replaced with equipment that reduces visual, noise and other impacts, including, but not limited to, undergrounding the equipment and replacing larger, more visually intrusive facilities with smaller, less visually intrusive facilities.
- e. Security. Permittee shall pay for and provide a performance bond or other form of security approved by the City Attorney’s office, which shall be in effect until the facilities are fully and completely removed and the site reasonably returned to its original condition, to cover permittee’s obligations under these conditions of approval and this Code. The security instrument coverage shall include, but not be limited to, removal of the facility. (The amount of the security instrument shall be calculated by the applicant in its submittal documents in an amount rationally related to the obligations covered by the bond and shall be specified in the conditions of approval.) Before issuance of any building permit, permittee must submit said security instrument.
- f. Noise. If a nearby property owner registers a noise complaint, the City shall forward the same to the permittee. Said complaint shall be reviewed and evaluated by the applicant. The permittee shall have 10 business days to file a written response regarding the complaint which shall include any applicable remedial measures. If the City determines the complaint is valid and the applicant has not taken any steps to minimize the noise, the City may hire a consultant to study, examine and evaluate the noise complaint and the permittee shall pay the fee for the consultant if the site is found in violation of this Section. The matter shall be reviewed by the City Planner. If the City Planner determines sound proofing or other sound attenuation measures are required to bring the project into compliance with the Code, the City Planner may impose conditions on the project to achieve said objective.
- g. Undergrounding. Accessory equipment shall be placed underground unless City staff determines that there is either no room in the public right-of-way for undergrounding or undergrounding is not feasible. If either exception applies, the accessory equipment may be placed above ground provided it is sufficiently concealed with natural or manmade features. When accessory equipment will be ground-mounted, such accessory equipment shall be enclosed within a structure that does not exceed a height of 5 feet, not exceed a footprint of 15 square feet, and shall be fully screened and/or camouflaged with landscaping and/or architectural treatment. Required electrical meter cabinets shall be screened and/or camouflaged.
- 3. Standards for all facilities. The following requirements apply to all wireless telecommunications facilities.
 - a. Antenna placement. Antenna elements shall be flush mounted, if feasible. All antenna mounts shall be designed so as not to preclude possible future collocation by the same or other operators or carriers.
 - b. Traffic safety. Facilities shall be designed consistent with all applicable safety standards and shall be installed only in a location which does not violate pedestrian or traffic safety standards.
 - c. Blending methods. All facilities shall have subdued colors and non-reflective materials that blend with the materials and colors of the surrounding area and structures.
 - d. Poles. Pole mounted equipment and enclosure, exclusive of antennas, shall not exceed total volume allowed by City’s design standards. Strand mounted equipment and enclosure shall not exceed 2 cubic feet in total volume.
 - e. Wind loads. Each facility shall be properly engineered to withstand wind loads as required by this Code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.
 - f. Obstructions. Each component part of a facility shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, incommode the public’s use of the right-of-way, or safety hazards to pedestrians and motorists.
 - g. Public facilities. A facility shall not interfere with access to a fire hydrant, fire station, fire escape, water valve, underground vault, valve housing structure, or any other public health or safety facility.
 - h. Screening. All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least 18 inches from the curb and gutter flow line.
 - i. Accessory equipment—Accessory equipment—Location. In locations where homes are only along one side of a street, above-ground accessory equipment shall not be installed directly in front of a residence. Such above-ground accessory equipment shall be installed along the side of street with no homes.
 - j. Signage. No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.
 - k. Lighting. No facility may be illuminated unless specifically required by the Federal Aviation Administration or other government agency. Beacon lights are not permitted unless required by the Federal Aviation Administration or other government agency. Any required lighting shall be shielded to eliminate, to the maximum extent possible, impacts on the surrounding neighborhoods.
 - l. Noise. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.
 - m. Security. Each facility shall be designed to be resistant to, and minimize opportunities for, unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations, visual blight or attractive nuisances. For any discretionary permit, the City Planner may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, a facility has the potential to become an attractive nuisance. Additionally, no lethal devices or elements shall be installed as a security device.
 - n. Permit expiration. The installation and construction approved by a wireless telecommunications facility permit shall begin within one year after its approval or it will expire without further action by the City.
 - o. Signs. At all times, all required notices and/or signs shall be posted on the site as required by the Federal Communications Commission, California Public Utilities Commission, any applicable licenses or laws, and as approved by the City. The location and dimensions of a sign bearing the emergency contact name and telephone number shall be posted pursuant to the approved plans.
 - p. Permit expiration. A condition setting forth the permit expiration date in accordance with subsection N shall be included in the conditions of approval.
 - r. Permit transfer. The permittee shall not transfer the permit to any person prior to the completion of the construction of the facility covered by the permit, unless and until the transferee of the permit has submitted the security instrument.
 - s. Property rights. The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement or property without the prior consent of the owner of that structure, improvement or property. No structure, improvement or property owned by the City shall be moved to accommodate a wireless telecommunications facility unless the City determines that such movement will not adversely affect the City or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the City’s structure, improvement or property. Prior to commencement of any work pursuant to an encroachment permit issued for any facility within the public right-of-way, the permittee shall provide the City with documentation establishing to the City’s satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement or property within the public right-of-way to be affected by applicant’s facilities.
 - t. Liability. The permittee shall assume full liability for damage or injury caused to any property or person by the facility.

	<p><u>u. Repair obligations.</u> The permittee shall repair, at its sole cost and expense, any damage, including, but not limited to, subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to City streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems, or sewer systems and sewer lines that result from any activities performed in connection with the installation and/or maintenance of a wireless telecommunications facility in the public right-of-way. The permittee shall restore such areas, structures and systems to the condition in which they existed prior to the installation or maintenance that necessitated the repairs. In the event the permittee fails to complete such repair within the number of days stated on a written notice by the City Engineer. Such time period for correction shall be based on the facts and circumstances, danger to the community and severity of the disrepair. Should the permittee not make said correction within the time period allotted the City Engineer shall cause such repair to be completed at permittee’s sole cost and expense.</p> <p><u>v. Drip line.</u> No facility shall be permitted to be installed in the drip line of any tree in the right-of-way unless the facility is to be collocated on an existing facility in the drip line.</p> <p><u>w. Insurance.</u> The permittee shall obtain, pay for and maintain, in full force and effect until the facility approved by the permit is removed in its entirety from the public right-of-way, an insurance policy or policies meeting the City of Westminster’s insurance requirements for contractors to perform work with public right-of-way.</p> <p><u>x. Indemnification.</u> Permittee shall defend, indemnify, protect and hold harmless the City, its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers from and against any and all claims, actions, or proceeding against the City, and its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees, and volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages of any type, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys’ fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the permittee of any claim, action, or proceeding. Nothing contained herein shall prohibit the City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel after consulting with permittee and at permittee’s expense.</p> <p><u>y. Hold harmless.</u> Additionally, to the fullest extent permitted by law, the permittee, and every permittee and person in a shared permit, jointly and severally, shall defend, indemnify, protect and hold the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers harmless from and against all claims, suits, demands, actions, losses, liabilities, judgments, settlements, costs (including, but not limited to, attorney’s fees, interest and expert witness fees), or damages claimed by third parties against the City for any injury claim, and for property damage sustained by any person, arising out of, resulting from, or are in any way related to the wireless telecommunications facility, or to any work done by or use of the public right-of-way by the permittee, owner or operator of the wireless telecommunications facility, or their agents, excepting only liability arising out of the sole negligence or willful misconduct of the City and its elected and appointed Council members, boards, commissions, officers, officials, agents, consultants, employees and volunteers.</p> <p><u>z. Cabinet removal.</u> Should the utility company servicing the facility with electrical service that does not require the use of an above ground meter cabinet, the permittee shall at its sole cost and expense remove the meter cabinet and any related foundation 90 days of such service being offered and reasonably restore the area to its prior condition. An extension may be granted if circumstances arise outside of the control of the permittee.</p> <p><u>aa. Relocation.</u> The permittee shall modify, remove, or relocate its facility, or portion thereof, without cost or expense to City, if and when made necessary by: (i) any public improvement project, including, but not limited to, the construction, maintenance, or operation of any underground or above ground facilities, including, but not limited to, sewers, storm drains, conduits, gas, water, electric or other utility systems, or pipes owned by City or any other public agency; (ii) any abandonment of any street, sidewalk or other public facility; (iii) any change of grade, alignment or width of any street, sidewalk or other public facility; or (iv) a determination by the City Planner that the wireless telecommunications facility has become incompatible with public health, safety or welfare or the public’s use of the public right-of-way. Such modification, removal, or relocation of the facility shall be completed within 90 days of notification by City unless exigencies dictate a shorter period for removal or relocation. Modification or relocation of the facility shall require submittal, review and approval of a modified permit pursuant to the Code including applicable notice and hearing procedures. The permittee shall be entitled, on permittee’s election, to either a pro rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as the standards set forth in the Code allow. In the event the facility is not modified, removed, or relocated within said period of time, City may cause the same to be done at the sole cost and expense of permittee. Further, due to exigent circumstances including those of immediate or imminent threat to the public’s health and safety, the City may modify, remove, or relocate wireless telecommunications facilities without prior notice to permittee provided permittee is notified within a reasonable period thereafter.</p> <p><u>bb. Conditions.</u> Permittee shall agree in writing that the permittee is aware of, and agrees to abide by, all conditions of approval imposed by the wireless telecommunications facility permit within 30 days of permit issuance. The permit shall be void and of no force or effect unless such written consent is received by the City within said 30-day period.</p> <p><u>cc. Right-of-way agreement.</u> Prior to the issuance of any encroachment permit, permittee shall be required to enter into a right-of-way agreement with the City in accordance with the City’s past practice.</p> <p><u>5. Conditions of approval.</u> In addition to compliance with the design and development standards outlined in this Section, all facilities shall be subject to the following conditions of approval (approval may be by operation of law), as well as any modification of these conditions or additional conditions of approval deemed necessary by the City Planner: As built drawings. The permittee shall submit an as built drawing within 90 days after installation of the facility. As-built drawings shall be in an electronic format acceptable to the City which can be linked to the City’s GIS.</p> <p><u>a. Contact information.</u> The permittee shall submit and maintain current at all times basic contact and site information on a form to be supplied by the City. The permittee shall notify the City of any changes to the information submitted within 30 days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to, the following:</p> <p><u>1 Identity,</u> including the name, address and 24-hour local or toll free contact phone number of the permittee, the owner, the operator, and the agent or person responsible for the maintenance of the facility.</p> <p><u>2 The legal status</u> of the owner of the wireless telecommunications facility.</p> <p><u>b. Assignment.</u> The permittee shall notify the City in writing at least 90 days prior to any transfer or assignment of the permit. The written notice required in this Section must include: (i) the transferee’s legal name; (ii) the transferee’s full contact information, including a primary contact person, mailing address, telephone number and email address; and (iii) a statement signed by the transferee that the transferee shall accept all permit terms and conditions. The City Planner may require the transferor and/or the transferee to submit any materials or documentation necessary to determine that the proposed transfer complies with the existing permit and all its conditions of approval, if any. Such materials or documentation may include, but shall not be limited to: Federal, State and/or local approvals, licenses, certificates or franchise agreements; statements; photographs; site plans and/or as-built drawings; and/or an analysis by a qualified radio frequency engineer demonstrating compliance with all applicable regulations and standards of the Federal Communications Commission. Noncompliance with the permit and all its conditions of approval, if any, or failure to submit the materials required by the City Planner shall be a cause for the City to revoke the applicable permits.</p> <p><u>c. The wireless telecommunications facility</u> shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the City Planner for the purpose of: (i) protecting the public health, safety, and welfare; (ii) preventing interference with pedestrian and vehicular traffic; and/or (iii) preventing damage to the public right-of-way or any adjacent property. The City may modify the permit to reflect such conditions, changes or limitations by following the same notice and public hearing procedures as are applicable to the underlying permit for similarly located facilities, except the permittee shall be given notice by personal service or by registered or certified mail at the last address provided to the City by the permittee.</p> <p><u>6. Findings.</u> No discretionary permit shall be granted for a wireless telecommunications facility unless the approving party makes all of the following findings:</p> <p><u>a. All notices</u> required for the proposed installation have been given.</p>
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	<p><u>b. The proposed facility would comply with all applicable laws.</u></p> <p><u>c. The applicant has provided sufficient evidence supporting the applicant’s claim that it has the right to enter the public right-of-way pursuant to State or Federal law, or the applicant has entered into an agreement with the City permitting the applicant to use the public right-of-way.</u></p> <p><u>d. The applicant has demonstrated one of the following: (a) the design and location for the proposed installation will be minimally intrusive on the purposes of this Section 17.400.177; or (b) denial of the proposed facility would “effectively prohibit” the deployment of wireless facilities in violation of Federal law.</u></p>
Section 111.01 and 111.03	<p>Add to Section 111.01</p> <p><u>The off street parking facilities required by this title shall be located on the same lot or parcel of land as the use they are intended to serve, except that in cases of practical difficulty, the City Planner may approve substitute parking locations for ministerial projects which meet the following conditions:</u></p> <p><u>A. All or part of the substitute location is within two hundred feet (200') of the principal use for which the parking is being provided;</u></p> <p><u>B. The substitute lot is in the same possession as the use it is intended to serve. Such possession may be by deed or long term lease, the terms of which meet the approval of the city.</u></p> <p><u>C. The off street parking facilities required by this title shall be located on the same lot or parcel of land as the residential unit they are intended to serve.</u></p> <p><u>D. Parking spaces shall not be located in any required front yard, except in legal nonconforming lots where garages or carports may be located in the front yard when approved by the planning commission.</u></p> <p><u>E. Not more than three (3) carports or garages on any one lot shall have their entryway facing the street.</u></p> <p><u>For discretionary projects, the planning commission may approve substitute parking locations for ministerial projects which meet the above conditions, or recommend approval to the city council for projects requiring council approval.</u></p> <p>Add to Section 111.03</p> <p><u>Secondary driveways in residential zones:</u></p> <p><u>a. a. Driveways shall only be supported if lead to a garage, carport, or side yard area, and setback requirements are being met.</u></p> <p>No more than two driveway approaches per lot shall be permitted</p> <p>Secondary driveways in residential zones:</p> <p>a. Shall be permitted only on R1 Single Family Residential</p> <p>b. Driveways shall only be supported if lead to a garage, carport, or side yard area, and setback requirements are being met.</p> <p>c. No more than two driveway approaches per lot shall be permitted</p> <p>d. Approved driveways shall be constructed of impervious surface, such as concrete, asphalt, and pavers. Loose material such as gravel or decomposed granite, or similar material is prohibited for parking.</p> <p>e. Shall be permitted on corner lots or lots with more than one hundred (100) feet of street frontage</p> <p>The Planning Director with approval by the city engineer may approve a secondary driveway that is less than one hundred (100) feet, but in no case less than eighty five (85) feet, that is not located on a corner lot and that not substantially reduce on-street parking and meets all of the following:</p> <p>• The second driveway must be at least ____ feet from the back of the curb return and at least ____ feet from the first driveway. ← Confer with Public Works/Engineering for appropriate distances</p> <p>• The driveway must be setback at least ____ feet from any driveway on an adjacent property.</p> <p>• The driveway must be setback at least ____ feet from a public utility.</p> <p>• The driveway shall be setback at least ____ feet away from an easement.</p> <p>Construction of a second driveway requires the issuance of an encroachment permit to be reviewed and approved by the Public Works City Engineer.</p> <p>Planning submittal requirements include a zoning application to be reviewed and approved by the Planning Division prior of receiving encroachment permit approvals.</p> <p>• Submittal requirements shall include a drawing or sketch (8 ¼ by 11 min- 11/ 17 max) to scale including, the locating and width of existing, proposed, and adjacent property driveways within 15 feet beyond the subject property, location of trees, street signs, light poles, fire hydrants, and any other existing facilities/ structures, property lines, easements.</p> <p>• Submittal shall include dimensions showing the distance between adjacent driveways, property lines, length of the proposed driveway, width of the proposed driveway, proposed material, dimensions showing the existing and proposed landscaped/hardscape areas in the front yard and percentages.</p>

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Section 111.04.

Sec. 111.04. Parking requirements. It is the intent of this section to require off-street parking and loading spaces on each parcel for all land uses within the city. These spaces should be sufficient in number to accommodate the vehicles of residents, employees, customers and clients. The overall intent of this section is to reduce on-street parking, traffic congestion and to improve pedestrian safety within the city.

At the time a business or residential activity is established, or a building is erected or enlarged, or there is a change of use at the subject location, sufficient vehicle off-street parking spaces shall be provided. Accessible off-street parking areas shall be provided and maintained for each land use or activity in accordance with the schedule set out in this part. (Ord. No. 427-AC)

Sec. 111.04.01. Parking spaces required--Residential.

Type of Residential Use	Off-Street/ <u>On-Street</u> Parking Stalls Required
Single and two-family dwellings	<p><u>Parking is not required for residential uses within one-half mile of public transit.</u></p> <p><u>In all other cases: Two (2) stalls per dwelling unit, one (1) of which shall be a covered carport or garage.</u></p> <p><u>Residential uses may utilize every 22 feet of useable lot frontage (excluding driveway entrances) along local roads conforming to the City's standards as counting toward one (1) stall of required parking.</u></p>
Accessory dwelling units	<p><u>Parking is not required for residential uses within one-half mile of public transit.</u></p> <p><u>In all other cases: One (1) new parking space shall be provided for each accessory dwelling unit on a lot. The new parking space(s) shall be located on the same lot where the accessory dwelling unit is located, shall not be on the street, and shall be in addition to all existing parking spaces on the lot. Except in the following circumstances:</u></p> <ul style="list-style-type: none"><u>The accessory dwelling unit is located within one-half mile walking distance of public transit, as defined in Government Code Section 65852.2(j), as may be amended.</u><u>The accessory dwelling unit is located within an architecturally and historically significant historic district.</u><u>The accessory dwelling unit is located entirely within the proposed or existing primary residence or an accessory structure.</u>

	<ul style="list-style-type: none"><u>When there is a car share vehicle located within one block of the accessory dwelling unit.</u> <p><u>Residential uses may utilize every 22 feet of useable lot frontage (excluding driveway entrances) along local roads conforming to the City's standards as counting toward one (1) stall of required parking.</u></p>	
Multiple Family	<p><u>Parking is not required for residential uses within one-half mile of public transit. However, this provision shall not reduce, eliminate, or preclude the enforcement of any state or local requirement imposed on a new multifamily residential development that is located within one-half mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the multifamily residential development.</u></p> <p><u>In all other cases: One and one-half (1 ½) stalls per efficiency-dwelling unit, one and one half (1 ½) stalls per dwelling unit, or two (2) stalls for each unit having three (3) or more bedrooms, plus one (1) stall for every four (4) units for guests. One (1) stall for each unit shall be covered with a garage or carport.</u></p> <p><u>Residential uses may utilize every 22 feet of useable lot frontage (excluding driveway entrances) along local roads conforming to the City's standards as counting toward one (1) stall of required parking.</u></p>	
Rooming houses, residence clubs, fraternity and sorority houses	One (1) stall for every bedroom plus an additional four (4) stalls.	

<div><div><div>*Tandem parking shall be permissible in the Residential Uses</div><div>**EV charging station requirements shall be compliant with the most current California Green Building Code, Title 24.</div></div></div>		
Sec. 111.04.03. Parking spaces required—Institutional.		
Type of Institutional Use	Off-Street Parking Stalls Required	
Hospitals	One (1) stall for each three (3) beds, plus one (1) stall per staff doctor, plus one (1) stall for each three (3) employees.	
Convalescent homes, nursing homes and sanitariums	One (1) stall per staff or visiting doctor, plus one (1) stall per two (2) employees, plus one (1) stall for every four (4) beds.	
Orphanages	One (1) stall for every three (3) employees plus one (1) stall for every ten (10) beds	
Day care and nursery schools	One (1) stall for each employee, plus an additional two (2) stalls, plus one (1) loading/ drop off space for every five (5) children –	
<u>Assembly Uses</u>	One (1) stall for every four (4) seats or seven (7) linear feet of bench	
Public, parochial and private elementary schools	One (1) stall for each employee, plus one (1) stall for every four (4) auditorium seats. Plus a bus loading area is required	
Public, parochial and private high schools	One (1) stall for each employee, plus one (1) stall for each ten (10) students or one (1) stall for each four (4) auditorium seats, whichever is greater. Plus a bus loading area is required.	
Colleges, art, craft, music and dancing schools and business, professional and trade schools	One (1) stall for each employee, plus one (1) space for each four (4) students or one (1) stall for each four (4) auditorium seats, whichever is greater.	
Sec. 111.04.05. Parking spaces required--Retail/commercial.		
Type of Retail/Commercial Use	Off-Street Parking Requirements	
General retail sales, repair and services	One (1) stall per two hundred fifty (250) square feet of gross floor area	
Uncovered general retail sales, repair and services	One (1) stall per two hundred fifty (250) square feet of gross sales area	
Retail sales of large appliances, furniture or other similar bulky merchandise	One (1) stall per four hundred (400) square feet of gross floor area	
Restaurants, bars, taverns, lunch rooms, night clubs and cocktail lounges	One (1) stall for every three (3) seats or one hundred (100) square feet of gross floor area devoted to dining, whichever is greater. Plus one (1) stall for each shift employee	
Restaurants and other retail establishments with walk-up or drive-up windows and roadside stands	One (1) stall for every three (3) seats or one hundred (100) square feet of gross floor area, whichever is greater. Plus one (1) stall for each shift employee, plus eight (8) stalls for each exterior service window	
Barber and beauty shops	One (1) stall per one hundred (100) square feet of gross floor area	
Uncovered retail sales area for landscaping nurseries, vehicles and construction materials	One (1) stall for each four thousand (4,000) square feet of gross display area. Plus four (4) additional stalls, or one (1) stall per employee, whichever is greater	
Service stations and vehicle repair garages	One (1) stall per four hundred (400) square feet of gross floor area. Plus three (3) additional stalls, or one (1) stall per employee (service bays shall not be counted as part of the required parking)	
Hotels and motels	One (1) stall for each guest room, plus four (4) additional stalls , plus one (1) stall for each shift employee	
Bus stations, train depots and other transportation depots	One (1) stall for each employee, plus user parking as determined by the city planner	

Sec. 111.04.07. General off-street parking requirements.
The parking requirements previously listed are minimum. The planning commission may require additional stalls and off-street parking areas deemed necessary to reduce off-street parking congestion, and improve traffic and pedestrian safety within the city.

Sec. 111.04.08 Calculations of fractions of parking stalls.
If the calculation for required off-street parking results in a fraction of one-half (1/2) or more of a parking stall, then one (1) parking stall shall be provided. No parking stall is required for fractions of less than one-half (1/2) of a stall. (Ord. No. 427-AC)

Sec. 111.04.09. Parking ratios for a combination of entities. Where there is a combination of uses or entities for any-one (1) facility on a parcel, the total required off=street parking shall be the sum of the required parking spaces for each use or entity. The parking provided for one (1) use may not be used to satisfy the parking requirements for another use on the same site, unless all the following conditions are met:

- (a) Structures on the site clearly can be used only during limited time periods.
- (b) The uses occur during completely difference periods of time.
- (c) The city planner determines there will be no conflicts or safety hazards between the proposed uses.
- (d) A conditional use permit is obtained. (Ord. No. 427-AC)

Sec. 111.04.10. Other parking uses. The parking ratio shall be determined by the city planner for uses that are not specifically included or are not closely related to other uses included in the parking space requirement schedule. (Ord. No. 427-AC)

- The city planner may require additional information, such as a parking analysis, a queuing analysis, a noise analysis, or other relatable information in order to analyze the proposed parking.

Sec. 111.04.11. Other commercial uses. Proposed commercial buildings without uses specified and confirmed (by lease or other legal agreement) shall provide one (1) parking space for every, two hundred fifty (250) square feet of gross floor area.
Determining Parking Ratio by Employee Shift. The required minimum number of parking spaces for uses having a parking ratio based upon the number of employees, shall be determined by the employment shift with the greatest number of employees. (Ord. No. 427-AC)

- Discretionary Approved projects shall include conditions of approval to prevent project modifications that trigger parking changes such as increasing building square footage, and operational changes such as increasing the number of employees.

Sec. 111.04.12. Combined parking for separate lots. Every use shall provide the required parking on the same parcel except:

- (a) The owners of adjoining properties may provide parking space in common if said parking area is secured by easement or other sufficient legal document, and provided the total number of parking spaces is equal to the required sum for each individual use or entity.
- Shared easement agreements shall run with the land and shall be reviewed by the City Staff and City Attorney prior to recordation.
- The easement review and recording fees shall be borne by the applicant.

(b) (b) Any use located within a parking assessment district formed under the provisions of this Code need not provide the required parking as specified in this part. (Ord. No. 427-AC)

Bicycle Parking requirements to be established as Section 111.05 (see Excel table for other cities samples)

~~1. Minimum Bicycle Parking Requirements. Long term bicycle parking shall be provided in secure, weather protected facilities for multi family building residents who need bicycle parking for several hours or longer. Short term bicycle parking shall be located in publicly accessible, highly visible locations that serve the main entrance of a multi family building. Short term bicycle parking shall be visible to bicyclists on the street and is intended for visitors. Amounts of required long term and short term bicycle parking shall be provided as follows:~~

- ~~a. Long term Requirement. Multi family buildings with 5 or more units, shall provide one (1) space per unit.~~
 - ~~i. In unit allowance standards. For sites with 20 or fewer units, up to 100% of bicycle parking spaces are permitted to be in dwelling units.~~
 - ~~ii. For sites with more than twenty (20) units, up to 20% of bicycle parking are permitted in dwelling units.~~
 - ~~iii. Elderly or disabled multi family uses shall provide 1 bicycle parking space per 10 units.~~
- ~~b. Long Term Additional Requirements. Multi family buildings with more than twenty (20) units, shall include:~~
 - ~~i. Cargo or long tail bicycle parking. A minimum of five (5) percent of bicycle spaces shall be provided for larger bicycles.~~
 - ~~ii. Electrical bicycle charging. A minimum of five (5) percent of spaces shall have access to electrical outlets.~~
- ~~c. Short Term Requirement. Multi family buildings with more than twenty (20) units shall provide a minimum of one (1) space per twenty units.~~

~~2. Uniform Standards for All Bicycle Parking. Where long term and short term bicycle parking must be provided in lockers or racks, the following standards shall be met:~~

- ~~a. Bicycle parking area. The area devoted to bicycle parking must be hard surfaced.~~
- ~~b. Bicycle Racks. Racks must be designed so that the bicycle frame and one wheel can be locked to a rigid portion of the rack with a U shaped shackle lock when both wheels are left on the bicycle.~~
- ~~c. Bicycle Parking Space, Maneuvering Area, and Clearance Dimensions. Bicycle parking spaces, aisles and clearances must meet the minimum dimensions of the following:~~
 - ~~i. Standard Bicycle Parking Spaces Requirements. The standard required bicycle space is two (2) feet in width, six (6) feet in length and three (3) feet four (4) inches in height. There must be at least five (5) feet behind all bicycle parking spaces to allow room for bicycle maneuvering. Where short term bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way; A wall clearance of two (2) feet six (6) inches must be provided. A minimum of one (1) foot five (5) inches shall be provided between spaces.~~
 - ~~ii. Vertical Bicycle Parking Spaces Requirements. Vertical bicycle parking secures the parked bicycle perpendicular to the ground is permitted as an alternative to standard spaces. The vertical required bicycle space shall be two (2) feet in width, six (6) feet in height and two (2) feet in depth. There must be at least 5 feet behind all bicycle parking spaces to allow room for bicycle maneuvering. A minimum of one (1) foot five (5) inches shall be provided between spaces.~~
 - ~~iii. Stacked Bicycle Parking Spaces Requirements. Stacked bicycle parking are racks that are stacked, one tier on top of another are permitted as an alternative to standard spaces. Bicycles shall be horizontal when in the final stored position. The rack must include a mechanically assisted lifting mechanism to mount the bicycle on the top tier. There must be at least 5 feet behind all bicycle parking spaces to allow room for bicycle maneuvering. A minimum of one (1) foot five (5) inches shall be provided between spaces.~~
 - ~~iv. Larger Cargo or Long Tail Bicycle Parking Spaces Requirements. These standard space dimensions shall be ten (10) feet in depth by three (3) feet in width by three (3) feet four (4) inches in height. At least 5' feet behind the pace shall be provided for maneuvering. A minimum of one (1) foot five (5) inches shall be provided between spaces.~~
- ~~d. Bicycle Lockers. Bicycle lockers that are fully enclosed and secured are permitted. The locker must be anchored to the ground, and an aisle a minimum width of five (5) feet in width behind all bicycle lockers to allow room for bicycle maneuvering shall be~~

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	<p>provided. The locker space shall have a minimum depth of 6 feet and an access door that is a minimum of 2 feet in width.</p> <p>i. One (1) bicycle locker with one hundred and twenty (120) volt ac power per four (4) units and one (1) bicycle rack parking per every four (4) dwelling units no more than one hundred (100) feet from furthest unit served</p> <p>3. Standards for Long-Term Bicycle Parking. Long-term bicycle parking must be provided in lockers or racks that meet the following standards:</p> <p>a. Security Standards. Long-term bicycle parking must be provided in one or more of the following:</p> <p>i. A restricted access, lockable room or enclosure, designated exclusively for bicycle parking.</p> <p>ii. A bicycle locker.</p> <p>iii. In a residential dwelling unit.</p> <p>b. In-unit Parking Standards. Long-term bicycle parking spaces may be provided in a dwelling unit if following conditions are met:</p> <p>i. The residential unit shall include a dedicated bicycle parking area that meets the standard bicycle parking spacing dimensions above.</p> <p>ii. For buildings with no elevators, long-term in-unit bicycle parking shall be permitted only for first floor units.</p> <p>iii. Balconies, terraces, or patios are prohibited for in-unit parking.</p> <p>iv. Signage Standard. If bicycle parking is not visible from the public realm, a sign must be permanently posted at the main building or site entrance indicating the location of the bicycle parking.</p> <p>4. Standards for Short-term Bicycle Parking. Short-term bicycle parking must meet the following standards:</p> <p>a. Location. Bicycle parking must be on site, outside the building, at the same grade as the sidewalk or at a location that can be reached by an accessible route.</p> <p>b. Main Entrance Proximity. The bicycle parking must be within 50 feet of the main entrance to the building as measured along the most direct pedestrian access route.</p>
Section 112.01.	<p>Sec. 112.01. Home occupations. (a) Purpose. The purpose of this section is to eliminate the detrimental effects of occupational activities in residential areas by setting forth reasonable and necessary limitations on such activities.</p> <p>(b) Uses Permitted. No home occupation shall be conducted which, in order to be successfully operated, would necessitate exceeding the limitations set forth in this section or any other provision of this part.</p> <p>(c) Limitations.</p> <p>(1) Any sales activity shall be conducted only by mail or telephone. <u>There shall be no direct sales of products or merchandise from the home, except for cottage food operations, or produce (fruit or vegetables) grown on the property.</u></p> <p>(2) <u>The individual responsible for the home occupation shall live in the dwelling.</u></p> <p>(3) The space occupied by home occupations shall be limited to one (1) room in a dwelling unit <u>or no more than twenty-five percent of the total square footage of the dwelling, whichever is less. Use of the garage for the home occupation may be permitted if such use does not obstruct required parking. The number of employees permitted by the home occupation shall be no more than one employee per 150 square feet of business space utilized by the home occupation, including the individual living in the dwelling.</u></p> <p>(4) There shall be no interior or exterior remodeling or change in appearance of a dwelling in order to accommodate a home occupation.</p>

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	<p>(5) There shall be no signs, such as public advertising of the business address or other structures except those permitted for a dwelling use in the zone.</p> <p>(6) Materials and equipment used in a home occupation shall be only of a type normally used in connection with household activities or hobbies.</p> <p>(7) Employment in a home occupation shall be limited to members of the resident family.</p> <p>(8) There shall be no transportation by commercial vehicle of materials or other items used in or produced by the home occupation, <u>except for those commercial vehicles intended for residential use.</u></p> <p>(9) No significant vehicular or pedestrian traffic shall be generated by the home occupation.</p> <p>(10) A home occupation shall not place any added burden or demand on utility services or community facilities.</p> <p>(11) A home occupation shall not present any external evidence of nonresidential activity such as by appearance, noise, traffic, vibrations, odors, or lighting.</p> <p>(12) No accessory building or space outside of the main building shall be used for the home occupation. No outdoor storage, including the storage or parking of vehicles associated with the use, shall be permitted.</p> <p>(13) Written authorization from the legal property owner approving use of the dwelling for the Home Occupation must be submitted with the application.</p> <p>(b)(d) If the above conditions are maintained, home occupations are permitted in any dwelling through a business license.</p> <p>Prohibited Home Occupation Uses include, beauty shops, massage parlors, private clubs, dance studios, repair or construction of motor vehicles and appliances, machine shops, and cabinet shops.</p> <p>(c) Limitations:-</p> <p>Any sales activity shall be conducted only by mail or telephone. There shall be no direct sales of products or merchandise from the home, except for produce (fruit or vegetables) grown on the property.</p> <p>The space occupied by home occupations shall be limited to one (1) room in a dwelling unit or no more than ten percent of the total square footage of the dwelling; whichever is less. Use of the garage for the home occupation may be permitted if such use does not obstruct required parking.</p> <p>There shall be no interior or exterior remodeling or change in appearance of a dwelling in order to accommodate a home occupation.</p> <p>There shall be no signs, such as public advertising of the business address or other structures except those permitted for a dwelling use in the zone.</p> <p>Materials and equipment used in a home occupation shall be only of a type normally used in connection with household activities or hobbies. The individual responsible for the home occupation shall live in the dwelling.</p> <p>Employment in a home occupation shall be limited to members of the resident family.</p> <p>There shall be no transportation by commercial vehicle of materials or other items used in or produced by the home occupation.</p> <p>No significant vehicular or pedestrian traffic shall be generated by the home occupation. However, incidental uses such as music lessons, tutoring, and the sale of produce may be permitted if the intensity of such use is approved by the Planning Director.</p> <p>A home occupation shall not place any added burden or demand on utility services or community facilities.</p> <p>A home occupation shall not present any external evidence of nonresidential activity such as by appearance, noise, traffic, vibrations, odors, or lighting.</p> <p>No accessory building or space outside of the main building shall be used for the home occupation. No outdoor storage, including the storage or parking of vehicles associated with the use, shall be permitted.</p> <p>Written authorization from the legal property owner approving use of the dwelling for the Home Occupation must be submitted with the application.</p> <p>If the above conditions are maintained, home occupations are permitted in any dwelling through a business license.</p> <p>Prohibited Home Occupation Uses include, beauty shops, massage parlors, private clubs, dance studios, repair or construction of motor vehicles and appliances, machine shops, and cabinet shops.</p>
Section 112.06.	<p>c. (b)(3) Minimum site design and development Standards. An emergency shelter is subject to all property development standards of the zoning district in which it is located except as modified by the following standards: (a) The maximum number of beds or persons to be served nightly by an emergency shelter shall be thirty-four (34). (b) Off-street parking shall include one (1) vehicle parking space per three (3) beds and one (1) space per employee on the largest shift. A covered and secure area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need, but no less than a minimum of eight (8) bike parking spaces.</p>

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Section 112.06.	<p>Add text to Section 112:</p> <p>Sec. 112.06. Emergency Shelters and Supportive and Transitional Housing, <u>Elderly, Disabled, and Adult Care Facilities.</u></p> <p>(a) Definitions.</p> <p>Emergency shelter: means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (as defined by California Health and Safety Code Section 50801(e)).</p> <p>Supportive housing: means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (as defined by Government Code Section 65582) Supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.</p> <p>Target population: means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people (as defined by Government Code Section 65582).</p> <p>Transitional housing: means a building or buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance (as defined by Section 50675.2 of the Health and Safety Code). Transitional housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Transitional housing does not include state licensed residential care facilities.</p> <p><u>Elderly housing: means housing intended for and only occupied by persons 62 years of age or older.</u></p> <p><u>Disabled housing: means a range of housing types that address the diverse needs and preferences of persons with disabilities.</u></p> <p><u>Adult Care Facilities: means facilities that provide housing and care for adults, who have physical or mental limitations that restrict their ability to live independently. They offer assistance with personal care, social and recreational activities, and training in self-help skills.</u></p>					
Section 112.07	<p><u>Section 112.07 Employee Housing</u></p> <p><u>A. Qualified employee housing providing accommodations for six or fewer employees, pursuant to Health and Safety Code Section 17021.5(b), shall be deemed a single-family dwelling and is allowed in residential zones. Qualified employee housing is subject to all Municipal Codes, regulations and other standards generally applicable to other residential dwellings of the same type in the same zone.</u></p>					
	<p><u>B. Qualified employee housing providing accommodations for seven or more employees and consisting of no more than 36 beds in group quarters or 12 units or spaces designed for use by a single family or household, pursuant to Health and Safety Code Section 17021.6(b), shall be deemed an agricultural land use and is allowed in such zones for agricultural use or an equivalent agricultural zone within a City approved Sectional Planning Area plan or Specific Plan. Qualified employee housing is subject to all Municipal Codes, regulations and other standards generally applicable to other agricultural activity in the same zone.</u></p>					
Section 98.00	Zone	Lot Area (SQ Feet)	Street Frontage (feet)	Easement Frontage (feet)	Lot Width (feet)	Lot Depth (feet)
Section 115.01	R-1	7,500	40		60	
	R-2	3,000	50		100-50	
	R-3	1,450	50		100 50	
	CRR	1,000	50	Or 50	100	
	C-1	3,000	50		50	60
	C-2	5,000	50		50	50
	C-3	6,000	50		75	75
	M-1	10,000	100		100	100
	M-2	25,000	150		150	150
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	<p>115.01 Nonconforming lots</p> <p>(a) <u>Determination Of Nonconforming Status: A nonconforming lot of record that does not comply with the current access, area, or dimensional requirements of this title for the zoning district in which it is located, shall be considered to be a legal building site if it meets one of the criteria specified by this section. The applicant shall be responsible for providing sufficient evidence to establish the applicability of one or more of the following to the satisfaction of the Development Services City Planner or their designee.</u></p> <p><u>1. Approved Subdivision: The lot was created through a subdivision approved by the City or the County, before incorporation.</u></p> <p><u>2. Individual Lot Legally Created By Deed: The lot is under one ownership and record, and was legally created by a recorded deed before the effective date of the zoning amendment that made the lot nonconforming or before the City adopted regulations requiring a Parcel Map for minor subdivisions.</u></p> <p><u>3. Variance Or Lot Line Adjustment: The lot was approved through the variance procedure or its current configuration resulted from a lot line adjustment.</u></p> <p><u>4. Partial Government Acquisition: The lot was created in conformity with the provisions of this title, but was made nonconforming when a portion of the lot was acquired by a governmental entity.</u></p> <p>(b) When a nonconforming lot can be used in conformity with all the regulations applicable to the intended use, except that the lot is smaller than the required minimums, then the lot may be used as proposed just as if it were conforming. However, no use (e.g., a two-family residence) that requires a greater lot size than the established minimum lot size for a particular zone is permissible on a nonconforming lot.</p> <p>(c) When the use proposed for a nonconforming lot is one that is conforming in all other respects, but the applicable setback requirements cannot reasonably be complied with, then the entity authorized by this part to issue a permit for the proposed use (the city planner, planning commission, or council) may allow deviations from the applicable setback requirements if it finds that:</p> <p>(1) The property cannot reasonably be developed for the use proposed without such deviations;</p> <p>(2) These deviations are necessitated by the size or shape of the nonconforming lot; and</p> <p>(3) The property can be developed as proposed without any significantly adverse impact on surrounding properties or the public health or safety.</p> <p>(d) For purposes of subsection (c) of this section, compliance with applicable building setback requirements is not reasonably possible if a building that serves the minimal needs of the use proposed for the nonconforming lot cannot practicably be constructed and located on the lot in conformity with such setback requirements. However, mere financial hardship does not constitute grounds for finding that compliance is not reasonably possible.</p> <p>(e) This section applies only to undeveloped nonconforming lots. A lot is undeveloped if it has no substantial structures upon it. A change in use of a developed nonconforming lot may be accomplished.</p> <p>(f) Subject to the following sentence, if, on the date this section becomes effective, an undeveloped nonconforming lot adjoins and has continuous frontage with one or more other undeveloped lots under the same ownership, then neither the owner of the nonconforming lot nor his successors in interest may take advantage of the provisions of this section.</p> <p>(g) This subsection shall not apply to a nonconforming lot if a majority of the developed lots located on either side of the street, where such lot is located and within five hundred (500) feet of such lot, are also nonconforming. The intent of this subsection is to require nonconforming lots under the circumstances specified herein, but not to require such combination when that would be out of character with the way the neighborhood has previously been developed.</p> <p>(h) Further Subdivision Prohibited: Where structures have been erected on a nonconforming lot, the area where the structures are located shall not be later subdivided, nor shall lot lines be altered through lot line adjustment, so as to reduce the building site area or frontage below the requirements of the applicable zoning district or other applicable provisions of this title, or in any way that makes the use of the lot more nonconforming.</p> <p><u>(i) Parking. The City shall not require additional parking stalls for residential uses proposed on nonconforming lots.</u></p>
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CUP application and future project resolutions.	<p>At present, all development standards appear to be objective. Standards that are not strictly objective are highlighted below:</p> <p>CUP findings (from application):</p> <ul style="list-style-type: none">Does the proposal conform to the intent and purpose of the General Plan, zoning regulations and policies for protecting the physical and human environment of the neighborhood and community;The design of the improvements must be in harmony with the neighborhood and community objectives;If the proposal is approved, conditions of approval may be imposed with respect to site design, building design, maintenance, improvements or operation of the use. <p>CUP findings (from project resolution):</p> <p>A. That the requested permit is within its jurisdiction according to the table of permissible uses.</p> <p>B. The Application is Complete</p> <p>C. The development is in general conformity with the Needles General Plan.</p> <p>D. The development is in harmony with the area in which it is located.</p> <p>E. The development will not materially endanger the public health or safety.</p> <p>The development will not substantially injure the value of adjoining or abutting properties.</p>
Sec 19-4. Sec 19-8	<p>ADD TO SECTION 19-4: DEPARTMENT REVIEW:</p> <p>(d) <u>The tentative map application shall be filed with the department. The application shall be determined by the department to be complete only when the form and contents of the tentative map conform to the requirements of this chapter and when all accompanying data and reports, as required by this chapter, and all fees and/or deposits as required, have been submitted and accepted by the department. The subdivider shall file with the department the number of tentative maps the community development City Planner may deem necessary. The department shall forward copies of the tentative map to the affected public agencies and utilities which may, in turn, forward to the department their findings and recommendations.</u></p> <p>(e) Prior to the consideration by the planning commission of a tentative map, and within ten days following its filing, the city manager shall make a report, in writing, to the planning commission as to any recommendations in connection with the tentative map and its bearing on particular functions.</p> <p>ADD TO SECTION 19-8: APPROVAL BY PLANNING COMMSISSION</p> <p><u>A. Notice Of Public Hearings: Upon receipt of a complete tentative map application, the department shall prepare a report with recommendations. The department shall set the matter for public hearing before the planning commission. A copy of the department report shall be forwarded to the subdivider at least three (3) days prior to the public hearing. At least ten (10) calendar days before the public hearing, a notice shall be given of the time, date and place of the hearing, including a general explanation of the matter to be considered and a general description of the area affected, and the street address, if any, of the property involved. The notice shall be published at least once in a newspaper of general circulation, published and circulated in the city.</u></p> <p><u>In addition to notice by publication, the department shall give notice of the hearing by mail or delivery to the subdivider, the owner of the subject real property, if different from the subdivider, and to all persons, including businesses, corporations, or other public or private entities, shown on the last equalized assessment roll as owning real property within three hundred feet (300') of the property which is the subject to the proposed application. The department shall also give notice of the hearing by mail or delivery to each agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the subdivision, whose ability to provide those facilities and services may be significantly affected. A proposed conversion of residential real property to a condominium, community apartment or stock cooperative project shall be noticed in accordance with section 66451.3 of the subdivision map act.</u></p> <p><u>In the event that the proposed application has been submitted by a person other than the property owner shown on the last equalized assessment roll, the city shall also give notice by mail or delivery to the owner of the property as shown on the last equalized assessment roll. In addition, notice shall be given by mail or personal delivery to any person who has filed a written request with the city. The request may be submitted at any time during the calendar year and shall apply for the balance of the calendar year. The department may give such other notice that it deems necessary or advisable. Substantial compliance with these provisions for notice shall be sufficient, and a technical failure to comply shall not affect the validity of any action taken according to the procedures in this title.</u></p> <p><u>B. Action: The planning commission shall make its recommendation to the city council, or shall approve, conditionally approve or deny the tentative map if the planning commission is the approving body, and the department shall report the decision of the planning commission to the city council and the subdivider within fifty (50) days after the tentative map application has been determined to be complete. If the approving body is the city council, the city council shall approve, conditionally approve, or disapprove the tentative map within thirty (30) days after it receives the recommendation of the planning commission. In reaching a decision upon the tentative map, the approving body shall consider the effect of that decision on the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources.</u></p> <p><u>C. Approval: The tentative map may be approved or conditionally approved by the approving body if it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, any applicable specific plan, and all applicable provisions of this code. The approving body may require as a condition of its approval that the payment by the subdivider of all development fees required to be paid at the time of the application for, or issuance of, a building permit or other similar permit shall be made at the rate for such fees in effect at the time of such application or issuance.</u></p> <p><u>The approving body may modify or delete any of the conditions of approval recommended in the department's report. The approving body may add additional requirements as a condition of its approval.</u></p>

	<p><u>If no action is taken by the approving body within the time limits specified in this section, the tentative map, as filed, shall be deemed to be approved if it complies with all other applicable provisions of the subdivision map act, this title, this code, and the general plan.</u></p> <p><u>D. Denial: The tentative map may be denied by the planning commission on any of the grounds provided by the subdivision map act or this code. The planning commission shall deny approval of the tentative map if it makes any of the following findings:</u></p> <p><u>1. That the proposed map is inconsistent with the general plan or any applicable specific plan, or other applicable provisions of this code;</u></p> <p><u>2. That the site is not physically suitable for the type of development;</u></p> <p><u>3. That the site is not physically suitable for the proposed density of development;</u></p> <p><u>4. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Notwithstanding the foregoing, the planning commission may approve such a tentative map if an environmental impact report was prepared with respect to the project and a finding was made pursuant to section 21081(c) of CEQA that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;</u></p> <p><u>6. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the planning commission may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the planning commission to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision; or</u></p> <p><u>7. Subject to section 66474.4 of the subdivision map act, that the land is subject to a contract entered into pursuant to the California land conservation act of 1965 (commencing with section 51200 of the Government Code) and that the resulting parcels following a subdivision of the land would be too small to sustain their agricultural use.</u></p>
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Attachment A City
of Needles
List of Changes
Memorandum

July 21, 2023
 Patrick Martinez
 City of Needles
 817 Third Street
 Needles, CA 92363

SUBJECT: Development Standards Update Amendment Tracker

Mr. Martinez,

Please see the following amendment tracker of development standard updates identified in the City's 6th Cycle Housing Element as well as specific items requested by the City for amendment. These updates have been taken from the Housing Element's policies and programs, as well as the governmental constraints section of the Housing Element. A sample land use matrix has also been included for the City's review that incorporates required changes based upon Housing Element programs and updates to State law.

As part of the development standards update, Michael Baker International has also created an amendment tracker that lists each proposed change, key information and considerations, the City's existing text, and proposed changes to the text.

It is our understanding that Michael Baker will incorporate these changes once an edited and formatted version of the City Code has been prepared and a "wish list" of key provisions the City would like to update has been provided.

1. Overarching Changes

In general, it is Michael Baker's understanding that the City would like to make specific updates its zoning code and development standards to promote development—both commercial and residential. The R-2 and R-3 zones especially should be updated to make more lots usable/functional (*Refer to Section 4: Governmental Constraints*). The City would also like to streamline as many of its processes as possible. Ultimately, most residential projects have been requested to be processed ministerially.

2. City's "Wish List" of Key Changes

Walls/Fences	Undergo a substantial revision of those sections of the code that deal with walls and fencing. Ensure that the zoning code matches the building code and include provisions about fence heights between different uses and fencing in the front yard areas.
Parking	Include more clarification within the zoning code regarding parking standards. Specifically, include more language on <i>where</i> cars are allowed to park on a property, as well as standards for how much of a property can be paved. (<i>Refer to Section 4: Governmental Constraints</i>)
Tract Maps	Create a standardized process for Tract Map entitlement and establish objective findings.

Solar	Revise solar requirements according to State law. The City, as a utility provider, wants to know what local jurisdictions are allowed to regulate when it comes to rooftop solar.
Cell Towers	Revise and include additional standards based on height, design and siting. Potentially include camouflage provisions. Much of the regulations are governed by the Federal government.
HOP	Remove the zoning permit requirement for home occupancy uses.
Metal Containers	Allow metal storage containers to be used as building materials for other types of structures (not just accessory buildings).
Pools	There are known issues with pools in the current code. Make pool provisions clearer.
Procedural Streamlining	Add a section of the code that deals with the procedure of how a development permit is reviewed by project type.

Land Use Matrix Changes

- Add provisions regarding EV Charging. Add another line within the land use matrix to differentiate between fuel stations and EV charging stations.
- Remove Agricultural Operations from the R-1 zone (found in Section 14.10).
- Make as many residential projects ministerial as possible.
- Remove horse keeping from the R-1 zone.

3. Housing Element Programs

A-4	Rezone the downtown area to allow for mixed uses and taller buildings. Permit mixed uses both horizontally and vertically.
A-5	Amend the zoning ordinance to establish minimum densities to ensure that parcels are developed close to their maximum densities (at 75%) to prevent substantial net loss of any residential units and encourage higher density/more affordable building typologies.
A-6	Conduct an inclusionary zoning feasibility study to identify appropriate inclusionary requirements that will not constrain housing production. Develop and amend the zoning ordinance to establish inclusionary housing requirements so that new developments reserve up to 15 percent of the total units for lower- and moderate-income households.
B-2	Amend the zoning ordinance to update density bonuses to meet current state requirements (AB 2345, SB 1763, SB 1227).
B-3	Pursuant to SB 330, review and amend the zoning ordinance and Design Review Board handbooks to ensure development standards, design guidelines, and findings are objective and promote certainty in the planning and approval processes.
B-4	Study and revise development standards in multifamily districts to facilitate the development of properties at their maximum densities. Specifically amend:

- Minimum parking standards
 - Height limits
 - Lot coverage (elderly and disabled housing)
 - ADA unit location requirements (elderly and disabled housing)
- B-5** Amend the zoning ordinance to revise the minimum required unit area for multifamily units. Ensure that provisions for efficiency units are consistent with AB 352 (2017).
- B-6** Amend the zoning ordinance to address multiple changes to state law regarding ADUs (including AB 587, AB 671, AB 68, and SB 13). Monitor state law on an annual basis and revise the zoning ordinance as appropriate.
- B-7** Create and make available to the public a set of preapproved plans for ADUs to facilitate production and ADUs available to lower-income households by reducing costs to applicants.
- B-13** Maintain a mixture of residential land use designations and development regulations that accommodate various building types and styles, including but not limited to small-lot, single-family homes; tiny homes; detached condominiums; townhomes; duplex/triplex/multiplex; courtyard apartments; bungalow courts; live/work units; mixed-use projects; moveable tiny homes; 3D printed homes; and new prefab housing types that meet state and local building code standards. Continue to explore innovative building types and housing options that can be implemented through the City's zoning ordinance by reviewing development designators (such as Permitted, Conditionally Permitted, etc.) and designations and amend as appropriate.
- E-2** Allow housing for the elderly, disabled, and developmentally disabled with reduced and flexible development standards. Amend the zoning ordinance to allow licensed adult care facilities by right. Review CUP standards for residential care facilities to ensure that the standards are objective and focused on protecting the health, safety, and welfare of the residents of these facilities.
- E-3** Review the City zoning code to determine whether updates are needed to comply with the state Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6). The act calls for the zoning ordinance to treat employee housing (including farmworker housing) that serves six or fewer persons as a single-family structure and permitted in the same manner as other single-family structures of the same type in the same zone (Section 17021.5). The zoning ordinance must also treat employee housing consisting of no more than 12 units or 36 beds as an agricultural use and permitted in the same manner as other agricultural uses in the same zone (Section 17021.6) in zones where agricultural uses are permitted.
- E-4** Amend the zoning ordinance to modify the parking requirements for emergency shelters to ensure that they are only based on the number of staff. Amend the emergency shelters code to ensure that shelters are not subject to standards that do not apply to other uses in the same zone, including but not limited to a 500-foot residential buffer.
- E-5** Pursuant to SB 48, amend the zoning ordinance to establish provisions for low-barrier navigation centers. Allow centers that meet specific objective requirements by-right in areas zoned for mixed uses.

- E-6** Pursuant to AB 2162 and AB 2988, supportive housing meeting certain criteria must be permitted by-right where residential uses are permitted, including mixed-use and nonresidential zones. Review AB 2162 and amend zoning ordinance to ensure compliance.
- E-7** Update zoning code to expressly permit the development of residential care facilities (6 or fewer residents) in residential zones. Adopt objective standards for residential care homes with 7 or more individuals in residential zones consistent with occupancy standards. Initiate and complete a process in 2023 to amend the Zoning Ordinance to allow group homes for seven or more in all residential zones.

a. Governmental Constraints

NON-CONFORMING LOTS

In the central part of town, which was the original town of Needles, many lots are now of insufficient size to meet the requirements for the building of a residential structure. The City does permit those older homes to be remodeled or refurbished and will encourage new structures to replace the existing structures for residential use in a mixed-use zone, provided the City's parking standards can be met. Since the lots are mostly too small to allow desired parking and garages, until two lots are available side by side (for parcel merging), developers and homebuilders are generally not interested in new construction in this part of town.

PARKING

The City's parking requirements are based on unit type and size. As shown in Table 38, parking requirements are typically two spaces per single-family residential unit. Multifamily residential units have a reduced requirement based on the size of unit, but generally average two spaces per unit after accounting for guest parking. Reductions in the number of parking spaces are enacted for uses that serve tenants with low vehicle-ownership rates, rooming homes, residence clubs, and fraternity and sorority houses.

MIXED-USE DEVELOPMENT

The City allows mixed-use development via the CRR zone in several areas of Needles. As identified in the City of Needles zoning code, the intent of the CRR zone is to provide for a variety of uses along the Colorado River, including apartments, hotels, motels, restaurants, boat clubs, marinas, specialty and gift shops, convenience services, and goods and supplies for boat owners, water skiers, scuba divers, and the visiting public using marina and aquatic recreational facilities. Depending on the nature of the developments, this zone can support a full range of residential and commercial densities as appropriate per the zoning code. This zone allows sufficient diversity of land use types while avoiding the dangers of overcrowding and a haphazard mixing of land uses and providing new employment and housing opportunities for residents. Program A-4 is included to rezone the downtown for mixed-use development.

ACCESSORY DWELLING UNITS

Accessory dwelling units are permitted in all residential zones. An accessory dwelling unit must meet specified development standards consistent with Government Code Section 65852.2. They may be either attached to the primary dwelling or separate from the primary dwelling. A manufactured or modular unit placed on a permanent foundation may also be used as an accessory unit. Accessory dwelling units may be rented

separately unless the primary dwelling is rented, and the sale of an accessory dwelling unit separate from the primary unit is prohibited. The City processed a zoning code amendment to comply with recent changes to Government Code Section 65852.2 in July 2019. The City will amend its zoning ordinance to ensure compliance with state law regarding ADUs and continue to monitor state law and revise the zoning ordinance as necessary; see Program B-7.

HOUSING FOR FARMWORKERS

California law (Government Code Section 65583[c][1][C]) requires the adequate provision of sites to accommodate the housing needs of farmworkers. Housing elements should ensure that local zoning, development standards, and permitting processes comply with Health and Safety Code Sections 17021.5 and 17021.6. Section 17021.5 generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. A jurisdiction cannot require any conditional use permit, zoning variance, or other zoning clearance for this type of employee housing that is not required of a family dwelling of the same type in the same zone. Section 17021.6 generally requires employee housing consisting of not more than 36 beds in group quarters or 12 units or less designed for use by a single family or household to be treated as an agricultural use. A jurisdiction cannot require a conditional use permit, zoning variance, or other zoning clearance for this type of employee housing that is not required of any other agricultural activity in the same zone. The City has provided a program that addresses the requirements of the Employee Housing Act (see Program E-3).

EMERGENCY SHELTERS

California Health and Safety Code Section 50801 defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay.”

Legislation (SB 2 [Cedillo, 2007]) requires jurisdictions to allow emergency shelters without a conditional use permit in at least one zone or sufficiently sized site in the city to meet the city’s homeless need. The City of Needles updated its zoning ordinance in July 2019 to allow emergency shelters in the M-1 and M-2 zones. There are 1,552 acres of vacant land available in the two zones. These zones are centrally located with proximity to goods and services. The typical uses in the zones include commercial and industrial uses with no heavy industrial. Program E-4 is included to ensure compliance with Assembly Bill (AB) 139 to set parking requirements on the number of staff rather than the service capacity.

SUPPORTIVE AND TRANSITIONAL HOUSING

Supportive housing is defined by Health and Safety Code Section 50675.14 as housing with linked on-site or off-site services with no limit on the length of stay and that is occupied by a target population as defined in Health and Safety Code Section 53260 (i.e., low-income persons with mental disabilities, AIDS, substance abuse or chronic health conditions, or persons whose disabilities originated before the age of 18). Services linked to supportive housing usually focus on retaining housing, living and working in the community, and/or health improvement.

Transitional housing is defined in Health and Safety Code Section 50675.2 as rental housing for stays of at least six months but where the units are recirculated to another program recipient after a set period. It may be designated for a homeless individual or family transitioning to permanent housing. This housing can take many

structural forms, such as group housing and multifamily units, and may include supportive services to allow individuals to gain necessary life skills in support of independent living.

Pursuant to SB 2, transitional and supportive housing types are required to be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. In addition, pursuant to AB 2162, supportive housing is a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. To ensure consistency with state law, the City amended its zoning ordinance in July 2019 to allow transitional and supportive housing consistent with SB 2. Program E-6 has been included to address the new AB 2162 requirements.

RESIDENTIAL CARE FACILITIES

Residential care facilities are small private facilities, usually with 20 or fewer residents, with rooms being private or shared. Residents receive personal care and meals and have staff available around the clock. Nursing and medical care usually are not provided on-site. Residential care facilities with 6 or fewer residents are conditionally permitted in the R-1, R-2, CRR, and C-1 zones, and specially permitted in the R-3 zone. Residential care facilities with 7 or more residents are not permitted in any zone. This may represent a constraint on the development of residential care facilities.

Attachment B

Land Use Matrix of Changes

EXISTING TABLE

	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>CR</u>	<u>C1</u>	<u>C2</u>	<u>C3</u>	<u>M1</u>	<u>M2</u>	<u>P</u>
1.00 RESIDENTIAL										
1.20.1 Single Family, 1 du / lot	Z	Z	Z	Z						
1.20.2 Single Family, 2 du / lot	Z	Z	Z	Z						
1.30.1 Accessory Dwelling Units	Z	Z	Z	Z		Z				
1.30.2 Junior Accessory Dwelling Units	Z	Z	Z	Z		Z				
1.30.3 Manufactured & Tiny Homes	Z	Z	Z	Z		Z				
1.40 Primary with accessory apartment	S	Z	Z	Z						
1.50 Duplex		Z	Z	Z		Z				
1.60 Multifamily apartments			Z	C		Z				
1.62 Multi-Family Apt-Conversion				C		C				
1.70 Multifamily townhomes			Z	C		Z				
1.75 Multifamily condos			Z	C		Z				
1.80 Mobilehome parks		C	C	S						
1.85 R.V. parks		C	C	S			C			
1.90 Planned residential development		C	C	C		C				
1.95 Mixed-use residential***						C				
2.00 RESIDENTIAL/COMMERCIAL										
2.10 Homes for handicapped	C	C	S	C	C	C				
2.20 Nursing care	C	C	S	C	C	C				
2.30 Adult/child care (residence)	C	S	S	S	C	S				
2.40 Halfway home			C	C	C					
2.50 Boarding house	C	C	C	C	C	C				
2.55 Bed and breakfast	C	S	S	Z	S	S	S			
2.60 Hotels, motels				C	S	Z	Z	C		
2.65 Supportive Housing	Z	Z	Z	Z						
2.70 Transitional Housing	Z	Z	Z	Z						
2.75 Emergency Shelters								Z	Z	

PROPOSED TABLE

	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>CR</u>	<u>C1</u>	<u>C2</u>	<u>DT</u>	<u>C3</u>	<u>M1</u>	<u>M2</u>	<u>P</u>
1.00 RESIDENTIAL											
1.10 Single-Family (Up to 2 du / lot)	Z	Z	Z	Z							
1.15 Single-Family Small Lot / Tiny Homes		Z	Z	Z							
1.20 Accessory and Junior Accessory Dwelling Units	Z	Z	Z	Z		Z					
1.30 Duplex, Triplex, Quadplex		Z	Z	Z		Z	Z				
1.40 Multifamily Townhomes/Condos			Z	Z		Z	S				
1.45 Multifamily Apartments			Z	Z		Z	S				
1.50 Mobile Home Parks		S	S	S							
1.60 Planned Residential-Unit Development		C	C	C			C				
1.70 Mixed Use				Z		Z	S				
1.80 Manufactured /3D Printed / Prefab Homes	Z	Z	Z	Z							
1.90 Single-Room Occupancy Units	Z	Z	Z	Z		Z					
2.00 RESIDENTIAL/COMMERCIAL											
2.10 Emergency Shelters					Z	Z			Z	Z	
2.20 Transitional Housing	Z	Z	Z	Z	Z	Z			Z	Z	
2.25 Supportive Housing	Z	Z	Z	Z	Z	Z			Z	Z	
2.30 Low Barrier Navigation Centers		Z	Z	Z	Z	Z			Z	Z	
2.40 Residential Care Facilities (6 or fewer residents)	Z	Z	Z	Z	Z	Z					
2.45 Residential Care Facilities (7 or more residents)	C	C	S	C	C	C					
2.60 Adult/Child Care	C	S	S	S	S	S					
2.80 Bed and breakfast	C	S	S	Z	S	S	S	S			
2.85 Hotels, motels				C	S	Z	Z	Z	C		
2.100 Live/Work Units						Z	S	Z			
2.110 R.V. Parks		C	C	S				C			
2.120 Employee Housing	Z			Z					Z	Z	

MISCELLANEOUS CHANGES

	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>CR</u>	<u>C1</u>	<u>C2</u>	<u>DT</u>	<u>C3</u>	<u>M1</u>	<u>M2</u>	<u>P</u>
9.60 EV Charging				Z	Z	Z	Z	Z	Z	Z	Z
12.30 Private homeowners keeping horses; one-half- acre minimum lot size	Z	Z		S							S

Attachment C
City of Needles Planning
Commission Comments

Needles Planning Commission and City Council Notes

Development Code Update

Planning Commission comments and concerns:

Emergency Shelters

- Not a use that is permitted in residential areas. Parking standards based on beds was seen as a constraint so parking requirements are now based on employees, per State law.

Low Barrier Navigation Centers

- Commissioners asked what a Low Barrier Navigation Centers (LNBC) was, and asked if these were required by the State, and if they were required to be permitted in the C1 and C2 zones.
- A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. It's basically an emergency shelter that has more services and are often run by non-governmental organization's or religious institutions.
- Needles is not required to allow them in the R-1 zone.
- State wants them to be permitted evenly to emergency shelters. They cannot only be permitted in M1 and M2 since these zones occupy small portions of the developed city, where the establishment of a LNBD would not be feasible.

Supportive Housing

- We can only remove by right approval from R-1 zone since R-2 is considered multi-family zone and this use type is required to be permitted by-right in multi-family zones according to government code [Govt Code § 65651 \(2022\)](#).
- Additionally, HSC sec 1566.3 reads:
 - i. No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility that serves six or fewer persons that is not required of a family dwelling of the same type in the same zone.
 - ii. For the purposes of this section, "family dwelling," includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobile homes, including mobile homes located in mobile home parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.

Density Bonuses

- The Commissioners asked if a density bonus could allow a building taller than 45 feet to be built within the City. However, because the Fire Department does not have an engine that can service a building over 45 feet in height, such a concession would not be supported because it poses a health and safety risk.

Parking Standards

- The proposal behind the removal of residential parking standards from within .5 miles of public transit is inspired by ADU Standards. Such a reduction in parking standards would not

apply to ADA or EV parking space requirements, but could help to promote residential development in the City.

- Commissioners expressed discomfort at removing minimum parking standards for all residential projects within a half mile of public transit.
- Commissioners asked if hotel uses would be considered to be a residential project—they would not.
- Commissioners expressed support in utilizing the curb front of residential projects as counting toward the required parking for a residence.

Home Occupancy permits

- Commissioners asked to revise the direct sales language to include more than fruits and vegetables grown at the residence. Include provisions relating to Cottage Food Operations and micro-kitchens that are allowable state-wide.
- Review the percentage of the dwelling unit that could be utilized as part of a home occupation, so the requirements are consistent with IRS deductions.
- Remove Planning Director approval for tutoring.
- Commissioners expressed the desire to have employees at the residence.
- Commissioners want the ability for commercial vehicles at residence.

Metal buildings

- Commissioners want metal buildings to be approved via a Special Use Permit
- Commissioners expressed desire to eliminate metal storage containers as a building material for residential uses.

Driveway surfaces

- It was suggested to allow pervious surfaces, or any surfaces currently permitted in the code, as driveway material. In addition, eliminate the requirement for paving, rather list it as one of the optional materials.

City Council comments and concerns:

Metal buildings

- Council wants to know what Planning Commission comments were. Questions around aesthetics for shipping containers but metal as a material is generally ok. Commission wanted authority to review.
 - Council member does not want storage containers on properties. Compares it to allowing Cannabis.

Home Occupancy permits

- Planning commission wants commercial vehicles.
- Council agrees there needs to be flexibility.

Horse Keeping

- Council wants to know why horses are being removed from R-1.
- The answer is that the Gates community currently has horse keeping but this update will rectify the nonconforming issue. Code update makes issue more consistent.

Studio and Efficiency Units

- Council members asked if this was a large enough size, as 220 square feet does not seem like enough when factoring in a bathroom and kitchenette.
- Other councilmembers said this was a market decision to be made by a developer and investors.
 - Council member is not in agreeance with this standard.
 - Two council member agrees with the size minimums. References Imperial Hotel

Parking Standards

- Council members agree with parking limitations to encourage public transit.
- Bicycle parking – there is no need for parking requirements.
- Consensus is to let people regulate driveways how they want.

Pools

Private pools must feature at least a 5 foot setback for safety concerns.

Attachment D
City of Needles 6th Cycle
Housing Element Programs

HOUSING PROGRAMS AND QUANTIFIED OBJECTIVES

A. Housing Production

Number	Title	Action	Responsible Party	Funding Source	Timeline
A-1	Incentives for Production	Offer incentives aimed at production of new housing in the City of Needles. Such incentives include: <ul style="list-style-type: none"> Assist developers with the costs associated with infrastructure improvements, fees, and costs that encourage housing development 	DSD	Economic Development Fund	Incentives offered on an ongoing basis as funds are available. Evaluate incentive performance annually.
A-2	No Net Loss Monitoring	To ensure that the City monitors its compliance with SB 166 (No Net Loss), the City will develop a procedure to, and will, track: <ul style="list-style-type: none"> Unit count and income/affordability assumed on parcels included in the sites inventory. Actual units constructed and income/affordability when parcels are developed. Net change in capacity and summary of remaining capacity in meeting remaining RHNA. 	DSD	General Fund	Within two years of Housing Element adoption
A-3	Surplus Lands/ Affordable Housing on City-Owned/Successor Agency Sites	Assess City-owned properties for their potential redevelopment or development for residential uses that include housing for extremely low-income households and those with special needs such as seniors and persons with disabilities. Implement the Surplus Lands Act to annually review city-owned parcels and provide affordable housing developers the first right of refusal for designated surplus lands.	DSD	General Fund	Annual review in conjunction with the review of Surplus Lands.
A-4	Downtown Mixed-Use Development	Rezone the downtown area to allow for mixed uses and taller buildings. Permit mixed uses both horizontally and vertically.	DSD	General Fund	Within four years of Housing Element Adoption
A-5	Minimum Density	Amend the Zoning Ordinance to establish minimum densities to ensure that parcels are developed close to their maximum densities (at 75%) to prevent substantial net loss of any residential units and encourage higher density/more affordable building typologies.	DSD	General Fund	Within two years of Housing Element adoption
A-6	Inclusionary Housing Ordinance	Conduct an inclusionary zoning feasibility study to identify appropriate inclusionary requirements that will not constrain housing production. Develop and amend the Zoning Ordinance to establish inclusionary housing requirements so that new developments reserve up to 15 percent of the total units for lower- and moderate-income households.	DSD	General Fund	Within three years of Housing Element adoption

Number	Title	Action	Responsible Party	Funding Source	Timeline
A-7	ADU Tracking and Monitoring	Continuously track the City's progress for ADUs. Track and analyze the affordability of ADUs built in the City. Within the Housing Element period, assess whether additional strategies are necessary to increase ADU production.	DSD	General Fund	Maintain tracker as ADU permits are submitted. Review strategies annually as part the Annual Progress Report process

B. Constraint Removal

Number	Title	Action	Responsible Party	Funding Source	Timeline
B-1	Permit Streamlining	Establish and implement expedited permit processing for affordable housing projects, including projects that qualify for density bonuses (in compliance with SB 35 and SB 330). Advertise the expedited permit process on the City's website and circulate a notice with the Building Industry Association and Chamber of Commerce.	DSD	General Fund	Within two years of Housing Element adoption
B-2	Density Bonus Updates	Amend the Zoning Ordinance to update density bonuses to meet current state requirements (AB 2345, SB 1763, SB 1227).	DSD	General Fund	Within one year of Housing Element adoption
B-3	Objective Standards	Pursuant to SB 330, review and amend the Zoning Ordinance and DRB handbooks for to ensure development standards, design guidelines, and findings are objective, promote certainty in the planning and approval process.	DSD	General Fund	Within one year of Housing Element adoption
B-4	Development Standards Review and Revision	Study and revise development standards in multi-family districts to facilitate the development of properties at their maximum densities. Specifically amend: Minimum Parking Standards Height Limits Lot Coverage (Elderly and Disabled Housing) ADA Unit Location Requirements (Elderly and Disabled Housing)	DSD	General Fund	Within three years of Housing Element Adoption
B-5	Efficiency Units and Minimum Unit Sizes	Amend the Zoning Ordinance to revise the minimum required unit area for multi-family units. Ensure that provisions for efficiency units are consistent with AB 352 (2017).	DSD	General Fund	Within three years of Housing Element Adoption
B-7	ADU Ordinance Update to Meet State Law	Amend the Zoning Ordinance to address multiple changes to state law regarding ADUs (including AB 587, AB 671, AB 68, and SB 13). Monitor state law on an annual basis and revise the Zoning Ordinance as appropriate.	DSD	General Fund	Within one year of Housing Element adoption, and annually thereafter
B-8	Preapproved ADU Plans	Create and make available to the public a set of Preapproved Plans for ADUs to facilitate production and ADUs available to lower-income households by reducing costs to applicants.	DSD	General Fund LEAP Grant	Within three years of Housing Element adoption

Number	Title	Action	Responsible Party	Funding Source	Timeline
B-9	Utility Availability	Continue to expand the reach of water and wastewater services to North Needles	PWD	General Fund, Grant funding	June 30, 2023
B-10	Public Fees, Standards, and Plans Online	Pursuant to AB 1483, the City will compile all development standards, plans, fees, and nexus studies in an easily accessible online location. The City will update its zoning and general plan maps to provide a high quality, parcel-specific reference.	DSD	General Fund	Within three months of Housing Element adoption
B-11	By-Right Projects	Encourage the construction of developments on sites that allow housing without discretionary review to meet the City's RHNA for the different income categories. For vacant sites used in two previous housing element cycles, the City will allow ministerial review for a project that provides 20% lower-income units.	DSD	General Fund	Upon adoption of the Housing Element
B-12	Roadway Widening and Dedication Relief	Identify which substandard streets and alleys contain fire hydrants, utility poles, catch basins and similar impediments, the relocation of which would otherwise cause a development to be economically infeasible, and prepare a code amendment providing relief from dedication requirements under those situations.	DSD	General Fund	Within three years of Housing Element adoption

C. Housing Preservation and Improvement

Number	Title	Action	Responsible Party	Funding Source	Timeline
C-1	Energy and Resource Conservation Program	<p>The City shall work to establish the Owner-of-Home Alternative Energy and Resource Conservation Program. The Program shall:</p> <ul style="list-style-type: none"> Encourage and provide homeowners with an incentive reimbursement for the installation of photovoltaic (PV) solar paneling, solar water heating systems and appliances certified under the Leadership in Energy and Environmental Design (LEED). Provide pamphlet literature of this program and shall be made available for new arrival and existing residents at the City Hall, the City's website, the City of Needles Library and at Community-Held Events. Establish educational training program workshops directed towards teaching homeowners how to install and of the cost-efficient advantages of installing PV solar paneling and heating systems and LEED appliances. 	DSD, PWD	General Fund	Upon adoption of the Housing Element
C-2	California Building Code	<ul style="list-style-type: none"> Adopt the most recent version of the California Building Code 	DSD / Building Department	General Fund	June 30, 2022
C-3	Preservation of At-Risk Housing	<ul style="list-style-type: none"> Implement strategies to reduce the potential conversion to market rate of the 234 assisted affordable housing units in Needles during the current planning period. None of the assisted units are considered at risk. However, 	DSD, Housing Authority	General Fund	Revision of zoning code by June 2022 to require notification by

Number	Title	Action	Responsible Party	Funding Source	Timeline
		<p>the City will implement the following strategies to comply with state law (Assembly Bill 1521):</p> <ul style="list-style-type: none"> • Monitoring project status annually. • Notify property owners annually about compliance with the extended noticing requirement (three year, one-year, and 6 month Notice of Intent) under state law. • Include preservation as an eligible use in Notices of Funding Availability. • If below-market rate units appear to be at risk of conversion, work with qualified operators, HCD, and the property owners to preserve the housing for lower-income households. • Per state law, owners of deed-restricted affordable projects are required to provide notice of restrictions that are expiring after January 1, 2021, to all prospective tenants, existing tenants, and the City within three years, one year, and six months (three separate times) of the scheduled expiration of rental restrictions. Owners shall also refer tenants of at-risk units to educational resources regarding tenant rights and conversion procedures and information regarding Housing Choice Voucher rent subsidies and any other affordable housing opportunities in the City. • If a development is offered for sale, HCD must certify persons or entities that are eligible to purchase the development and to receive notice of the pending sale. Placement on the eligibility list will be based on experience with affordable housing. 			owners consistent with state law; ongoing communication with owners, service providers, and eligible potential purchasers.
C-4	CDBG Allocations	<ul style="list-style-type: none"> • When allocating CDGB funding, consider use of the funds for at-risk units, if and when it becomes necessary. 	DSD	CDBG	Ongoing, annual CDBG allocation
C-5	Displacement Prevention Ordinance	<ul style="list-style-type: none"> • Pursuant to SB 330, ensure that when existing housing is demolished, at least an equivalent number of units at the same affordability are created as replacements. 	DSD	General Fund	Ongoing, as needed
C-6	Enhanced Code Enforcement	<ul style="list-style-type: none"> • The City's Code Enforcement officials will continue to investigate potential code violations, and work with property owners to resolve violations or unsafe conditions. As a part of the enhanced code enforcement program, community representatives will notify them of tenants' rights, and provide assistance in resolving the code violation. 	Code Enforcement	General Fund	Ongoing
C-7	Neighborhood Preservation Program	<ul style="list-style-type: none"> • Focus CDBG funding on deteriorating or dilapidated areas throughout the City to preserve and improve the City's environmental quality. 	DSD	CDBG	Annually
C-8	Preservation and Rehabilitation of Housing Stock	<ul style="list-style-type: none"> • Coordinate with the Housing Authority to develop guidelines for the funding of low interest loans and grant assistance, and to act as a conduit for housing funds to leverage in the creation of new affordable housing. 	DSD, Housing Authority	State and Federal Grants (CDBG), San	Establish the program and initiate outreach by December 2022.

Number	Title	Action	Responsible Party	Funding Source	Timeline
	Comprehensive Program	<ul style="list-style-type: none"> Continue to maintain the Low and Moderate Income Housing Asset Fund (LMIHAF) for the preservation of existing affordable housing through established rehabilitation and landscaping protocol through the adopted Neighborhood Beautification Program. As a component of the Neighborhood Beautification Program, the City will promote the expanded participation of local landlords in rental housing rehabilitation programs. The City will disseminate the City's rehabilitation grant program brochures on the City website, at community meetings, at school sites, at City-sponsored Board meetings, Planning Commission meetings, developer meetings, at off-site meetings promoting economic development within the City, and in the City Hall lobby area. 		Bernardino County, General Fund (LMIHAF),	Enroll 8 landlords in the Housing Rehabilitation Program. Rehabilitate at least 5 homes in the planning period.

D. Housing Assistance

Number	Title	Action	Responsible Party	Funding Source	Timeline
D-1	Housing Choice Vouchers	<ul style="list-style-type: none"> Continue to assist eligible, low-income households in receiving Housing Choice Voucher assistance. Market housing vouchers and inform landlords that discrimination based on source of income (including vouchers) is prohibited. 	DSD	LIHTC CalCHA bonds CHFA HOME	Continuous and ongoing
D-2	Affordable Housing and Services Funds. Funding strategies for affordable housing and supportive services includes	<ul style="list-style-type: none"> Issue Notice of Funding Availability (NOFA) in an equitable manner for affordable housing development, acquisition, rehabilitation, and/or supportive services. <p>Pursue funding sources for affordable housing through LIHTC, CalCHA bonds, CHFA, HOME Investment Partnership Program, etc. for affordable housing.</p>	DSD	LIHTC CalCHA bonds CHFA HOME	Continuous and ongoing
D-3	Landlord - Tenant Mediation	<ul style="list-style-type: none"> Continue to contract with a fair housing specialist to provide fair housing and landlord/tenant mediation services. Distribute information about these services to tenants through a variety of media and online outlets, namely the City website and paper materials at the Civic Center. 	DSD	Fair Housing Specialist General Fund	Continuous and ongoing

E. Special Housing Needs

Number	Title	Action	Responsible Party	Funding Source	Timeline
E-1	Fair Housing Education and Counseling	<ul style="list-style-type: none"> Provide education and literature on fair housing, resolving disputes; providing Health, Safety and Building referrals; distributing landlord/tenant guidebooks printed by the Department of Consumer Affairs; provide Housing Choice Voucher Assistance referrals; providing counseling and resolution of housing discrimination complaints. 	DSD, Fair Housing service provider	General Fund, CDBG	Continuous and ongoing
E-2	Housing for the Elderly and Persons of Disabilities Program	<ul style="list-style-type: none"> Allow housing for the elderly, disabled, and developmentally disabled with reduced and flexible development standards. Amend the Zoning Ordinance to allow licensed adult care facilities by right. Review CUP standards for residential care facilities to ensure that the standards are objective and focused on protecting the health, safety, and welfare of the residents of these facilities. 	DSD	General Fund	Within one year of Housing Element adoption
E-3	Farmworker Housing	<ul style="list-style-type: none"> The City shall review its zoning code to determine whether updates to zoning are needed to comply with the state Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6). The Act calls for the zoning ordinance to treat employee housing (including farmworker housing) that serves six or fewer persons as a single-family structure and permitted in the same manner as other single-family structures of the same type in the same zone (Section 17021.5). The zoning ordinance must also treat employee housing consisting of no more than 12 units or 36 beds as an agricultural use and permitted in the same manner as other agricultural uses in the same zone (Section 17021.6) in zones where agricultural uses are permitted. 	DSD	General Fund	Within two years of Housing Element Adoption
E-4	Emergency Shelters	<ul style="list-style-type: none"> Amend the Zoning Ordinance to modify the parking requirements for emergency shelters to ensure that they are only based on the number of staff. Amend the emergency shelters code to ensure that shelters are not subject to standards that do not apply to other uses in the same zone, including but not limited to a 500 foot residential buffer. 	DSD	General Fund	Within one year of Housing Element adoption
E-5	Low Barrier Navigation Centers	<ul style="list-style-type: none"> Pursuant to SB 48, amend the Zoning Ordinance to establish provisions for low-barrier navigation centers (LBNCs). Allow LBNCs that meet specific objective requirements by-right in areas zoned for mixed-uses. 	DSD	General Fund	Within one year of Housing Element adoption
E-6	Transitional and Supportive Housing	<ul style="list-style-type: none"> Pursuant to AB 2162 and AB 2988, supportive housing meeting certain criteria must be permitted by-right where residential uses are permitted, including mixed-use and nonresidential zones. Review AB 2162 and amend Zoning Ordinance to ensure compliance. 	DSD	General Fund	Within one year of Housing Element adoption

Number	Title	Action	Responsible Party	Funding Source	Timeline
E-7	Residential Care	<ul style="list-style-type: none"> Update its code to expressly permit the development of residential care facilities (6 or fewer residents) in residential zones. Adopt objective standards for residential care homes with 7 or more individuals in residential zones. 	DSD	General Fund	Within one year of Housing Element Adoption
E-8	Priority Water and Sewer Service for Affordable Housing Developments	<ul style="list-style-type: none"> Pursuant to Government Code 65589.7, work with public service providers to ensure prioritization of services to housing developments serving lower-income households. 	DSD, PWD, Utilities	General Plan	Within one year of Housing Element adoption

F. Affirmatively Furthering Fair Housing

Number	Title	Action	Responsible Party	Funding Source	Timeline
F-1	Place-Based Community Improvements - Park Renovations	<ul style="list-style-type: none"> Develop programs and strategies to create place-based investments in areas of concentrated segregation and poverty, including investments in infrastructure, services, etc. that contribute to community revitalization. Focus investments and programs in south Needles to facilitate revitalization and healthy living conditions. 	DSD PWD	CDBG General Fund CalOES Grants	Within six years of Housing Element adoption.
F-3	Analysis of Impediments Programs	<ul style="list-style-type: none"> Implement programs identified in the 2020-2024 County Analysis of Impediments. Improve housing mobility by providing homeowner assistance, incentives for affordable housing development, coordinating with local lenders to expand mortgage access. Provide fair housing services to tenants, and continually investigate potential violations of fair housing law. 	DSD Fair Housing Specialist	CDBG General Fund	Continuous and on-going
F-4	Environmental Justice and Expanded Access to Opportunity	<ul style="list-style-type: none"> Adopt and implement a new Environmental Justice Element in the General Plan. Through the Environmental Justice Element, address areas with disproportionate pollution and health impacts and facilitate healthy living conditions for Needles residents. In particular, use the Environmental Justice Element to create targeted investments and improve health in south Needles. 	DSD	General Fund Leap Funds	Within two years of Housing Element adoption.
F-5	Fair Housing Outreach and Enforcement	<ul style="list-style-type: none"> Provide fair housing enforcement, landlord-tenant mediation, and fair housing information to residents and property owners. Advertise the City's fair housing specialist as a resource to resolve disputes and reports of discrimination. Increase outreach in east Needles, an area identified as having disproportionate housing needs. 	DSD Fair Housing Specialist	General Fund	Continuous and on-going
F-6	Transit Improvements Program	<ul style="list-style-type: none"> Provide housing projections and other information so that Needles Area Transit (NAT) continues to provide needed transportation services to Needles. 	DSD PWD	General Fund	Continuous and on-going

G. Public Education

Number	Title	Action	Responsible Party	Funding Source	Timeline
G-1	Housing Information	<ul style="list-style-type: none"> Continue to improve and expand the use of the various media to inform and promote the use of Needles's housing programs to its residents and developers by creating a dedicated webpage on the City's website. 	DSD	General Fund	Establish webpage within one year of Housing Element adoption; On-going and continuous publishing of information in the digital magazine
G-2	ADU Education	<ul style="list-style-type: none"> Develop and implement a comprehensive marketing program to advertise the ability of homeowners to create ADUs. 	DSD	General Fund	Develop marketing plan within one year of Housing Element adoption; implement marketing program within two years of Housing Element adoption
G-3	Source of Income Protection	<ul style="list-style-type: none"> Coordinate with the Housing Authority to conduct outreach to inform landlords and tenants of recent changes to state law that prevent source of income discrimination. Ensure that it is known that HCVs are allowed to establish a renter's financial eligibility. 	DSD Housing Authority	General Fund	Continuous and on-going
G-4	Energy Cost Savings	<ul style="list-style-type: none"> Develop a program to assist residents in identifying areas in their home, or practices, that waste energy. 	Utility Department	General Fund	Develop program by December 2023
G-5	Incentives to Build Housing	<ul style="list-style-type: none"> Disseminate brochures outlining information about available incentives and distribute them to contractors, developers, real estate and contractors boards, and public and private agencies. The City has regular participation at community meetings, as well as meetings with developers, construction vendors, and visitors, and distributes information via flyers, pamphlets, and bound books on programs that have been implemented or are in the process of being developed, properties that have completed the code abatement process and are available for receivership, rehabilitation, etc. City staff also participates in off-site meetings related to economic development activity in the City and provides written information to anyone attending these events. The information is also made available on the City's website, as well as in the lobby of City Hall. 	DSD	General Fund	The City will initiate at least two of the meetings described in the program per year and will update brochures at least twice during the planning period.



City of Needles, California Request for City Council Action

Item 8.

☒ CITY COUNCIL ☐ NPUA ☐ SARDA ☒ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Resolution of the City Council of the City of Needles Authorizing a Grant Anticipation Note Application

Background: In 2022, the City of Needles ("City") entered into various grant agreements to provide grant funding for parks and related public facilities projects in the City (the "Grant Projects"). The Grant Projects include Duke Watkins Park, the First Beach project, Jack Smith Park trail, golf course irrigation, certain street improvements and hazard mitigation projects. The estimated total cost for the projects is approximately \$6.55 million.

The City anticipates completing the majority of the Grant Projects in Fiscal Year 2023-2024 ("Fiscal 2024"). Under the grant agreements, the City will pay invoices from General Fund or other funding sources and subsequently request reimbursements from the granting agencies. Typically, the processing time for grant reimbursements is approximately 90 days.

Based on the City's current capital spending plan, it is expected that there will be a cumulative \$4.8 million cash outlay by April 2024 for the Grant Projects. In addition, the City anticipates \$2.3 million of capital expenditures for street and hazard mitigation projects in Fiscal 2024, which are not covered by grants. In 2023, the City engaged Urban Futures, Inc. ("UFI") as municipal advisor and Best, Best and Krieger ("BBK") as legal counsel to explore possible financing solutions to meet the significant cash flow requirements for the Grant Projects.

On behalf of the City, UFI reached out to various lending institutions to inquire about loan options, including the Rural Community Assistance Corporation ("RCAC"). RCAC has a program whereby it purchases Grant Anticipation Notes ("GANs") from communities in the Western United States, such as the City. RCAC has indicated it can offer a revolving line of credit secured by grant revenues for a term sufficient to cover construction of the Grant Projects. RCAC has provided an indicative interest rate of 5.5% for amounts drawn under the facility in addition to a one-time upfront loan fee of 1.5%.

This agenda item authorizes the City to submit an application to RCAC, which is the first step in this process. Once the loan application is approved, the City's financing team will work with RCAC to finalize the GAN documents. City staff expects to return to City Council later this year to authorize the GAN issuance. It is currently expected that the GAN transaction will close by early 2024.

#8



City of Needles, California Request for City Council Action

Item 8.

Fiscal Impact: RCAC has proposed an indicative interest rate of 5.5% as well as a one-time upfront loan fee of 1.5%. The interest costs, loan fees and other associated costs will be paid by the City's General Fund. Based on an anticipated loan size of \$4 million, it is expected that the RCAC upfront loan fee will be \$60,000. In addition, fees for municipal advisory and legal services are estimated to total \$65,000. Interest costs would be determined by actual draws on the facility, and the agreed-upon interest rate, currently estimated at 5.5%.

Recommendation: Staff recommends that the City Council adopt the resolution to authorize an application for the RCAC loan program.

Submitted By: Barbara DiLeo, Finance Department

City Management Review: *Patricia J. M. J.*

Date: 10/19/2023

Approved: ☐

Not Approved: ☐

Tabled: ☐

Other: ☐

Agenda Item: 8

RESOLUTION NO. 2023-58

RESOLUTION OF THE CITY COUNCIL OF THE CITY NEEDLES AUTHORIZING A GRANT ANTICIPATION NOTE APPLICATION

WHEREAS, on February 18, 2022, the City of Needles (the "City") entered into a 2018 Parks Bond Act Statewide Park Development and Community Revitalization Grant Contract No. C9803078 (Duke Watkins Park – Project No. SW-36-008) with the State of California Department of Parks and Recreation (the "Department" of Parks and Recreation"), for a grant of \$3,965,400 (the "C9803078 Grant"); and

WHEREAS, on April 11, 2022, the City entered into a Grant Contract No. C9801552, 2018 Parks Bond Act Per Capital Grant Program (Project No. 18-36-068) with the Department of Parks and Recreation, for a grant of \$177,952 (the "C9801552 Grant"); and

WHEREAS, on April 11, 2022, the City entered into a Grant Contract No. 39802255, 2018 Parks Bond Act Per Capita Grant Program (Project No. 18-36-069) with the Department of Parks and Recreation, for a grant of \$3,164 (the "39802255 Grant"); and

WHEREAS, on July 15, 2022, the City entered into a Clean California Local Grant Program (State) Restricted Grant Agreement No. CCL-5220-009 with the State of California Department of Transportation (the "Department of Transportation"), for a grant of \$2,179,702 (the "CCL-5220-009 Grant," together with the C9803078 Grant, the C9801552 Grant, and the 39802255 Grant referred to as the "Grants"); and

WHEREAS, pursuant to Section 53859.02 of the Government Code, the City may borrow money, represented by a grant anticipation note, to be used and expended by the City for the purpose for which the Grants are to be received and which are secured solely by a lien in the proceeds of the Grants; and

WHEREAS, the City Council of the City (the "City Council") has found and determined that the sum of \$4 million is currently needed by the City in Fiscal Year 2023-24, before the receipt of Grant funds will be available, and that it is necessary that such sum be borrowed by the issuance of a grant anticipation note (the "Grant Anticipation Note") for the purpose of completing the projects specified in each of the Grants; and

WHEREAS, it is anticipated that the Grant Anticipation Note will mature in Fiscal Year 2024-25; and

WHEREAS, the Rural Community Assistance Corporation (the "RCAC") has a program whereby it purchases grant anticipation notes from communities such as the City of Needles; and

WHEREAS, in order to utilize such program the City must submit an application to the RCAC; and

WHEREAS, the City desires to submit an application to the RCAC program to secure funding pursuant to a Grant Anticipation Note.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Needles as follows:

Section 1. Recitals. All of the recitals hereinabove set forth are true and correct.

Section 2. Grant Anticipation Note Applications. The City Council hereby authorizes the City Manager, or his designee, to submit an application to the RCAC.

Section 3. Authorization. The City Council hereby authorizes and directs the City Manager, or his designee, to complete, review, sign and submit for and on behalf of the City, the Grant Anticipation Note application with the RCAC and take all other actions as he deems necessary to complete and submit the application.

Section 4. Effective Date. This resolution shall take effect upon adoption.

PASSED, APPROVED and ADOPTED at a regular meeting of the City of Needles, held on the ____th day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor of the City of Needles

Attest:

City Clerk of the City of Needles

(Seal)

Approved as to form:

City Attorney



City of Needles, California
Request for City Council Action

Item 9.

☒ CITY COUNCIL ☐ NPUA

☐ Regular ☐ Special

Meeting Date: October 24, 2023

Title: Upcoming Thanksgiving and Christmas Holiday

Background Council consideration of canceling 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.

Should the Council concur and cancel the meeting, an additional meeting can be held. There will be meetings held on Tuesday, November 14 and December 12, 2023.

Fiscal Impact

Recommendation Discretionary

Submitted By: City Clerk

City Management Review:

[Signature]

Date:

10/19/2023

Approved: ☐

Not Approved: ☐

Tabled: ☐

Other: ☐

Agenda Item: 9



CITY OF NEEDLES

817 Third Street • Needles, California 92363
(760) 326-2113 • FAX (760) 326-6765

Mayor Janet L. Lujan
Vice Mayor Kirsten Lujan
Councilmember Item 10.
Councilmember Ellen Campbell
Councilmember Jamie McCorkle
Councilmember JoAnne Pogue
Councilmember Henry Longbrake
City Manager Patrick Martinez

MEMORANDUM

TO: Honorable Mayor & Council Members,
Boards and Commissions, and
Interested Parties

FROM: Patrick Martinez, City Manager

SUBJECT: Manager's Report

DATE: October 13, 2023

- City Manager

- ** Met with the owner of a new clothing store on Front Street. They provide clothing, retail screen printing services
- ** Met with Caltrans new maintenance supervisor who is responsible for the Needles region
- ** Attended the Chamber breakfast and heard Needles Unified School District Superintendent talk about school safety
- ** Attended the Republic of China 10-10 Day in Needles

- City Clerk

- ** Ongoing agenda management implementation
- ** Finalizing updates to the City Code in preparation for placing on the city's website
- ** Responding to record requests

- Community Services

Transit, Senior Center, Recreation, Aquatics, Parks, Cemetery:

- ** Covered senior center in absence of the senior aide
- ** Participated in AB1234 ethics training
- ** Participated in Teams meeting re kickoff of 2022-23 transit audit and an onsite meeting with the auditing firm performing the triennial transit audit for the San Bernardino County Transportation Authority (SBCTA)

Transit: ** Shopper shuttle had a total of 12 roundtrip passengers (24 boardings) for the four weeks in September averaging 3 riders per trip (maximum bus capacity is 9)

** No medical transports in September

** DAR accommodated 495 passenger boardings averaging 24.75 boardings per day

Senior Center: ** Average daily use was 31 participants/visitors for lunch and other senior activities/services

** Craft project and other activities to start back up in October after a summer hiatus

Recreation: ** Fall sports began the first week of October and includes 11 soccer teams, 7 flag football teams, and 5 volleyball teams

** 14th Annual Little Ladies Tea Party was held on September 30 with 40 little ladies in attendance

** Currently taking registration for two events in December, pee-wee derby and Santa's workshop

** Facility rentals for September -- None

Aquatics: ** Continuing general maintenance

** Given direction from Council to pursue funding for re-plastering of the main pool

Honorable Mayor & Council Members, Boards and Commissions, and Interested Parties
 October 13, 2023
 Page Two

Jack Smith Park: ** Winding down the season with operating hours 9am – 4pm Saturday and Sunday only through October
Cemetery: ** Two interments in September
Parks: ** General maintenance including basic tree trimming, weed control and irrigation repairs

- Development Services

Planning, Building/Safety, Engineering, Code Enforcement, Capital Improvement Plan (CIP):

Planning: ** Final stages of the Code update document

** Activities and permits include cannabis business expansion, hotels, cell tower, and zoning permits for private property improvements

Code Enforcement: ** Routine cannabis, residential and commercial inspections

** Assisted sheriff's office

** Assisted city attorney's office with requested documents and postings

** Parking enforcement

** Organizing community clean up event

Building & Safety: **

Engineering: ** See attached

- Finance and Administration

Finance, HR, Risk Management:

** NPUA and Housing FY 23 audits have begun

** Filled animal control assistant and senior water operator positions

** Selected customer service rep I

** Continue advertising for city planner and recreation coordinator

- Public Works

Streets, Fleet, Buildings, Sanitation:

** Crosswalk painting

** Weed control

** Pothole repairs

- Public Safety

Animal Control, Sheriff, Fire, Emergency Management:

Animal Control: ** 60+ animals were spayed or neutered at the clinic held October 6 & 7 for

Needles residents only

** Vaccination clinic scheduled for November 11

- Utilities

Electric, Water, Wastewater, Billing Office:

Wastewater: ** Annual plant maintenance completed on the digester, one pump pulled for repairs

** Obtaining quotes for a replacement effluent moderate head pump

** Completing warranty repair on the EQ hydromatic pump

Water: ** 18 water service line leaks repaired

** 45+ underground locates

** Three 2" main breaks and a 2" valve replacement completed on L street

** Completed all monthly sampling and reporting

** Replaced packing and sand trap drain valve on well #12

** Continued work with engineers and contractors on the following projects: Lilly Hill & L Street boosters, AMI metering, and well #11 treatment plant

Electric: ** Repaired 20 streetlights; installed 50 foot pole and transformer; and replaced 5 lightning arrestors

** Continue to install new AMI meters on commercial accounts

** Replaced crossarm on the moabi line

Honorable Mayor & Council Members, Boards and Commissions, and Interested Parties
October 13, 2023
Page Three

** Tree trimming

Billing Office: ** 37 connects and 41 disconnects in September

- Golf

Pro Shop, Maintenance:

Pro Shop: ** September 2023 revenue and rounds:

2022 - total revenue \$3,020; total rounds 58

2023 - total revenue \$3,431; total rounds 115

(note: course closed for overseeding Sept 4 through Oct 2)

** Course open to full time hours as of October 6

** Membership drive for 2023-24 underway

** Two upcoming golf tournaments scheduled - October 14 and October 21

** Pro shop stocked with fall merchandise

Maintenance: ** Annual overseeding completed

- Housing Authority

** Maintaining construction building updates

** Updated fair market rent payment standards for Section 8 voucher holders

** Continue to network with other public entities for community resources

attachment

cks

Capital Improvement Projects (CIP) Project List/Status – October 12, 2023

Parks Projects:

1. First Beach / Marina Beach Park - \$1,864,588

Status: Contractor has been submitting shop drawings for key components of the park for approval. These items are being ordered as approved. Construction is scheduled to start December 1, 2023 and be completed by June 1, 2023.

2. Duke Watkins Park Improvements - \$2,283,700

Status: Contractor has been submitting shop drawings for key components of the park for approval. These items are being ordered as approved. Construction is scheduled to start October 16, 2023. A groundbreaking ceremony will be scheduled soon.

3. Duke Watkins Park Pump Track - \$534,716

Status: Construction is scheduled to begin, Oct. 16, 2023.

4. Jack Smith Park Biking/Walking Path - \$134,965.30

Status: Construction is schedule to begin on Nov. 7, 2023, and continue for approximately 2 weeks. A groundbreaking ceremony will be scheduled soon.

Streets:

5. Pavement Management Plan Update

Status: Draft report has been received and under review by staff.

6. Phase IV A – Water Service Replacement & Street Improvements

Status: This project is out to bid with an opening date of Nov. 1, 2023.

7. Obernolte Water Service Replacement & Street Improvements – \$1,123,983

Status: This project is out to bid with a bid opening date of Oct. 25, 2023.

8. Active Transportation Plan - \$1,658,000

Status: This project is in the Planning and Environmental Phase. Staff is soliciting proposals for design and environmental clearance.

9. Monument Signage/Freeway Ramp Clean-up - \$5,900,000.00

Status: This project is near completion. Caltrans will notify staff when complete.

Water Projects:

10. Lily Hill Water Booster Station - \$2,086,775.00

Status: This project is near completion. Final punch list and demolition of the existing pump station to be completed by the end of October.

11. Water Treatment Plant - \$5,759,500.00

Status: Under construction - Concrete foundations have been poured and the treatment vessel has been delivered and set in place. Contractor will be off-site until the end of November when they will return to install the backwash tank, underground piping and electrical equipment.

12. Waterline and Manifold Replacements - \$914,600.00

Status: This project is ready to bid in alignment with other water projects.

13. Well No. 15 Backup Generator - \$367,000

Status: The backup generator has been ordered and expected delivery in Jan. 2024. Electrical conduit and generator concrete pad has been installed.

14. Well No. 11 to Well No. 15 Waterline Intertie - \$930,000

Status: This project is under design.

Other projects:

15. Needles Golf Course Irrigation Efficiency Project, Phase 1 - \$715,538

Status: This project is under design.

16. Advanced Metering Infrastructure (AMI) Smart Meters - \$3,900,000

Status: This project is near completion. Staff is working on project close out documentation for BOR grant funds and Landis + Gyr.

17. NHA Window and Door Replacement Project - \$408,289

Status: Window installation is complete. Door installation is 50% complete and will be completed by mid-November.

18. Hazard Mitigation Plan Update - \$132, 285

Status: Staff is preparing the Request for Proposals (RFP) to be advertised soon to solicit qualified firms to prepare the plan.

19. Public Restroom Sewer Waste Piping Repair (Golf Course)

Status: This project is under construction and will be completed in approximately 2 weeks.

20. Marketing Consultant RFP

Status: Four proposals were received on Oct. 4, 2023. Staff is reviewing the proposals and scheduling interviews.