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

A G E N D A

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

THE PUBLIC MAY ALSO ATTEND VIA TEAMS AND MAY SUBMIT ANY COMMENTS IN WRITING PRIOR TO NOON ON THE DAY OF THE MEETING BY EMAILING djones@cityofneedles.com

TO JOIN THE LIVE TEAMS MEETING log into the City of Needles website at www.cityofneedles.com to access the agenda and Click here to join the meeting

If asked, enter the following: Meeting ID: 125 192 240#
OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 125 192 240#
The meetings are being recorded.

THE PUBLIC MAY ATTEND – MASKS ARE ENCOURAGED AND DESIGNATED SEATING

CALL TO ORDER
ROLL CALL

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

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

RECESS TO EXECUTIVE SESSION

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

EXECUTIVE SESSION – Report by City Attorney

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

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS
CITY ATTORNEY Parliamentary procedures

As a courtesy to those in attendance, we would ask that cell phones be turned off or set in their silent mode. Thank you.

PUBLIC APPEARANCE – Persons wishing to address the 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.

PRESENTATION
(A ten-minute time limit per presentation has been established per Municipal Code Section 2-18.)
1) Fire District Update by Scott Tuttle, Assistant Chief, San Bernardino County Fire District (INF)

PUBLIC HEARINGS

2) Public hearing noticed to consider all evidence and testimony for or against approving Tentative Parcel Map No. 20388, subdividing 6.5 acres +/- into 2 parcels located in the R2 (Two-Family Residential) Zone, located in the vicinity of Lillyhill Dr. and Casa Linda St, APN 0185-233-55:
   - Staff Report
   - Council Questions of Staff
   - Mayor to open the public hearing
   - Public Comment
     - Applicant Comments
     - Comments in Favor
     - Comments Opposed
     - Applicant Rebuttal
   - Mayor to close the public hearing
   - Council Discussion / Deliberation
   - Resolution No. 2021-41 approving Tentative Parcel Map 20388 subdividing 6.5 acres +/- into 2 parcels located in the R-2 (Two-Family Residential) Zone, APN 0185-233-55 (ACT)

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

- ♦ Comments Opposed
- ♦ Applicant Rebuttal

- ➢ Mayor to close the public hearing
- ➢ Council Discussion / Deliberation
- ➢ Resolution No. 2021-59 approving a Conditional Use Permit for a two-phase cannabis cultivation facility totaling 15,500 sq. ft. located in the C-2 (General Commercial) Zone at 1150 W, Broadway, APN 0186-093-18-0000 (ACT)

4) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit for a 258 sq. ft. cannabis distribution facility, located at 1150 W. Broadway, also known as Assessor's Parcel Number 0186-093-18-0000, in the C-2 General Commercial Zone: Applicant Albert Sekoian, representative for Califa Harvest LLC

- ➢ Staff Report
- ➢ Council Questions of Staff
- ➢ Mayor to open the public hearing
- ➢ Public Comment
  - ♦ Applicant Comments
  - ♦ Comments in Favor
  - ♦ Comments Opposed
  - ♦ Applicant Rebuttal
- ➢ Mayor to close the public hearing
- ➢ Council Discussion / Deliberation
- ➢ Resolution No. 2021-60 approving a Conditional Use Permit for a 258 sq. ft. cannabis distribution facility, building C2, located at 1150 W. Broadway, APN 0186-093-18 (ACT)

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

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

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

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 7 through 12 on the Consent Calendar by affirmative roll call vote. (ACT)

7) Approve the warrants register through September 28, 2021

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

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

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

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

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

End of Consent

REGULAR ITEMS

13) Request to reconsider Resolution No 2021-53 and if approved motion to adopt Resolution No. 2021-53 approving a Conditional Use Permit for a 1,102 square foot cannabis retail business to be housed within the existing Mobil Gas Station building, located at 1005 E. Broadway, APN 0186-214-07, in the C-2 General Commercial Zone (ACT)

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

15) Discussion regarding an employee appreciation event (ACT)

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Campbell
Councilmember Evans
Councilmember Merritt
Vice Mayor Paget
Councilmember Belt
Councilmember Longacre
Mayor Williams

ADJOURNMENT

INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT
http://www.cityofneedles.com

Posted: September 24, 2021

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 24th day of September 2021

_____
Dale Jones, CMC, City Clerk

City of Needles, California
Staff Report

☒ CITY COUNCIL ☐ NPUA ☐ SARDA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

Title: City Council Resolution No. 2021-41
A Resolution of the City Council of the City of Needles, Approving Tentative Parcel Map No. 20388, Subdividing 6.5 Acres+/- into 2 Parcels Located in the R2 (Two-Family Residential) Zone, Also Known as Assessor Parcel No. 0185-233-55

Background: The parcel is currently owned by the City of Needles, with a small section, .79 acres, being split off and sold to Golden Valley Cable, owned by D. J. Huffman. The remaining parcel, 5.79 acres, will continue to be owned by the City. The Parcel is located near the intersection of Lilllyhill Dr. and Casa Linda Street.

The conditions of approval require the buyer to provide a minimum 20' wide public utility easement (PUE) for public access onto the parcel.

ENVIRONMENTAL: Tentative Parcel Map 20388 is categorically exempt under State Guidelines Section 15315, "Minor Land Divisions", and no additional analysis is required at this time.

FINDINGS: The City Council must make the findings that the Tentative Parcel Map is consistent with the Needles General Plan, Needles Municipal Code and the State Subdivision Map Act.

RECOMMENDATION: Approve Resolution No. 2021-41, Approving Tentative Parcel Map No. #20388 with conditions:

Public Notification: A public hearing notice was placed in the Needles Desert Star on May 26, 2021, mailed to property owners within 300' of the proposed parcel, and posted in two conspicuous locations within the City.

Submitted By: **Cindy Semione, Associate Planner**

City Management Review: Rick Date: 9/21/21

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

Agenda Item: 2

CC RESOLUTION 2021-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, APPROVING TENTATIVE PARCEL MAP APPROVAL OF TENTATIVE PARCEL MAP 20388, SUBDIVIDING 6.5 ACRES +/- INTO 2 PARCELS LOCATED IN THE R2 (TWO-FAMILY RESIDENTIAL) ZONE, ALSO KNOWN AS ASSESSOR'S PARCEL NO. 0185-233-55

WHEREAS, the City of Needles is the current owner of Assessor's Parcel Number 0185-233-55 , a 6.5+/- acre parcel, located in the vicinity of Lillyhill Dr. and Casa Linda St; and.

WHEREAS, the City of Needles recently sold a .79 acre section to Golden Valley Cable; and

WHEREAS, Tentative Parcel Map No. 20388 creates two parcels: Parcel one equals .79 acres, and the remainder parcel equals 5.79 acres; and

WHEREAS, Parcel one will be purchased by Golden Valley Cable and Parcel 2 will remain with the City; and

WHEREAS, Section 66451 et seq of the California Government Code (Map Act) and Section 19-28 of the Needles City Code authorize the Planning Commission and City Council to approve, conditionally approve or deny tentative parcel maps; and

WHEREAS, Sections 66473 and 66474 of the California Government Code (Map Act) and Chapter 19 of the Needles City Code specify the criteria by which a parcel map may be granted; and

WHEREAS, on June 2, 2021, a public hearing notice was posted in two (2) public locations and published in the Needles Desert Star specifying the date, time and location of the public hearing for Tentative Parcel Map 20388; and

WHEREAS, on June 2, 2021, the Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to Tentative Parcel Map 20388; and voted unanimously to recommend City Council approval; and

WHEREAS, on July 13, 2021, the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony relative to Tentative Parcel Map 20388; and

WHEREAS, the Needles City Council has sufficiently considered all testimony 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 DETERMINES that Tentative Parcel Map 20388 was duly and properly reviewed under the California Environmental Quality Act (CEQA) and is categorically exempt under State Guidelines Section 15315 and no additional analysis is required at this time.

SECTION 2. The City Council HEREBY FINDS AND DETERMINES that facts do exist to justify approving Tentative Parcel Map 20388 as follows:

A. The proposed land division is compliant with the subdivision map act; both the general plan and zoning designations are consistent.

FINDING. The subject parcel is 6.5 +/- acres and is being proposed as a 2-lot subdivision, consistent with the Subdivision Map Act that allows creation of a parcel map of five or fewer parcels. . The general plan designation for the parcel is medium density and supports the general plan goal of providing services on the basis of neighborhood units and densities. .

B. The site is physically suitable for the type of development contemplated.

FINDING. This subdivision consists of two parcels: Parcel one is .79 acres and is proposed to remain as vacant land. Parcel two is 5.79 acres and will remain under ownership of the City of Needles. The proposed parcels satisfy the requirements of each proposed use.

C. The design of the subdivision or the proposed improvements will not cause substantial environmental damage.

FINDING. According to Section 15315 of the California Environmental Quality Act (CEQA) the proposed subdivision is exempt from further study because the project satisfies the criteria to support there will be no significant impact to the environment since no changes are proposed.

D. The type of improvements will not cause serious public health problems.

FINDING: The proposed project has been conditioned to require fencing and screening for security purposes, The city's parcel will continue to be used to house the water main and no improvements are planned.

SECTION 3. The City Council HEREBY APPROVES Tentative Parcel Map 20388, subdividing a 6.5+/- acre parcel into two parcels, parcel one .79 acres and the remainder parcel 5.79 acres, subject to conditions

SECTION 4. City Council Resolution **2021-41** affects the real property legally described as being a division of a portion of the northeast ¼ of the southeast ¼ of section 31, Township 9 North, Range 23 East, San Bernardino Meridian in the City of Needles, County of San Bernardino, State of California. It is the intent of all of the undersigned parties that Planning Commission Resolution 06-02-2021 PC and the conditions, shall constitute a covenant running with the land and the obligations shall be binding upon, and the benefits shall inure to, the parties, their heirs, assigns, transferee, and subsequent purchasers.

SECTION 5. The Needles Mayor is HEREBY AUTHORIZED to affix his signature to this resolution signifying its adoption by the City Council of the City of Needles, and the City Clerk is directed to attest thereto.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California, approve Tentative Parcel Map 20388, with the conditions stated herein below:

1. Tentative Parcel Map 20388 shall be completed in substantial conformance with the parcel map received and dated April 23, 2021, subject to the conditions contained herein, the Needles Zoning Ordinance and all other applicable regulations.

2. The size of lots shall comply with Municipal Code Section 19-17(b).

3. NOTES TO BE PLACED ON FINAL PARCEL MAP:
    a. The owner shall comply with all local, state, and federal laws, and the owner shall pay for all fees and cost of utilities and cost of improvements.

    b. Prior to issuance of building permit, the following is required:

        1. On-site development plans including grading & drainage plans are required per 2007 California Code of Regulations (Title 24) prior to issuance of a building permit.

        2. Off-site development/improvement plans as required to satisfy City of Needles, County of San Bernardino, and utilities.

        3. San Bernardino County Fire Department to approve proposed development/improvement plans.

        4. All electrical plans to be approved by City of Needles, Electrical Department.

4. The owner shall comply with all Federal, State and local laws relative to the approved use including but not limited to the requirements of the Planning Department, Engineering Dept., Building, Fire and Sheriff Departments.

5. Approval of Tentative Parcel Map 20388 shall not waive compliance with all sections of the City Code, all other applicable City ordinances and regulations, in effect at the time of the approval.

6. All conditions of Tentative Parcel Map 20388 must be complied with to the satisfaction of the City Engineer, prior to final approval of associated maps, building permits, occupancy permits, or any other appropriate request.

7. The buyer shall pay for any installation of electrical power extension to the property per City Standards and specifications by the Electric Department Manager.

ENGINEERING

8. All on-site drainage to remain on-site.

9. A Preliminary Soils Engineering Report is required for any proposed development

and a Finals Soils Report is required prior to issuance of a building permit.

10. All site plans, grading plans and driveway/street improvement plans shall be coordinated for consistency prior to the issuance of any permits.

11. The developer's engineer or surveyor shall set durable monuments to the satisfaction of the City Engineer in conformance with Section 66495 of the Subdivision Map Act.

12. Easements for all utilities shall be provided on the Final Parcel Map.

13. Buyer shall grant a Public Utility Easement (PUE) with a minimum width of 10'

14. Buyer shall fence and screen the parcel from public view.

15. Prior to recordation of final map, show all easements of record per title report.

16. All proposed facilities for electric, telephone etc. shall be placed underground.

FIRE

17. Prior to any construction occurring, the applicant shall contact the fire department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all statutes, codes, ordinances and standards of the Fire Department.

18. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to the fees that are paid to the City of Needles.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 28th day of September, 2021, by the following roll call vote:

AYES:
NOES:
ABSENT:

_____
Mayor

(SEAL)

ATTEST: _____
City Clerk

APPROVED AS TO FORM:

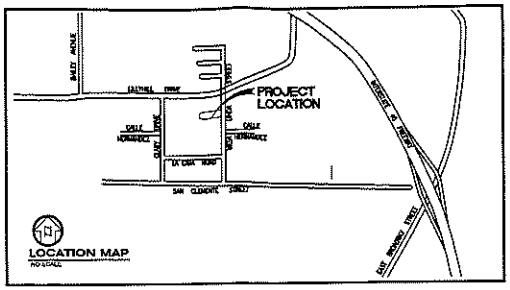
_____
City Attorney

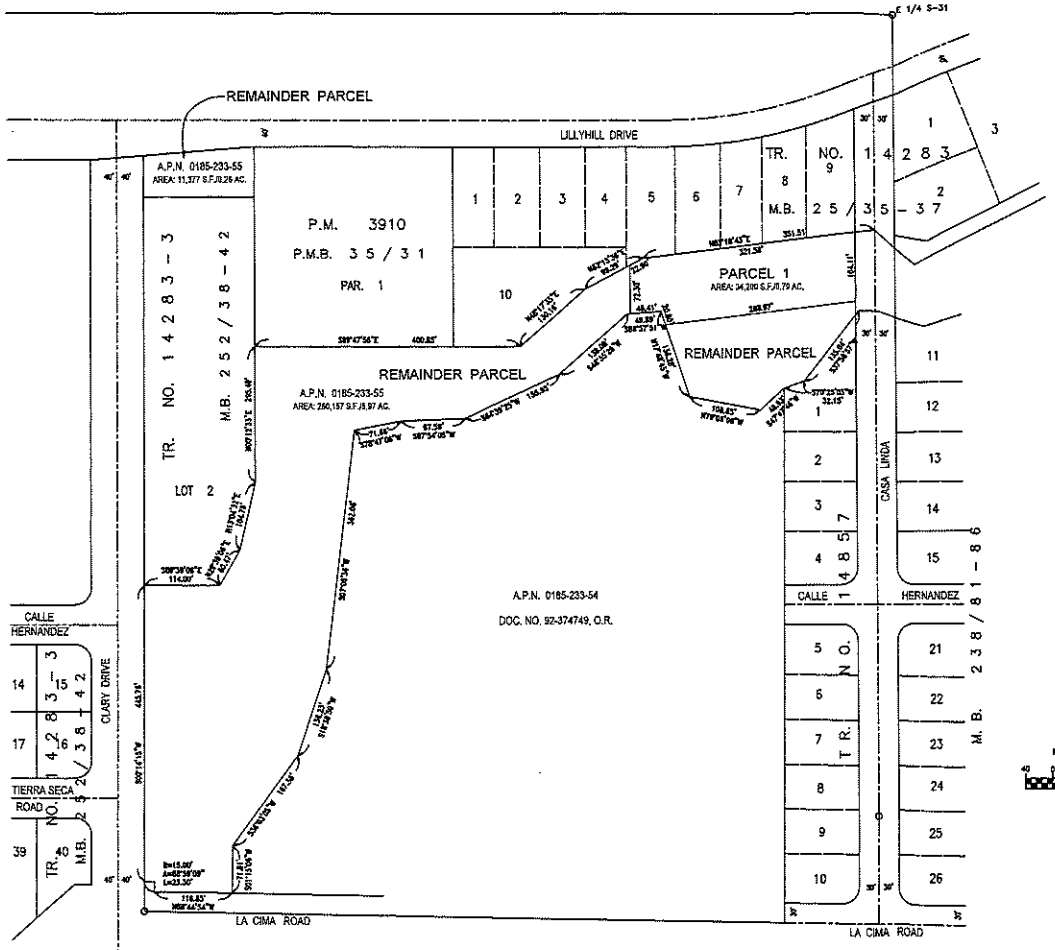
TENTATIVE PARCEL MAP NO. 20388

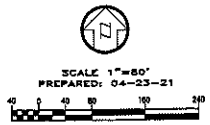
BEING A DIVISION OF A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 23 EAST, SAN BERNARDINO MERIDIAN IN THE CITY OF NEEDLES, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

TRLS ENGINEERING, INC. APRIL, 2021

THOMAS E. RAGEN L.S. 6205







STATISTICS:

APN: 0185-233-55
THIS MAP CONTAINS 3 PARCELS
AREA: 250,157 S.F./5.97 AC (GROSS PARCELS 1 & REMAINDER)
AREA PARCEL 1: 32,400 S.F./0.79 AC
AREA REMAINDER PARCEL: 227,757 S.F./5.23 AC
NO PAD CENTERS IS PROPOSED
NO NEW STREETS OR DRAINAGE IMPROVEMENTS PROPOSED
NO NEW EASEMENTS PROPOSED
NO EASEMENTS THAT CAN BE PLOTTED FROM RECORD DATA
NO REGULATED NATIVE TREES OR PLANTS LOCATED ON THE SITE

LEGAL DESCRIPTION:

A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 31 TOWNSHIP 9 NORTH, RANGE 23 EAST, SAN BERNARDINO MERIDIAN, IN THE CITY OF NEEDLES, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

A.P.N. 0185-233-55

PARCEL MAP NO. 20388

APPLICANT/OWNER

CITY OF NEEDLES
NEEDLES, CALIFORNIA

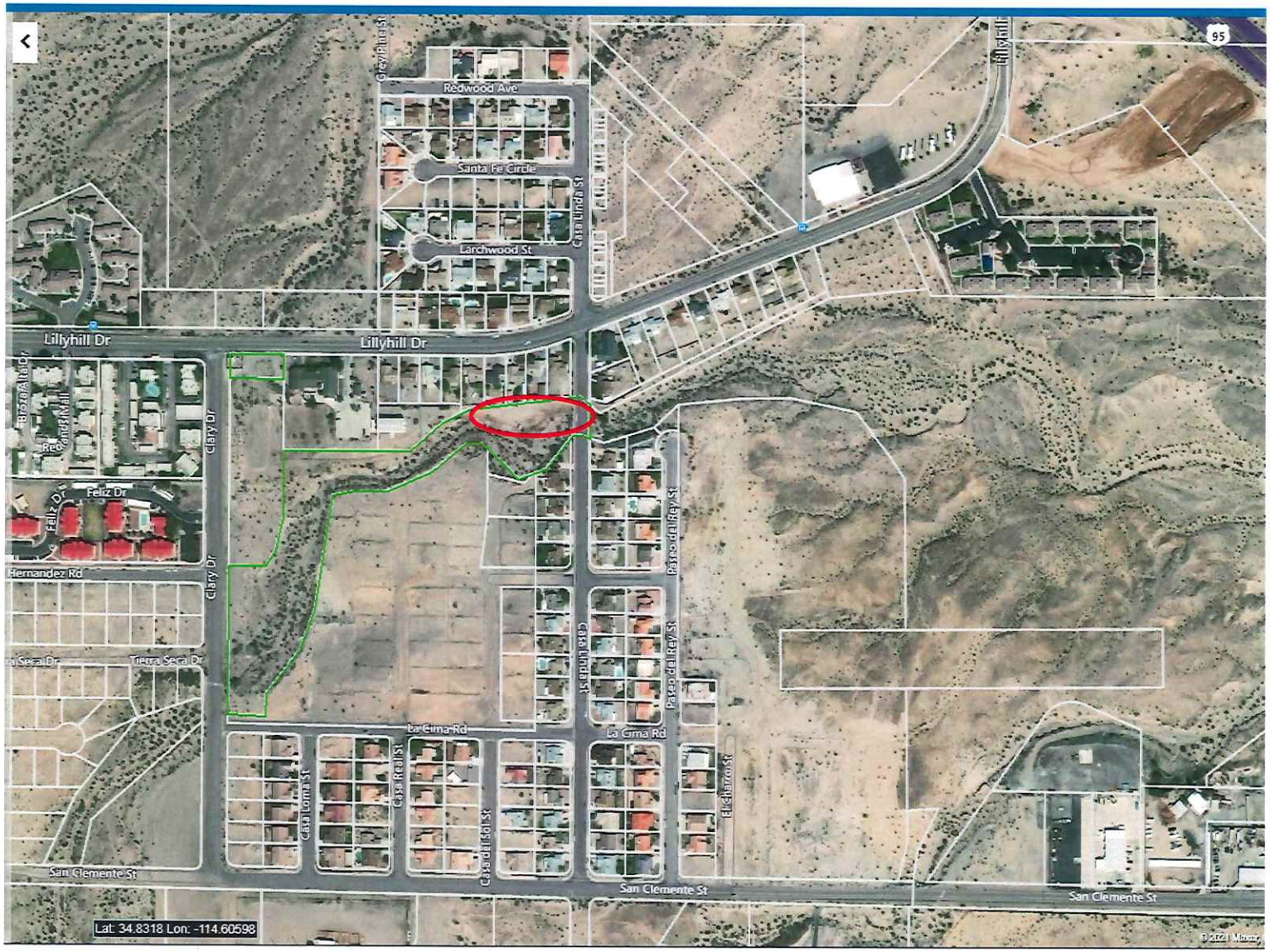
REPRESENTATIVE/MAP PREPARER:

TRLS ENGINEERING, INC.
10770 I AVENUE, SUITE 108
HESPERIA, CA 92345
(760) 949-4900

MAP PREPARED:

APRIL 23, 2021

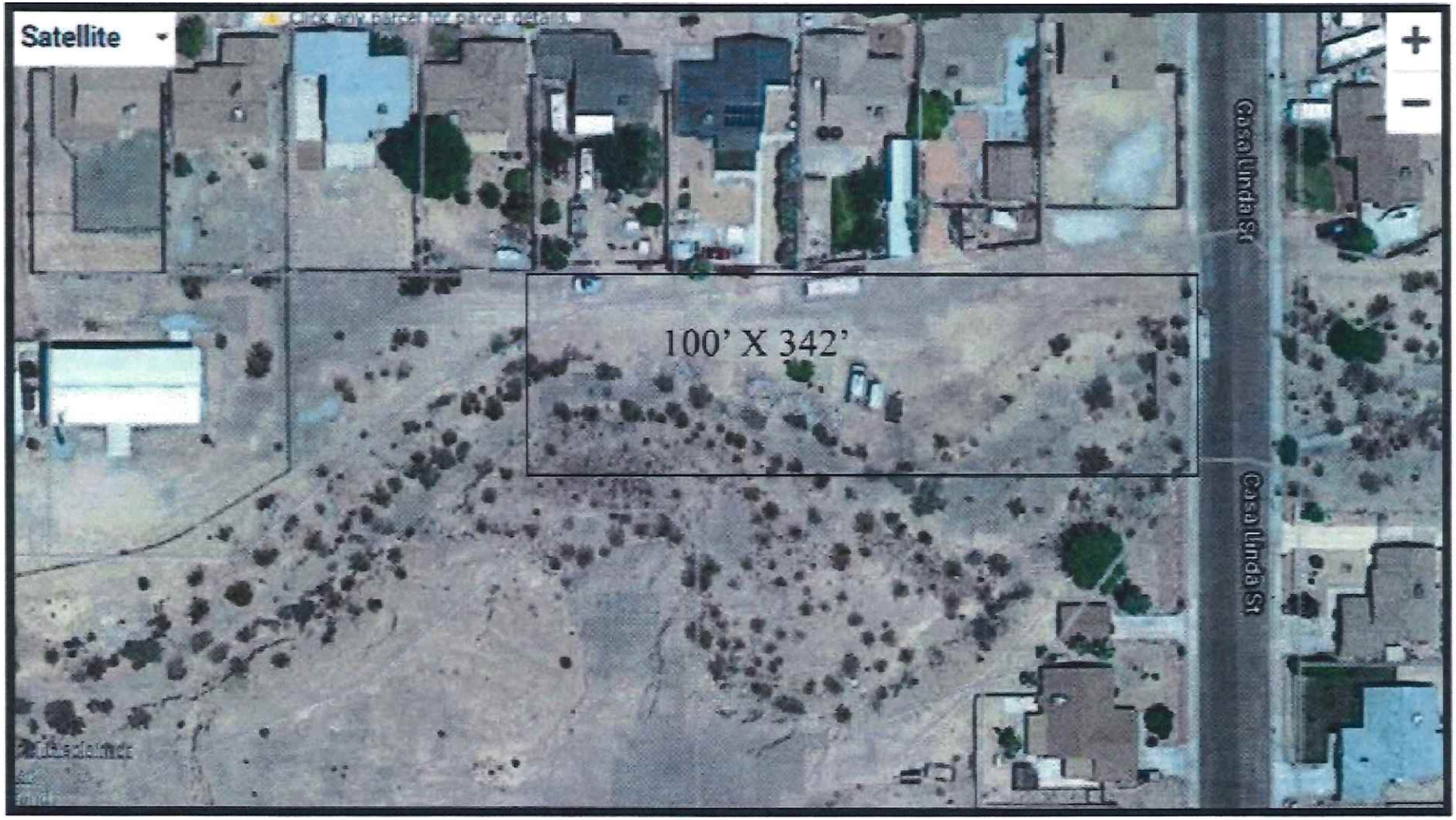
04-23-21



ATTACHMENT A **VICINITY MAP**

APPLICANT: **GOLDEN VALLEY CABLE**

ADDRESS: **VICINITY OF CASA LINDA AND LILLYHILL**



ATTACHMENT B PARCEL MAP AREA

APPLICANT: GOLDEN VALLEY CABLE

ADDRESS: VICINITY OF CASA LINDA/LILLYHILL

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: September 28, 2021

Title: City Council Resolution 2021-59
A Resolution of the City Council of the City of Needles
Approving a Conditional Use Permit for a Two-Phase Cannabis Cultivation Facility Totaling 15,500 Sq. Ft. located at 1150 West Broadway, Also known as APN 0186-093-18-0000, in the C-2 General Commercial Zone.

Background: Applicant, Albert Sekoian, representative for Califa Harvest LLC, is proposing tenant improvements and expansion to an existing building to be increased in building footprint from 2,800 square feet to 4,700 square feet (Phase 1) and proposing for the construction of a 10,800 square foot building (Phase 2) for the purpose of cannabis cultivation. The project site is situated on a 0.82-acre lot located at 1150 West Broadway Street, also known as APN 0186-093-18-0000 (See Attachment A, *Project Location*).

The project is surrounded by a combination of vacant lots and residences to the northwest, residences to the northeast, a vacant lot with a small metal garage to the southeast, and commercial uses and a residence to the southwest. The project is located within the General Commercial (GC) land use designation and within the General Commercial (C-2) zoning designation. Both Building C1 and Building C2 would both contain cultivation operational activities, however, Building C2 would serve for the facility's distribution activities.

As shown in Attachment B, *Proposed Site Plan*, Phase 1 development would involve tenant improvements and expansion to an existing single-story building (Building C1) located at the corner of I-Street and Broadway Street. The building would be expanded from 2,800 square feet to 4,700 square feet. Phase 2 development would involve the construction of a new 10,800 square foot single-story building (Building C2) and would be separated by approximately 16.53 feet of common open space from Building C1.

As shown in Attachment C, *Floor Plans*, Building C1 would contain eight (8) flower rooms, an office, dry room, vegetating room, a mother vegetating room, a water room, a trim room, a break room with bathroom and an office. Building C2 would consist of nine (9) flower rooms, a vegetating/cloning/mother room, two (2) dry rooms, a dry/vegetative mother room, a trim room , a water room, two (2) bathrooms, an entrance and sanitizing room, a break room and an office. The project would provide two (2) trash enclosures and a total of 13 parking stalls including two (2) ADA stalls.

As shown in Attachment D-1, *Elevation Plan*, and in Attachment D-2, *Elevation Plan*, Building C1 and Building C2 would be constructed with one (1) roll-up door for Building C2 and pedestrian doors for both buildings. Exterior finishes and wall faces would be of earth-tone (Dun Edwards *Filter Ray, Arrow Rock, Metal Fringe*) with Indian Creek Slate tile (refer also to Attachment D-3, *Conceptual Elevations*).

#3

Upon completion of Phase 1 and Phase 2, the project would employ a total of 3 staff personnel and will operate 24 hours 7 days per week.

On May 26, 2020, the City Council adopted Ordinance No. 629- AC, allowing cannabis cultivation in zones C-1, C-2, C-3, M-1 and M-2 with the approval of a Conditional Use Permit and a Regulatory Permit.

At the Adjourned Planning Commission Meeting on September 22, 2021, public testimony was taken from Shawn Gudmundson recommending that the project start date be defined if the City Council approves it. The Planning Commission voted unanimously to recommend approval of the Cannabis Cultivation Facility with an added condition that where the chain link fence is used, i.e., in the parking area along the alley, that slats also be added to mask visibility.

Conditional Use Permit Findings.

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

1. That the requested permit is within its jurisdiction according to the table of permissible uses.
2. The application is complete.
3. The use is consistent with the General Plan.
4. The use will be in harmony with the area in which it is to be located.
5. The use will not materially endanger the public health or safety.
6. The use will not substantially injure the value of adjoining or abutting property.
7. That the project overall is consistent with the preceding findings.

Public Notification: A public hearing notice was published in the Needles Desert Star on September 15, 2021. 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 the California Environmental Quality Act, CEQA Guidelines, Section 15301(a), (Existing Facilities, interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) This project is also 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

City of Needles, California
Request for City Council Action

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.

Recommendation: Approve Resolution No. 2021-59 Approving a Conditional Use Permit for a Two-Phase Cannabis Cultivation Facility Totaling 15,500 Sq. Ft. located at 1150 West Broadway, Also known as APN 0186-093-18-0000, in the C-2 General Commercial Zone.

Submitted By: Patrick Martinez, Development Services Director

City Management Review: Patsy J Mong for Rick Daniels **Date:** 9/23/21

Approved:☐	Not Approved:☐	Tabled:☐	Other:☐ Agenda Item: 3

RESOLUTION 2021-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES APPROVING A CONDITIONAL USE PERMIT FOR A TWO-PHASE CANNABIS CULTIVATION FACILITY TOTALING 15,500 SQ. FT. LOCATED IN THE C-2 (GENERAL COMMERCIAL) ZONE, AT 1150 W. BROADWAY, ALSO KNOWN AS APN 0186-093-18

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, City of Needles Municipal Code Section 12A provides requirements for all Cannabis Cultivation Facilities within the city; and

WHEREAS, on May 26, 2020 City Council Ordinance No. 629-AC was approved allowing a Cannabis Cultivation Facility in zones C1, C2, C3, M1 and M2, with a Conditional Use Permit and Regulatory License; and

WHEREAS, the parcel being considered for a Cannabis Cultivation Facility is located within the Highway Commercial General Plan land use designation and zoned C-2 "General Commercial" whereby a Cannabis Cultivation Facility is permitted with a Conditional Use Permit and a Regulatory License; and

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on Wednesday, September 8, 2021 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 September 22, 2021, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 09-22-2021 PC recommending approval of a Cannabis Cultivation Facility with conditions at 1150 W. Broadway; and

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star 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 September 28, 2021 the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony for a Conditional Use Permit for a Cannabis Cultivation Facility at 1150 W. Broadway.

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 15301(a), (Existing Facilities, interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) This project is also 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.

SECTION 2 The City Council HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to approve a Conditional Use Permit for a cannabis cultivation facility, 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 facility is located in a General Commercial (C-2) zoning designation, which under Ordinance No. 629 AC, permits cannabis cultivation operations to occur within the facility through approval of a Conditional Use Permit and a Regulatory Permit.

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 development of tenant improvements and expansion to an existing building to be increased in building footprint from 2,800 square feet to 4,700 square feet (Phase 1) and proposing for the construction of a 10,800 square foot single-story building (Phase 2) for the purpose of cannabis cultivation totaling 15,500 sq. ft., which have been incorporated into this Staff Report (Attachments B through G).

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

FINDING: The proposed project, cultivation of cannabis, is consistent with uses identified in the General Plan Commercial Highway (CH) designation through the adoption of Ordinance No. 629-AC, which allows for cultivation facilities to operate within the General Commercial (C-2) designated zone, thereby providing consistency with the General Plan.

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

FINDING: The project site is located on a developed 0.82-acre parcel that will involve tenant improvements and expansion of an existing building to be increased in building footprint from 2,800 square feet to 4,700 square feet (Phase 1), and proposing the construction of a 10,800 square foot single-story building (Phase 2) for the purpose of cannabis cultivation, which may be performed inside the buildings during both phases of development. No manufacturing of products or sales will be permitted to occur within each building. Very little traffic is expected at the site, other than employees, material supply deliveries and product shipments., projecting 6 vehicle trips per day. The proposed project with the proposed tenant improvements to Building C1 (existing) and the construction of Building C2 would aesthetically enhance and upgrade the existing site as the abandoned nursery has been vacant for several years. Therefore, this type of project is consistent with the uses occurring in the vicinity of the project site. The site was previously entitled for cannabis manufacturing and the project site is adjacent to a dispensary and cultivation.

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

FINDING: The project site is located in a commercially developed area of the City. Conditions of approval have been placed on the project to ensure appropriate lighting, security systems, and ventilation systems 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 is zoned General Commercial (C-2), to the south zoned General Commercial (C-2), to the east zoned General Commercial (C-2) and to the west zoned General Commercial (C-2). The project has been conditioned (COA No. 64) to install landscaping with plant species in accordance with the City's adopted planting palette. Additionally, the installation of wrought iron and/or block walls (as indicated in the project site plans), architectural enhancements to any steel buildings, and landscaping are required. These requirements would assist in maintaining the value of adjoining or abutting properties.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve **RESOLUTION 2021-59** with the following conditions

1. Conditional Use Permit ("CUP") No. 09-22-2021 PC conditionally authorizes one Cannabis Cultivation Facility to operate within a 4,700 square foot building upon completion of Phase 1 tenant improvement and expansion, and to operate within a 10,800 square feet building upon completion of Phase 2 construction. The project is located at 1150 West Broadway Street also known as APN 0186-093-18-0000. This CUP does not authorize the use of a Distribution, Cooperative/Collective, Manufacturing, or Testing Laboratory at this site within the 4,700 square foot building (Phase 1), or within the 10,800 square foot building (Phase 2). These Conditions of Approval shall apply to the cultivation of cannabis and the establishment of the Cultivation Facility only, whether it is classified as medical or, in the event it is legalized or otherwise provided immunity from prosecution within the State or by the Federal Government, recreational.

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 Cultivation Facility 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 Cultivation License, prior to the issuance of a Certificate of Occupancy pursuant to this CUP.

5. The approval for CUP No. 09-22-2021 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 **03-22-2022 PC**.

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 Developer 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 Applicant's project. The City shall promptly notify the Applicant of any claim, action; or proceeding to which this condition is applicable and shall reasonably cooperate 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 Developer 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 Cultivation Facility; 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 Cultivation Facility.

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 Cultivation License prior to operating the Cultivation Facility 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. The 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 (See Condition 42 a-e) 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. Applicant shall provide adequate lighting above all entrances and exits to the proposed buildings, as well as all parking areas and walkways that are under the control of the Applicant.

19. All required lighting shall be of sufficient 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.

20. Prior to the issuance of a Conditional Use Permit, the Applicant shall obtain an electric "Will-Serve" letter, as well as a "Will-Serve" letter for Domestic Water and Sanitary Sewer Service from the Needles Public Utility Authority ("NPUA").

21. If accidental discovery or recognition of any human remains occurs during grading or from trenching activities during Phase 1 or Phase 2 construction, development shall adhere to the following protocol contained in Public Resources Code (PRC) Section 5097.98. 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.

22. 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.

23. Applicant shall locate outside trash bins or trash cans in a secured, enclosed area; not to be seen by public view and shall be locked at all times.

24. The outdoor cultivation and/or sale of cannabis and/or cannabis products are prohibited on the project site. No activity including, but not limited to, seeding, growing, or processing shall be conducted outside of the enclosed Cultivation Facility. The only time in which the product of any type is allowed to be outside of the 4,700 square foot building (following completion of Phase 1 development) or outside of the 10,800 square foot building (following completion of Phase 2 development), would be for loading and/or transportation/logistic and/or disposal purposes, consistent with the approved Site Plans identified under Phase 1 and Phase 2 development. Indoor Cultivation is allowed only within a fully enclosed and secure structure which has a complete roof enclosure supported by connecting walls extending from the ground to the roof, is secured against unauthorized entry, provides complete visual screening, is only accessible through doors, and is inaccessible to minors. Other types of activities or special events are prohibited on the project site unless the applicant has received an approved Temporary Use Permit subject to the provisions of the City Municipal Code.

25. 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.

26. 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.

27. Applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements per the California Regional Water Quality Control Board (RWQCB), Colorado Region.

28. Prior to construction of the building facility, the applicant shall fill out the City's Industrial Wastewater Discharge checklist and provide the City with a detailed description of the project's proposed treatment for wastewater discharge associated with cultivation.

This shall involve and require the applicant to construct a sampling manhole onsite to connect to the facility's wastewater line that will tie-in to the nearby existing sewer line, and shall be constructed large enough in diameter for test tubes to be fitted down for water capture and testing. Said manhole shall be located between the building structures and the City's sewer main (on West Broadway) with access for City Staff, and a composite sampling device to be installed in the manhole with a remote controller. The depth of the manhole will depend on the depth of the sewer.

The applicant shall also describe if:

a) Reverse osmosis will be utilized, and if so, shall provide documentation to the City of how concentrated levels of Total Dissolved Solids (TDS) and brine solutions will be disposed and of the licensed entity that will be appointed in receiving TDS waste; or

b) If Hydroponic Grow Methods will be utilized, the applicant shall notify the City prior to initial discharge of hydroponic water media. Testing shall be performed at the time of discharge by a licensed wastewater testing firm. If testing reveals an exceedance in the maximum allowable threshold for dissolved solids, the facility shall halt any further discharge until appropriate filtering methods have been replaced/installed and re-tested by the wastewater testing firm until discharge levels of dissolved solids fall below the maximum allowable threshold. Failure to notify the City or detection of an unapproved discharge shall be considered "non-compliant" and is subject to sanctions up to and including discontinuance of service in accordance with Sections 9.5 and 10.7 of the City Code.

29. No nuisance water shall escape the Project Site onto public streets or adjacent properties.

30. If hazardous substances are used and/or stored in connection with the project, that exceed 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time in the course of a year, a Business Emergency/Contingency Plan shall be prepared prior to issuance of Certificate of Occupancy and shall be in compliance with California Health & Safety Code (CHSC), Division 20, Chapter 6.95, Sections 25500 – 25520, California Code of Regulations (CCR), Title 19, Division 2, Chapter 4, Article 4, Sections 2729 - 2732, Title 40, Code of Federal Regulations (CFR), and EPA (SARA, Title III). A technical opinion and report may be required, identifying and developing methods of protection from the hazards presented by the hazardous materials. This report shall be prepared by a qualified and properly licensed person, firm, or corporation and submitted to the Fire Department. This report shall also explain the proposed Facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

31. Prior to Building Permit release for Phase 1 improvements and Phase 2 development, Applicant shall identify on Floor plans the location that provides secure storage in Building C1 and C2.

32. Indoor Cultivation shall not exceed 4,700 square feet for Building C1 under Phase 1 development and not exceed 10,800 square feet for Building C2 under Phase 2 development, as authorized pursuant to the CUP. In the event that State law further restricts or limits these requirements, the Cultivation Facility shall comply with all size requirements for such facilities imposed by State law and consistent with any State issued permit or license. A decrease in Indoor Cultivation below that which is authorized shall not require a new or amended CUP.

33. Indoor Cultivation 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. The buildings, upon completion of Phase 1 and Phase 2 development, shall incorporate, operate and maintain sufficient odor absorbing ventilation through the use of charcoal lined filtration and exhaust systems.

34. The Cultivation Facility shall comply fully with all applicable restrictions and mandates set forth in State law, including without limitation, the Guidelines for the Security and Non-Diversion of Cannabis Grown for Medical Use issued by the California Attorney General in August 2008, as may be amended from time to time. The Cultivation Facility shall not engage in any activities not allowed at Cultivation Facilities pursuant to State law and Chapter 12A of the Municipal Code. The Cultivation Facility shall comply with all horticultural, labeling, processing, and other standards required by State law and Chapter 12A of the Municipal Code.

35. All cannabis and cannabis products shall be stored in a secured manner within the Cultivation Facility during business and non-business hours.

36. On-site smoking, ingestion, or consumption of cannabis or alcohol shall be prohibited on the premises of the Cultivation Facility. The term "premises" includes the actual buildings, as well as any accessory structures and parking areas. The building entrances to the Cultivation Facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming cannabis on the premises or in the vicinity of the Facility is prohibited.

37. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Cultivation Facility 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. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Cultivation Facility.

38. 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.

39. No physical change, alteration, or modification of the premises of the Cultivation Facility 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 Cultivation Facility, or the addition, sealing of, or relocation of a wall, common entryway, doorway, or other means of ingress and/or egress to the Facility.

40. The Cultivation facility shall not distribute, sell, dispense, or administer cannabis out of its Facility to the public. A Cultivation facility shall not be operated as a Cooperative/Collective.

41. The Applicant shall identify the on-site manager(s) of the Facility to whom notice of operational issues may be provided. The Cultivation Facility shall make every good faith effort to encourage residents, businesses, or members of the public to call this Facility Manager as a first step to resolving operating problems, if any, before calls or complaints are lodged with the Sheriff's or Planning Department.

42. A security plan shall be clearly detailed on the Site Plan and installed at the Facility, including the following measures:

    (a) 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 his/her 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, the storage areas, cultivation areas, all doors and corners of the building, and any other areas as determined by the City Manager or his/her designee. Recordings shall be made available to the City Manager or his/her designee upon 24 hours' notice;

    (b) The facility shall be alarmed with an alarm system that is operated and monitored by a properly licensed security company. Any security personnel, whether armed or unarmed, employed by the Cultivation Facility shall have and possess on their person a valid, State issued, licenses (commonly known as a "Guard Card");

    (c) Entrance to the cultivation area and any storage areas shall be locked at all times, and under the control of staff of the Cultivation Facility;

    (d) The entrance(s) shall be illuminated during evening hours. The Applicant 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.

    (e) Entry doors to Building C1 and C2 upon completion of Phase 1 and Phase 2 development shall be appropriately secured and all cannabis securely stored, and a reliable, commercial alarm system shall be installed and maintained.

43. Applicant shall enter into an agreement with the City that fully reimburses the City for all costs incurred by the City, resulting from the existence of the Facility, and provides the City with any applicable impact or other fees, imposed now or hereafter, to offset the potential impacts of the Cultivation Facility within the City.

44. The City Manager, or the City Manager's designee, shall have the right to enter the Cultivation Facility 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.

45. If the Applicant utilizes an average of 125 percent or more of the permitted electricity or water amount based on the electric and water Will-Serve letters, in any one (1) year without prior written approval by the NPUA, all operations must cease immediately and the same shall be grounds for revocation of the CUP. Average electricity and water usage will be monitored on a quarterly basis by NPUA and City of Needles.

46. Operation of the Cultivation Facility 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.

47. 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 substitute and/or additional conditions may be imposed.

48. Any violation of these conditions of approval shall constitute grounds for revocation of the CUP. The CUP may be revoked by the permit-issuing authority only in accordance with the requirements of Section 118.04 of the City's Zoning Code. Any such decision is appealable by the Applicant in accordance with Section 118.05 of the City's Zoning Code.

49. The project shall be built in conformance to the site plan drawing dated June 1, 2021. Any deviation from the approved plan shall require Planning Commission approval.

50. Applicant must use asphalt or concrete for driving and parking surfaces per City standards.

51. The project is required to be handicap accessible, with ADA compliant restrooms for the buildings under completion of Phase 1 and Phase 2 development.

52. 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.

53. All Structural building design will need to comply with the current California Codes.

54. Prior to Phase 1 development, Applicant shall have the boundary survey staked, and a licensed surveyor shall provide the plot plans to the City Engineer for review.

55. Prior Phase 1 development a Grading Plans and Soils Report shall be submitted to City for review.

56. Prior to building permit issuance, the Applicant shall submit Site Plans to the City showing all utility lines.

57. Prior to building permit issuance, the Applicant shall submit Landscape Plans in demonstrating compliance with California Green Building Standard Code for shaded tree coverage and for surface parking areas.

58. Prior to Building Permit release, Applicant shall submit a Hydrology Study to the City Engineer indicating the following:
    - Location of existing detention basin.
    - Existing runoff peak and where it currently flows.
    - Post development runoff peak with detention basin sizing to prevent an increase in runoff from the site.
    - Show how runoff from roof drains is channeled into the detention basin.
    - Show how the runoff around the building and parking lot is channeled into the detention basins.

59. Prior to Certificate of Occupancy for Building C1, the Applicant shall remove and replace the existing sidewalk, pedestrian ramp, curb and gutter per city standards.

60. Prior to Certificate of Occupancy for Building C1, the two (2) existing palm trees on the project site, adjacent to existing sidewalk abutting Broadway Street shall be removed in order to prevent further damage to the sidewalk.

61. Prior to Certificate of Occupancy of Building C1, Applicant shall install a concrete pavement and alley apron with pedestrian ramps and shall provide 10 feet in width of concrete pavement within the alley to extend for the entire property length abutting the alley.

62. Prior to Phase 1 Certificate of Occupancy the Applicant shall install a minimum six (6) foot tall block wall (split face), wrought iron, or a combination of both on all property lines that can be seen from the street; chain link may be used as an alternative along property lines that cannot be seen from streets. .

63. All building structure walls that are visible from West Broadway Street and from I-Street shall incorporate 25 percent architectural enhancements.

64. Landscape Plans shall identify plant desert efficient species in accordance with the City's planting palette.

65. Prior to issuance of Certificate of Occupancy for the Phase 1 building, the Applicant shall have all landscaping installed per the approved Landscape Plans dated June 1, 2021. The landowner shall be responsible in maintaining the vigor and life of planted landscape species during the life of the project.

66. Prior to issuance of Certificate of Occupancy for Building C1, an electric meter and a main disconnect switch shall be installed to accommodate operational activities upon completion of Phase 1 and shall be updated to accommodate operational activities upon completion of Phase 2 prior to Certificate of Occupancy for Building C2.

67. 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.

68. 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 distribution of Cannabis, and in the event the BOR becomes aware that Reclamation facilities or the water they supply are being used to facilitate distribution 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.

69. Where the chain link fence is used, i.e., in the parking area along the alley, slats shall be added to mask visibility.

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 28th day of September by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(Seal) **Attest:** _____
City Clerk

Approved as to form:

_____
City Attorney

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: September 28, 2021

Title: City Council Resolution 2021-60
A Resolution of the City Council of the City of Needles
Approving a Conditional Use Permit for a 258 Sq. Ft. Cannabis Distribution Facility, Building C2, Located at 1150 West Broadway Street, also known as APN 0186-093-18-0000-0000, in the C-2 General Commercial Zone.

Background: Applicant, Albert Sekoian, representative for Califa Harvest LLC is proposing the construction of a 10,800 square foot building (Building C2) to house a 258 sq. ft. Cannabis Distribution Facility, as well as a Cannabis Cultivation Facility, discussed as a separate CUP submittal. The project site is situated on a 0.82-acre lot located at 1150 West Broadway Street, also known as APN 0186-093-18-0000 (See Attachment A, Project Location). The project is surrounded by a combination of vacant lots and residences to the northwest, residences to the northeast, a vacant lot with a small metal garage to the southeast, and commercial uses and a residence to the southwest. The project is located within the General Commercial (GC) land use designation and within the General Commercial (C-2) zoning designation. Both Building C1 and Building C2 would both contain cultivation operational activities, however, Building C2 would serve for the facility's distribution activities.

Attachment B, Site Plan, shows the 120'x 90', 10,800 square foot Building that includes the 258 sq. ft. Cannabis Distribution Facility (Building C2). In accordance with requirements for secure fencing at the cannabis facilities (i.e. distribution, cultivation, testing) and as identified in the Site Plan, a six (6) foot tall split face block wall will be constructed along the southeast boundary and with six (6) foot tall wrought iron fencing to be installed along the remaining property perimeter boundaries (southwest, northwest and northeast). Secured access onto the site would be provided by one (1) 20-foot wide sliding gate along Broadway, and by one (1) 24-foot wide sliding gate off of the alley street. Both entries will have secured keypad entries posted next to each gate.

Attachment B, Floor Plan, shows the location of the 258 square foot Distribution and Trimming Room that provides a secured cage storage to be located within the northern corner building footprint of Building C2 next to the Fire Room. Entry into the facility will be from separate security access doorway from within the interior hallway. Harvested cannabis from the Buildings C1 and C2 would be delivered to, sorted and packaged within the Distribution Facility.

The Cannabis Distribution Facility will employ 3 full-time employees. The facility's hours of operation are proposed to be 24-hours, seven days a week. For security, cameras would be mounted in all corners of the 258 sq. ft. facility.

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On May 26, 2020, the City Council adopted Ordinance No. 629- AC, allowing cannabis distribution in zones C-1, C-2, C-3, M-1 and M-2 with the approval of a Conditional Use Permit and a Regulatory Permit.

At the Adjourned Planning Commission Meeting on September 22, 2021, public testimony was taken from Shawn Gudmundson recommending that the project start date be defined if the City Council approves it. The Planning Commission voted unanimously to recommend approval of the Cannabis Cultivation Facility with an added condition that where the chain link fence is used, i.e., in the parking area along the alley, that slats also be added to mask visibility.

Conditional Use Permit Findings.

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

1. That the requested permit is within its jurisdiction according to the table of permissible uses.
2. The application is complete.
3. The use is consistent with the General Plan.
4. The use will be in harmony with the area in which it is to be located.
5. The use will not materially endanger the public health or safety.
6. The use will not substantially injure the value of adjoining or abutting property.
7. That the project overall is consistent with the preceding findings.

Public Notification: A public hearing notice was published in the Needles Desert Star on Wednesday, September 15, 2021. Notices were sent to property owners within 300 feet of the proposed project and posted in two conspicuous locations.

Critical Timeline: The applicant's anticipated timeline is to be operational as soon as possible.

Fiscal Impact:
1. The 10% of gross sales of medical marijuana 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 the California Environmental Quality Act, CEQA Guidelines, Section 15301(a), (Existing Facilities, interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) This project is also 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

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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.

Recommendation: Approve Resolution No. 2021-60 Approving a Conditional Use Permit for a 258 Sq. Ft. Cannabis Distribution Facility, Building C2, Located at 1150 West Broadway Street, also known as APN 0186-093-18-0000-0000.

Submitted By: Patrick Martinez, Development Services Director

City Management Review: Patrick J Martinez For Rick Daniels **Date:** 9/23/21

Approved: ☐	Not Approved: ☐	Tabled: ☐	Other: ☐ Agenda Item: 4

RESOLUTION 2021-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES APPROVING A CONDITIONAL USE PERMIT FOR A 258 SQ. FT. CANNABIS DISTRIBUTION FACILITY, BUILDING C2, LOCATED AT 1150 W. BROADWAY STREET, ALSO KNOWN AS APN 0186-093-18-0000

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, City of Needles Municipal Code Section 12A provides requirements for all Cannabis Distribution Facilities within the city; and

WHEREAS, on May 26, 2020 City Council Ordinance No. 629-AC was approved allowing a Cannabis Distribution Facility in zones C1, C2, C3, M1 and M2, with a Conditional Use Permit and Regulatory License; and

WHEREAS, the parcel being considered for a Cannabis Distribution Facility is located within the Highway Commercial General Plan land use designation and zoned C-2 "General Commercial" whereby a Cannabis Distribution Facility is permitted with a Conditional Use Permit and a Regulatory License; and

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on Wednesday, September 8, 2021 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 September 22, 2021, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to RESOLUTION 09-22-2021-1 PC recommending approval of a Cannabis Distribution Facility with conditions at 1150 W. Broadway; and

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star 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 September 28, 2021 the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony for a Conditional Use Permit for a Cannabis Distribution Facility at 1150 W. Broadway.

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 15301(a), (Existing Facilities, interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances) This project is also 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.

SECTION 2 The City Council HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to approve a Conditional Use Permit for a cannabis distribution facility, 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 Cannabis Distribution Facility 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, Landscape and Elevation plan drawings for the proposed 258 square foot cannabis distribution facility.

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

FINDING: The proposed project, a cannabis distribution facility is consistent with uses identified in the General Plan Highway General designation through the adoption of Ordinance No. 629-AC, which allows for cannabis distribution facilities to operate within the Highway General designated zone, thereby providing consistency with the General Plan.

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, situated on approximately 0.82 acres of developed land, previously used as a nursery. To the southeast is a vacant lot with a small metal garage. To the southwest are commercial uses with one single residence. To the northwest are a combination of vacant lots and residences, and to the northeast are resident homes. The project consists of proposed development of a 258 square foot cannabis distribution facility to be fully contained within a newly constructed 10,700 square foot building (Building C2).

The project is proposed to function 24 hours per day, seven days a week. The proposed project with the proposed tenant improvements to Building C1 (existing) and the construction of Building C2 would aesthetically enhance and upgrade the existing site as the abandoned nursery has been vacant for several years. Traffic from this facility is expected to be approximately 6 vehicle trips per day. The proposed project will replace an otherwise

vacant building. Therefore, this type of project is consistent with the uses occurring in the vicinity of the project site.

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

FINDING: The project site is in a commercially developed area of the City. Conditions of approval have been placed on the project to ensure appropriate lighting, security systems, fencing, and ventilation systems 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 surrounding the site is also zoned General Commercial (C-2). The project has been conditioned to require installation of wrought iron and/or block walls (as indicated in the project site plans), architectural enhancements to any steel buildings, and landscaping. These site improvements will assist in maintaining the value of adjoining or abutting properties

G. *The project overall is consistent with the preceding findings.*

FINDING: The project, with findings discussed in detail regarding compatibility with other similar uses in the area, conditions of approval applied to the project for enhancements to the building and site to ensure the surrounding area's adjoining or abutting property values are not substantially injured, places the overall project in consistency with the preceding findings.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve **RESOLUTION 2021-60**.

SECTION 4. The City Council HEREBY APPROVES Resolution **2021-60** approving a Conditional Use Permit for a 258 square foot Cannabis Distribution Facility (Building C2) in the C-2 (General Commercial) Zone, at 1150 West Broadway Street, also known as APN 0186-093-18-0000 with the following conditions of approval:

1. Conditional Use Permit ("CUP") No. 09-22-2021-1 PC conditionally authorizes a 258 square foot Cannabis Distribution Facility to operate as depicted in the Project Site Plan and Floor Plan within Building C2 located at 1150 West Broadway Street also known as APN 0186-093-18-0000.. These Conditions of Approval shall apply to the establishment of the Distribution Facility only, whether it is classified as medical or, in the event it is legalized or otherwise provided immunity from prosecution within the State or by the Federal Government, recreational.

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 Distribution Facility 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 Distribution License, prior to the issuance of a Certificate of Occupancy pursuant to this CUP.

5. The approval for CUP No. 09-22-2021-1 PC a 258 square foot Cannabis Distribution facility, building A, Suite 2 is subject to the six (6) month expiration provisions of Section 94.13(a) of the City's Zoning Code, and will expire on **03-22-2022**.

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 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 Applicant's project. The City shall promptly notify the Applicant of any claim, action; or proceeding to which this condition is applicable and shall reasonably cooperate 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 Distribution Facility; 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 Distribution Facility.

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 for Building C2 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 Medical Cannabis Regulation and Safety Act (collectively Assembly Bill 266, Assembly Bill 243, and Senate Bill 643, signed into law by Governor Brown on October 9, 2015, as may be amended from time to time), 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 Distribution License prior to operating the Distribution Facility 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. The 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 (COA 40 a-e) 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. The Applicant shall provide adequate lighting above all entrances and exits to the proposed building (Building C1 and C2), as well as all parking areas and walkways that are under the control of the Applicant.

19. All required lighting shall be of sufficient 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.

20. Prior to the issuance of a Conditional Use Permit, the Applicant shall obtain an electric "Will-Serve" letter, as well as a "Will-Serve" letter for Domestic Water and Sanitary Sewer Service from the Needles Public Utility Authority ("NPUA").

21. If the Applicant utilizes an average of 125 percent or more of the permitted electricity or water amount based on the electric and water Will-Serve letters, in any one (1) year without prior written approval by the NPUA, all operations must cease immediately and the same shall be grounds for revocation of the CUP. Average electricity and water usage will be monitored on a quarterly basis by NPUA and City of Needles.

22. During construction activities for the proposed building, 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 permits and/or implement nuisance abatement proceedings, including placing a lien on the property for costs of abatement.

23. 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.

24. The outdoor Distribution and/or sale of Cannabis and/or Cannabis products are prohibited on the project site. No activity including, but not limited to, seeding, growing, or processing shall be conducted outside of the enclosed Distribution Facility. The only time in which the product of any type is allowed to be outside of the building is for loading and/or transportation/logistic and/or disposal purposes, consistent with the approved Site Plan. Indoor Distribution is allowed only within a fully enclosed and secure structure of Building C2, which after construction, will have a complete roof enclosure supported by connecting walls extending from the ground to the roof, and are secured against unauthorized entry, provides complete visual screening, and are only accessible through doors, and are inaccessible to minors. Other types of activities or special events are prohibited on the project site unless the applicant has received an approved Temporary Use Permit subject to the provisions of the City Municipal Code.

25. 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.

26. Prior to occupancy of the Building C2, 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 Distribution Facility will be secured and how first responders will gain access to the project site and to the building.

27. No nuisance water shall escape the Project Site onto public streets or adjacent properties.

28. If hazardous substances are used and/or stored in connection with the project, that exceed 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time in the course of a year, a Business Emergency/Contingency Plan shall be prepared prior to issuance of Certificate of Occupancy and shall be in compliance with California Health & Safety Code (CHSC), Division 20, Chapter 6.95, Sections 25500 – 25520, California Code of Regulations (CCR), Title 19, Division 2, Chapter 4, Article 4, Sections 2729 - 2732, Title 40, Code of Federal Regulations (CFR), and EPA (SARA, Title III). A technical opinion and report may be required, identifying and developing methods of protection from the hazards presented by the hazardous materials. This report shall be prepared by a qualified and properly licensed person, firm, or corporation and submitted to the Fire Department. This report shall also explain the proposed Facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

29. Indoor Distribution shall not exceed 258 square feet of interior floor space as contained within Building C2, and as authorized pursuant to the CUP. In the event that State law further restricts or limits these requirements, the Distribution Facility shall comply with all building size requirements for such facilities imposed by State law and consistent with any State issued permit or license.

30. Indoor Distribution 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. The building shall incorporate, operate and maintain sufficient odor absorbing ventilation through the use of charcoal lined filtration and exhaust systems.

31. The Distribution Facility contained within Building C2, shall comply fully with all applicable restrictions and mandates set forth in State law, including without limitation, the Guidelines for the Security and Non-Diversion of Cannabis Grown for Medical Use issued by the California Attorney General in August 2008, as may be amended from time to time. The Distribution Facility shall not engage in any activities not allowed at Distribution Facilities pursuant to State law and Chapter 12A of the Municipal Code. The Distribution Facility shall comply with all horticultural, labeling, processing, and other standards required by State law and Chapter 12A of the Municipal Code.

32. All Cannabis and Cannabis products shall be stored in a secured manner within the Distribution Facility in Building C2 during business and non-business hours.

33. On-site smoking, ingestion, or consumption of Cannabis or alcohol shall be prohibited on the premises of the Distribution Facility. The term "premises" includes the actual building, as well as parking areas. The building entrance to the Distribution Facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting, or consuming Cannabis on the premises or in the vicinity of the Facility is prohibited.

34. Alcoholic beverages shall not be sold, stored, distributed, or consumed on the premises. A Distribution Facility 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. In addition, alcohol shall not be provided, stored, kept, located, sold, dispensed, or used on the premises of the Distribution Facility.

35. 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.

36. No physical change, alteration, or modification of the premises of the Distribution Facility, Building C2 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 Distribution Facility, or the addition, sealing of, or relocation of a wall, common entryway, doorway, or other means of ingress and/or egress to the Facility.

37. The Distribution facility in Building C2, shall not distribute, sell, dispense, or administer Cannabis out of its Facility to the public. A Distribution facility shall not be operated as a Cooperative/Collective.

38. The Applicant shall identify the on-site manager(s) of the Facility to whom notice of operational issues may be provided. The Distribution Facility within Building C2 shall make every good faith effort to encourage residents, businesses, or members of the public to call this Facility Manager as a first step to resolving operating problems, if any, before calls or complaints are lodged with the Sheriff's or Planning Department.

39. A security plan shall be clearly detailed on the Site Plan and installed at the Facility, including the following measures:

(a) 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 his/her 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, the storage areas, Distribution areas, all doors and corners of the building, and any other areas as determined by the City Manager or his/her designee. These records shall be maintained for seven (7) years from the date created or longer if required by State or Federal law. Recordings shall be made available to the City Manager or his/her designee upon 24 hours' notice;

(b) The Distribution facility housed in Building C2 shall be alarmed with an alarm system that is operated and monitored by a properly licensed security company. Any security personnel, whether armed or unarmed, employed by the Distribution Facility shall have and possess on their person a valid, State issued, licenses (commonly known as a "Guard Card");

(c) Entrance to the Distribution Facility within Building C2, and any storage areas, shall be locked at all times, and under the control of staff of the Distribution Facility.

(d) The entrance(s) shall be illuminated during evening hours. The Applicant 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.

(e) Entry doors to the building shall be appropriately secured and all Cannabis securely stored, and a reliable, commercial alarm system shall be installed and maintained.

40. The Applicant shall enter into an agreement with the City that fully reimburses the City for all costs incurred by the City, resulting from the existence of the Facility, and provides the City with any applicable impact or other fees, imposed now or hereafter, to offset the potential impacts of the Distribution Facility within the City.

41. The City Manager, or the City Manager's designee, shall have the right to enter the Distribution Facility in Building C2, 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.

42. Operation of the Distribution Facility in Building C2, 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.

43. 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 substitute and/or additional conditions may be imposed.

44. Any violation of these conditions of approval shall constitute grounds for revocation of the CUP. The CUP may be revoked by the permit-issuing authority only in accordance with the requirements of Section 118.04 of the City's Zoning Code. Any such decision is appealable by the Applicant in accordance with Section 118.05 of the City's Zoning Code.

45. All Structural building design will need to comply with the current California Codes.

46. Prior to Phase 1 development: Applicant shall have the boundary survey staked, and a licensed surveyor shall provide the plot plans to the City Engineer for review.

47. Prior Phase 1 development a Grading Plans and Soils Report shall be submitted to City for review.

48. Prior to building permit issuance, the Applicant shall submit Site Plans to the City showing all utility lines.

49. The Applicant shall submit Landscape Plans in demonstrating compliance with California Green Building Standard Code for shaded tree coverage and for surface parking areas.

50. Applicant shall submit a Hydrology Study to the City Engineer indicating the following:
    - Location of existing detention basin.
    - Existing runoff peak and where it currently flows.
    - Post development runoff peak with detention basin sizing to prevent an increase in runoff from the site.
    - Show how runoff from roof drains is channeled into the detention basin.
    - Show how the runoff around the building and parking lot is channeled into the detention basins.

51. Prior to Certificate of Occupancy for Building C1, the Applicant shall remove and replace the existing sidewalk, pedestrian ramp, curb and gutter per city standards.

52. The two (2) existing palm trees on the project site, adjacent to existing sidewalk abutting Broadway Street shall be removed in order to prevent damage to the sidewalk.

53. Applicant shall install a concrete pavement and alley apron with pedestrian ramps and shall provide 10 feet in width of concrete pavement within the alley to extend for the entire property length abutting the alley.

54. The project is required to be handicap accessible, with Americans with Disabilities Act (ADA) compliant restrooms for Building C1 and Building C2. Full ADA accessibility shall be identified on building plans prior to release of building permits.

55. The landowner shall be responsible for maintaining the vigor and life of planted landscape species and shall replace landscaping that shows signs of severe stress through the life of the project.

56. 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.

57. The Distribution Facility shall be in possession of a valid seller's permit issued by the State Board of Equalization.

58. The Distribution Facility is in compliance with any additional conditions imposed by the City, the county of San Bernardino, or the State regarding issuing a local license, permit, or other authorization.

59. 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 distribution of Cannabis, and in the event the BOR becomes aware that Reclamation facilities or the water they supply are being used to facilitate distribution 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.

69. Where the chain link fence is used, i.e., in the parking area along the alley, slats shall be added to mask visibility.

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 28th day of September by the following roll call vote:

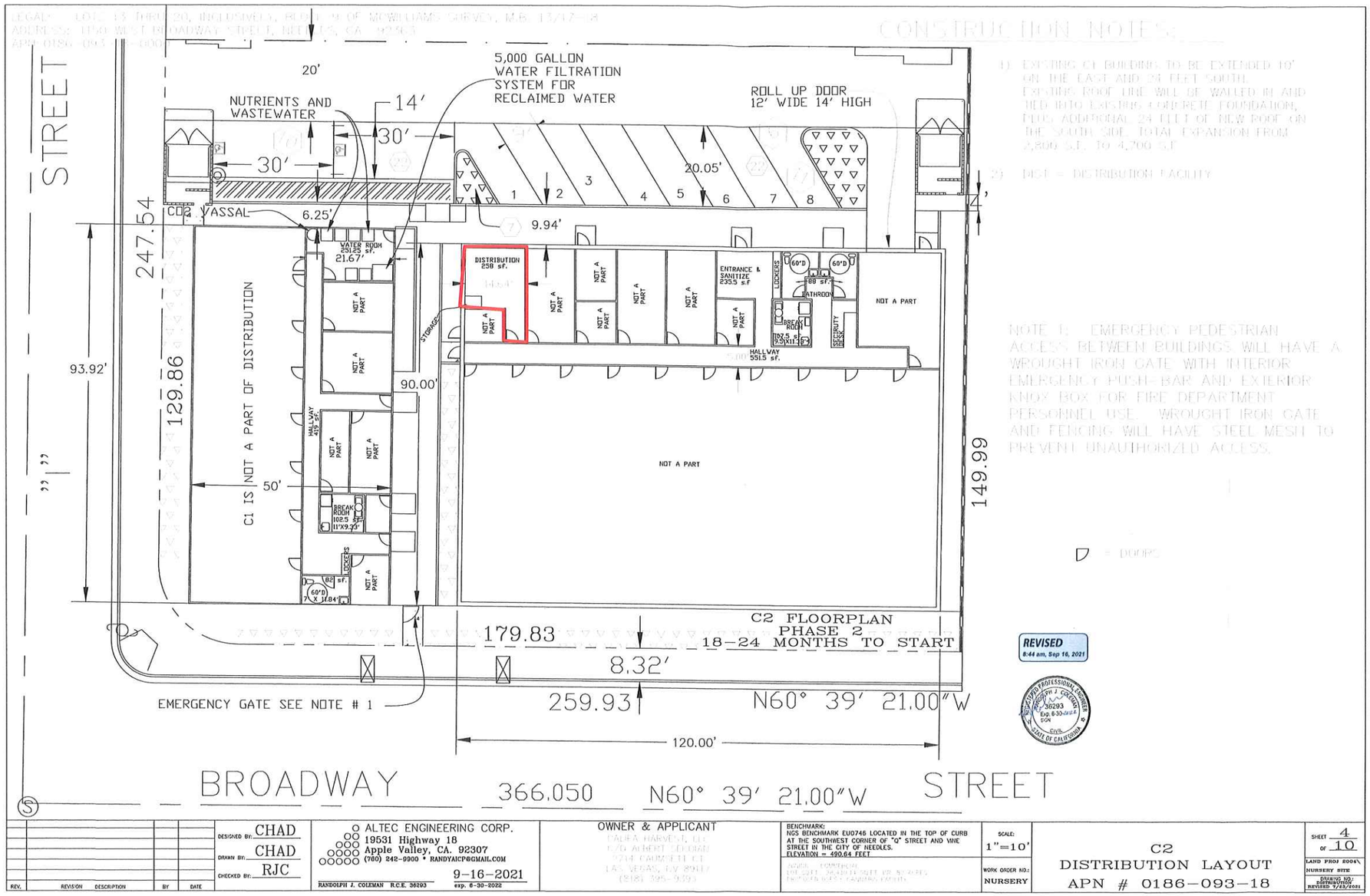
AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(Seal) **Attest:** _____
City Clerk

Approved as to form:

_____
City Attorney



ATTACHMENT C-1: Floor Plan - Distribution

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway



CITY OF NEEDLES CALIFORNIA 100 YEARS INC.

ATTACHMENT A: VICINITY MAP

APPLICANT: ALBERT SEKOIAN

SITE ADDRESS: 1150 W. BROADWAY

SITE PLAN KEYNOTES/EASEMENT NOTES

1. PROPERTY LINE
2. EXISTING 3 YARD TRASH CONTAINER TO BE REMOVED
3. EXISTING CONCRETE CURB AND GUTTER
4. EXISTING CHAIN LINK FENCE
5. EXISTING FIRE HYDRANT
6. EXISTING LANDSCAPED AREA 5' PERIMETER (T.Y.) TO REMAIN
7. STANDARD PARALLEL PARKING STALL (8' X 25') - STREET (T.Y.)
8. EXISTING AREA SITE

LEGAL DESCRIPTION, ADDRESS & APN

LEGAL: LOTS 13 THRU 20, INCLUSIVELY, BLOCK 9 OF MCWILLIAMS SURVEY, M.B. 13/17-18

ADDRESS: 1150 WEST BROADWAY STREET, NEEDLES, CA 92363
APN: 0186-093-18-0000

SCOPE OF WORK:

Phase 1
EXISTING NURSERY TO CHANGE OCCUPANCY TYPE FROM U-NURSERY TO F-1 CULTIVATION CANNABIS.
CULTIVATION 1 WILL USE FIRE SPRINKLERS.
Phase 2
NEW CULTIVATION BUILDING WITH OCCUPANCY B, F-1, S-1.
CULTIVATION 2 WILL USE FIRE SPRINKLERS.

OWNER/APPLICANT

CALIFA HARVETS, LLC
C/O ALBERT SEKOIAN
2714 CAUMSETT CT
LAS VEGAS, NV 89117
(818) 395-9393

ENGINEER

ALTEC ENGINEERING, INC.
C/O RANDY COLEMAN
19531 HIGHWAY 18
APPLE VALLEY, CA 92307
(760) 242-9917

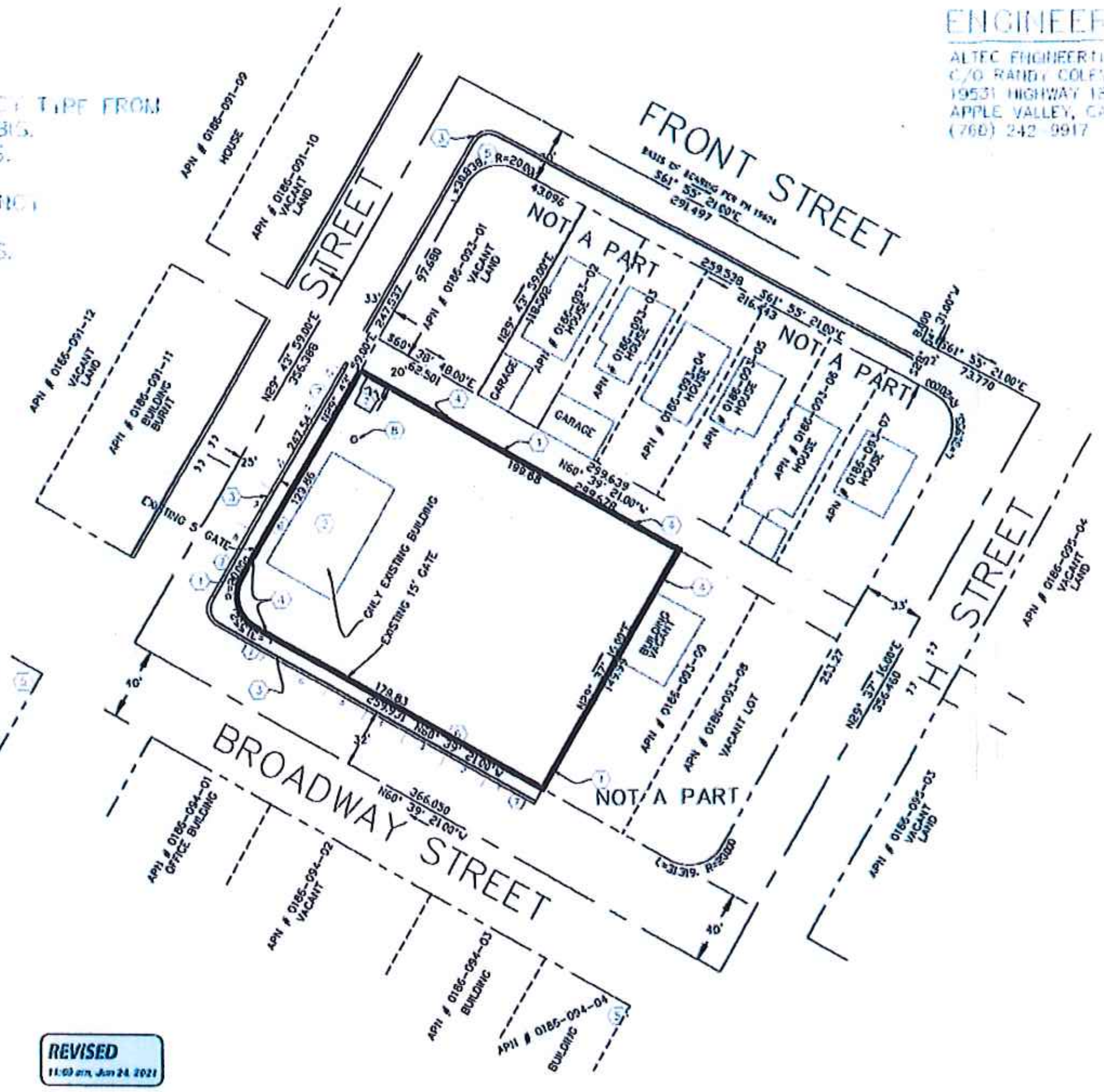
AREA TABULATION

SITE AREA
28,430.14 S.F. (0.82 ACRES)

LOT SITE	
GROSS BUILDING AREA S.F.	2,800 S.F.
PARKING/DRIVEWAY ACCESS	0 S.F. (STREET (T.Y.))
LANDSCAPE AREA	
STREET LANDSCAPING	EXISTING TO REMAIN - 5' STREET PERIMETER
OTHER PERIMETER	NONE
PARKING ISLANDS	NONE
TOTAL	

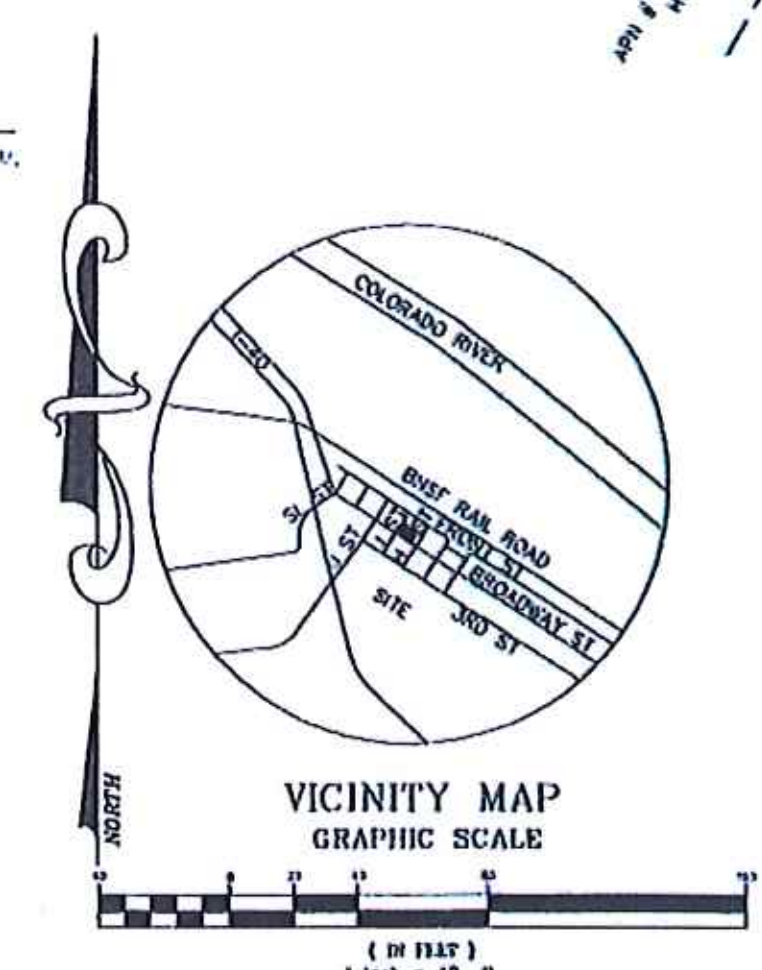
PARKING

12 (8'x25') SPACES FOR EXISTING BUILDING - STREET PARKING (T.Y.)



MISC. INFORMATION AND NOTES

1. ALL NEW CONSTRUCTED BUILDINGS ARE REQUIRED TO BE PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM, IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD NO 13, (2013 EDITION) STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS. NO PROPOSED FIRE SPRINKLERS IN SPECIFIC HOUSES.
2. THE SPRINKLER SYSTEM MUST BE PROVIDED WITH VALVE TAMPER SWITCHES AND A WATER FLOW ALARM. BOTH TAMPER AND FLOW ALARMS ARE REQUIRED TO BE TRANSMITTED TO AN APPROVED MONITORING STATION. IN ADDITION, THE WATER FLOW ALARM IS REQUIRED TO ALERT THE OCCUPANTS OF THE BUILDING IN ACCORDANCE WITH NFPA STANDARD NO. 72, THE NATIONAL FIRE ALARM CODE. (STROBE LIGHTS ARE REQUIRED IN PUBLIC REST ROOMS, TO NOTIFY THE HEARING IMPAIRED.)
3. POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS MUST COMPLY WITH FIRE DEPARTMENT STANDARD NO. 15 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION)
4. FDCS ARE TO BE PROVIDED WITH THREADED PLUGS. (EXCEPTION: BREAKAWAY CAPS ARE PERMITTED IN SECURED AREAS NOT SUBJECT TO VANDALISM.)
5. SEPARATE PERMITS ARE REQUIRED FOR FIRE PROTECTION SYSTEMS. (FIRE SPRINKLERS, UNDERGROUND FIRE MAINS, FIRE DETECTION AND ALARM SYSTEMS, ETC.) WORK ON THE SYSTEMS MAY NOT BEGIN UNTIL THE APPROPRIATE PERMITS HAVE BEEN ISSUED.
6. STREET ADDRESS NUMBERS ARE TO BE POSTED ON THE STREET SIDE OF THE BUILDING, IN ACCORDANCE WITH FIRE DEPARTMENT STANDARD NO. 3 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION).
7. AN APPROVED SECURITY LOCK BOX SYSTEM, FOR FIRE DEPARTMENT ACCESS TO FIRE PROTECTION EQUIPMENT AND BUILDING COMMON AREAS, SHALL BE INSTALLED IN ACCORDANCE WITH FIRE DEPARTMENT STANDARD NO. 2 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION).
8. AN APPROVED FIRE PROTECTION WATER SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH NFPA STANDARD NO. 24 AND FIRE DEPARTMENT STANDARD NO. 5.
9. FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA STANDARD NO. 10, PRIOR TO OCCUPANCY.
10. AIR HANDLING UNITS MOVING IN EXCESS OF 2,000 CFM SHALL BE PROVIDED WITH SMOKE DETECTOR ACTIVATED FAN SHUT DOWN. IN BUILDINGS PROVIDED WITH FIRE ALARM SYSTEMS, THE SMOKE DETECTORS SHALL REPORT A SMOKE CONDITION TO THE ALARM PANEL. (EXCEPTION: DETECTORS NEED NOT TRANSMIT AN ALARM IF OCCUPANTS CAN EXIT THE BUILDING BY TRAVELING NO MORE THAN ONE HUNDRED (100) FEET.)



VICINITY MAP
GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft

REVISED
11:00 am, Jun 24, 2021

REV.	REVISION DESCRIPTION	BY	DATE

DESIGNED BY: CHAD
DRAWN BY: CHAD
CHECKED BY: RJC

ALTEC ENGINEERING CORP.
19531 Highway 18
Apple Valley, CA. 92307
(760) 242-9917 * RANDYAICP@GMAIL.COM
RANDOLPH J. COLEMAN, AICP, PLS#5413, PE#30322 DATE

CALIFA HARVEST, LLC
C/O ALBERT SEKOIAN
2714 CAUMSETT CT
LAS VEGAS, NV 89117
(818) 395-9393

BENCHMARK:
NGS BENCHMARK EU0746 LOCATED IN THE TOP OF CURB AT THE SOUTHWEST CORNER OF "Q" STREET AND WIE STREET IN THE CITY OF NEEDLES.
ELEVATION = 490.64 FEET

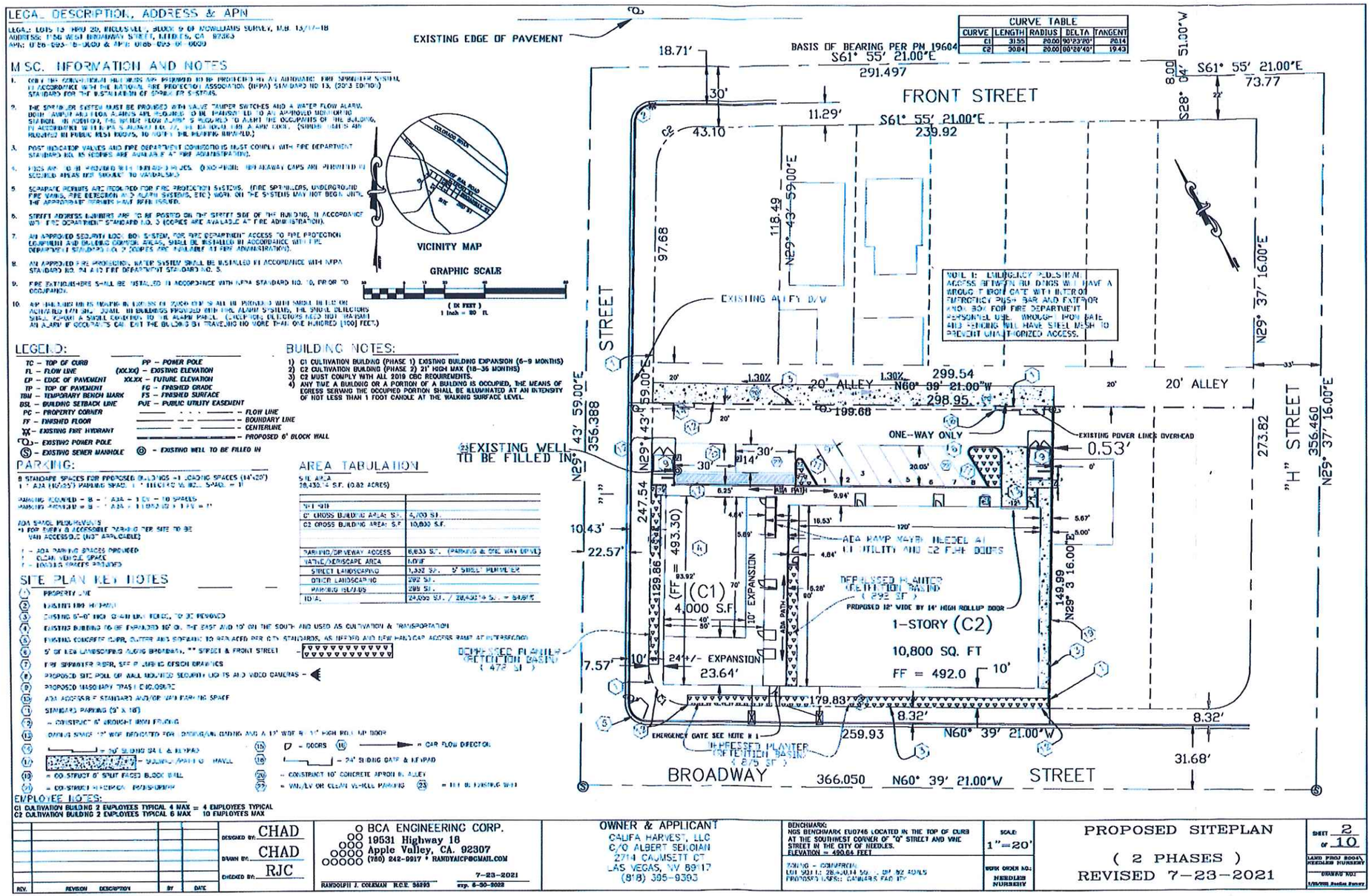
ZONING - COMMERCIAL
LOT SQ.FT.: 28,430.14 SQ.FT. OR .82 ACRES
PROPOSED USES: CANNABIS FACILITY

SCALE: 1"=40'
WORK ORDER NO.: NEEDLES NURSERY

EXISTING AS IS SITE PLAN
1150 BROADWAY ST
NEEDLES, CA 92363

SHEET 1 OF 10
LAND PROJ 2004\NEEDLES NURSERY
DRAWING NO.: AS IS SITEPLAN REVISED 6/24/2021

ATTACHMENT B-1:	**EXISTING SITE PLAN**
APPLICANT:	**ALBERT SEKOIAN**
SITE ADDRESS:	**1150 W. BROADWAY**



REV.	REVISION DESCRIPTION	BY	DATE

DESIGNED BY: CHAD
DRAWN BY: CHAD
CHECKED BY: RJC

BCA ENGINEERING CORP.
19531 Highway 18
Apple Valley, CA. 92307
(760) 242-9917 * RANDYAICP@GMAIL.COM

RANDOLPH J. COLEMAN R.C.E. 56295 — 7-23-2021 — exp. 6-30-2022

OWNER & APPLICANT
CALIFA HARVEST, LLC
C/O ALBERT SEKOIAN
2714 CAUMSETT CT
LAS VEGAS, NV 89117
(818) 395-9393

BENCHMARK
NGS BENCHMARK EU0746 LOCATED IN THE TOP OF CURB AT THE SOUTHWEST CORNER OF "G" STREET AND VINE STREET IN THE CITY OF NEEDLES.
ELEVATION = 490.64 FEET

ZONING – COMMERCIAL
LOT SIZE: 28,430.4 SQ. FT. OR .82 ACRES
PROPOSED USES: CANNABIS FACILITY

SCALE: 1"=20'
WORK ORDER NO.: NEEDLES NURSERY

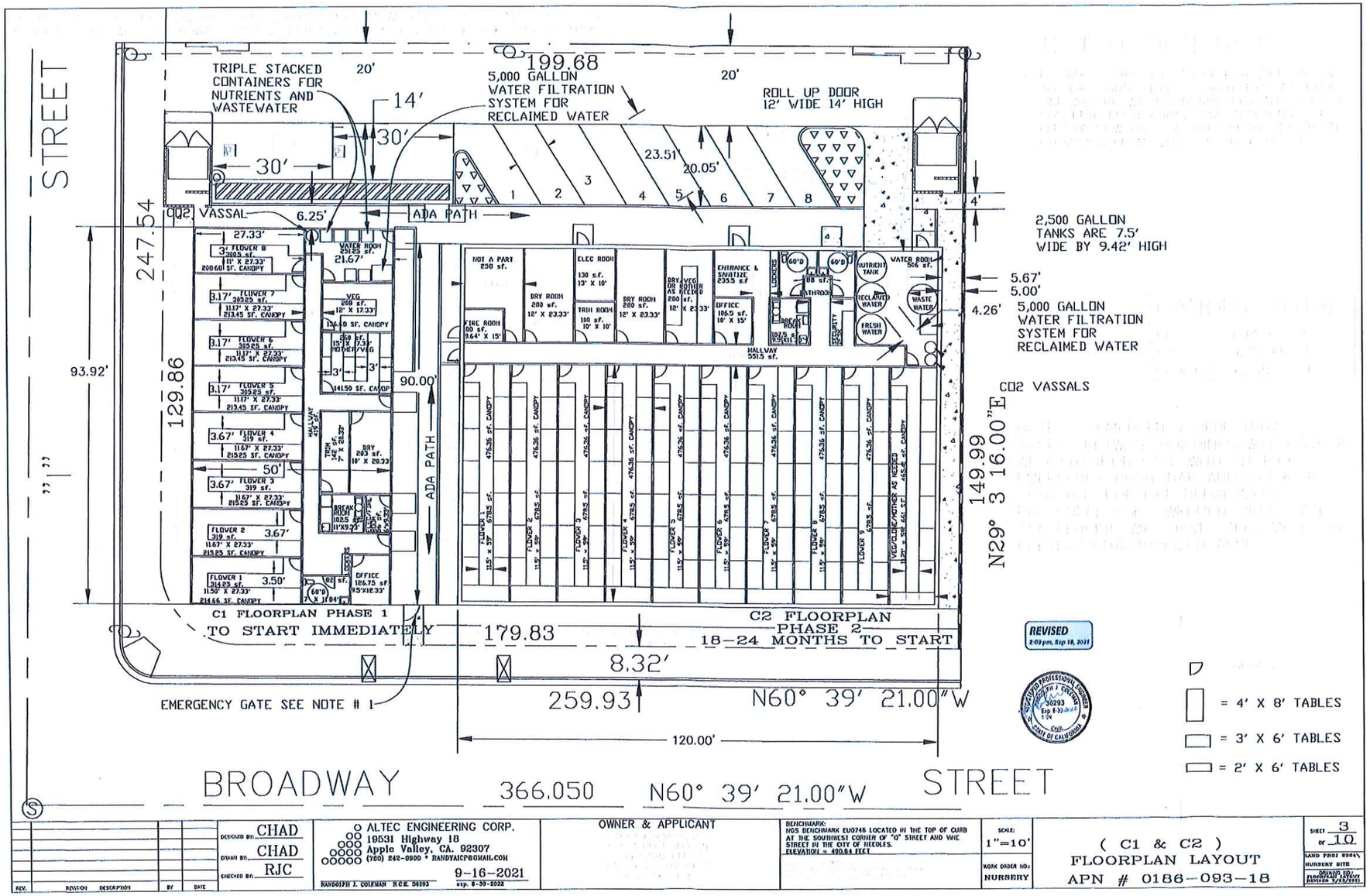
PROPOSED SITEPLAN
(2 PHASES)
REVISED 7-23-2021

SHEET 2 OF 10
LAND PROJ BOOK: NEEDLES NURSERY
DRAWING NO.:
1/30/2021 Redline Survey

ATTACHMENT B-2: Proposed Site Plan

APPLICANT: Albert Sekoian

SITE ADDRESS: 1150 Broadway



ATTACHMENT C-1: Cultivation Floor Plan

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway

LEGAL: LOTS 13 THRU 20, INCLUSIVELY, BLOCK 9 OF MCWILLIAMS SURVEY, M.B. 13/7-18
ADDRESS: 1150 WEST BROADWAY STREET, NEEDLES, CA 92363
APN: 0186-093-18-0000

= DUN EDWARDS DE 5138 "FILTERED RAYS"

= DUN EDWARDS DE 5440-ARROW ROCK

= DUN EDWARDS DET 626-METAL FRINGE

= INDIAN CREEK SLATE TILE 8" X 12" SKU:924101197

INDIAN CREEK SLATE TILE PICTURE

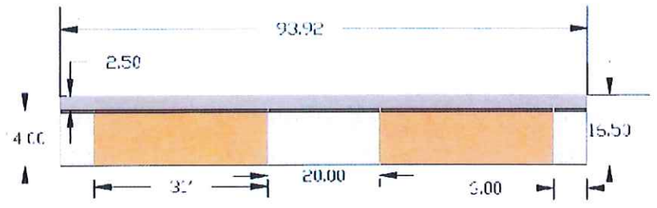


DOORS

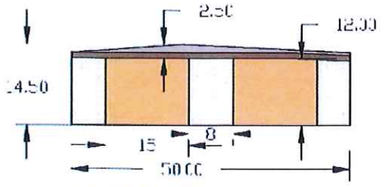
ROOFING NOTES:

1) EXISTING C1 BUILDING TO BE EXTENDED 10' ON THE EAST AND SOUTH WHICH ARE ALREADY ROOFED. THIS ROOF LINE WILL BE WALLED IN AND TIED INTO EXISTING CONCRETE FOUNDATION TO EXPAND FROM 2,800 S.F. TO 3,900 S.F.

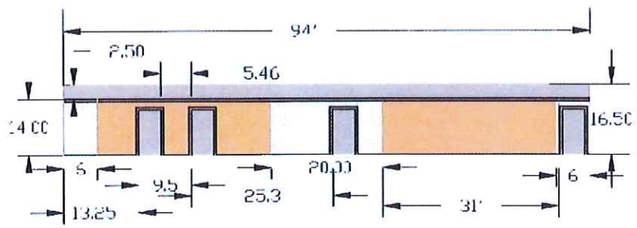
2) M1 TO BE EITHER A PRE-BUILT POD OR STICK BUILT WITH STEEL PANELED EXTERIOR.



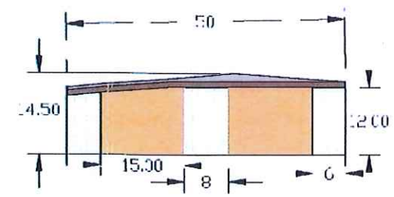
CULTIVATION 1:
WEST ELEVATION



CULTIVATION 1:
SOUTH ELEVATION



CULTIVATION 1:
EAST ELEVATION



CULTIVATION 1:
NORTH ELEVATION

REVISED
11:32 am, Jun 24, 2021

RANDOLPH J. COLEMAN
No. 30293
Exp 6-30-2022
CIVIL
STATE OF CALIFORNIA

DESIGNED BY: CHAD	ALTEC ENGINEERING CORP. 19531 Highway 18 Apple Valley, CA. 92307 (760) 242-0000 * RANDYALTEC@GMAIL.COM	OWNER & APPLICANT CALIFA HARVEST, LLC C/O ALBERT SEKOIAN 2714 CAUMSETT CT LAS VEGAS, NV 89117 (818) 395 9393	BENCHMARK: NGS BENCHMARK FU0746 LOCATED IN THE TOP OF CURB AT THE SOUTHWEST CORNER OF "Q" STREET AND VAN SIRETT IN THE CITY OF NEEDLES. ELEVATION = 490.61 FEET ZONING - COMMERCIAL LOT SIZE: 28,430.14 SQ.FT. OR .62 ACRES PROPOSED USES: CANNABIS FACILITY
DRAWN BY: CHAD			
CHECKED BY: RJC	RANDOLPH J. COLEMAN R.C.E. 30293 exp. 6-30-2022		

SCALE: 1"=10'
WORK ORDER NO.: NURSERY

(C1)
ELEVATIONS
APN # 0186-093-18

SHT. 8 OF 10
LAND PROJ. PHASE
NURSERY SITE
PROJECT NO. 2021-0047
6-24-2021

ATTACHMENT D-1: Elevations

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway

LEGAL: LOTS 11 THRU 20& WEST 1/2 OF LOT 10, INCLUSIVELY, BLOCK 9 OF MCWILLIAMS SURVEY, M.B. 13/17-18
ADDRESS: 1150 WEST BROADWAY STREET, NEEDLES, CA 92363
APN: 0186-093-18-0000

= DUN-EDWARDS DE 5438-FILTERED RAYS

= DUN EDWARDS DE 5770 ARROW ROCK

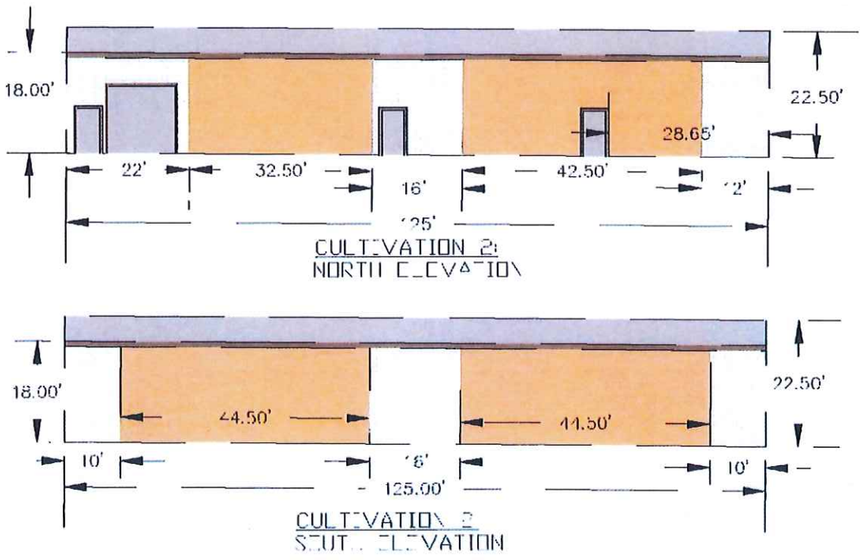
= DUN EDWARDS DET 626 METAL FRINGE

= INDIAN CREEK SLATE TILE 8" X 12" SKU:924101197

= DOORS

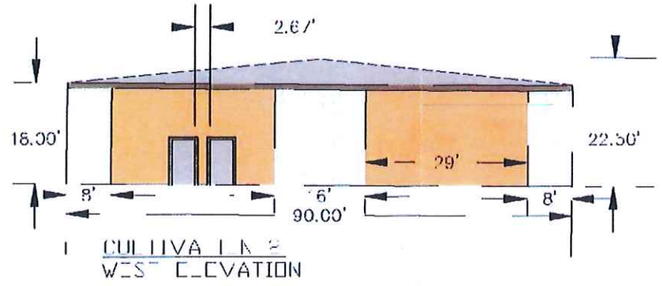
INDIAN CREEK SLATE TILE PICTURE



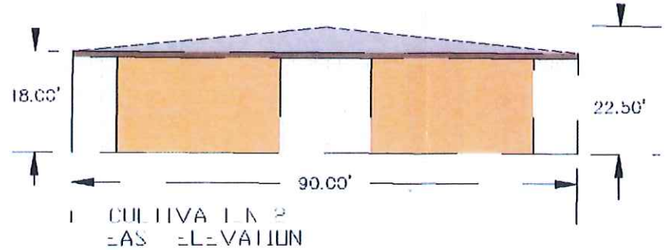


CULTIVATION 2:
NORTH ELEVATION

CULTIVATION 2
SOUTH ELEVATION



CULTIVATION 2
WEST ELEVATION



CULTIVATION 2
EAST ELEVATION

REVISED
11:53 am, Jun 24, 2021

REGISTERED PROFESSIONAL ENGINEER
RANDOLPH J. COLEMAN
36293
Exp 6-30-2022
CIVIL
STATE OF CALIFORNIA

REV.	REVISION DESCRIPTION	BY	DATE

DESIGNED BY: CHAD
DRAWN BY: CHAD
CHECKED BY: RJC

ALTEC ENGINEERING CORP.
19531 Highway 18
Apple Valley, CA. 92307
(760) 242 0000 • HANDYAIC@GMAIL.COM
RANDOLPH J. COLEMAN RCE 36293 exp. 6-30-2022

OWNER & APPLICANT
CALIFA HARVEST, LLC
C/O ALBERT SEKOIAN
2114 CAUMSETT CT
LAS VEGAS, NV 89117
(818) 395-9393

BENCHMARK:
NGS BENCHMARK EU0746 LOCATED IN THE TOP OF CURB AT THE SOUTHWEST CORNER OF "G" STREET AND WAY STREET IN THE CITY OF NEEDLES.
ELEVATION = 490.61 FEET

ZONING - COMMERCIAL
LOT SQ.FT.: 28,430.14 SQ.FT. OR .62 ACRES
PROPOSED USES:: CANNABIS FACILITY

SCALE: 1"=10'
WORK ORDER NO.: NURSERY

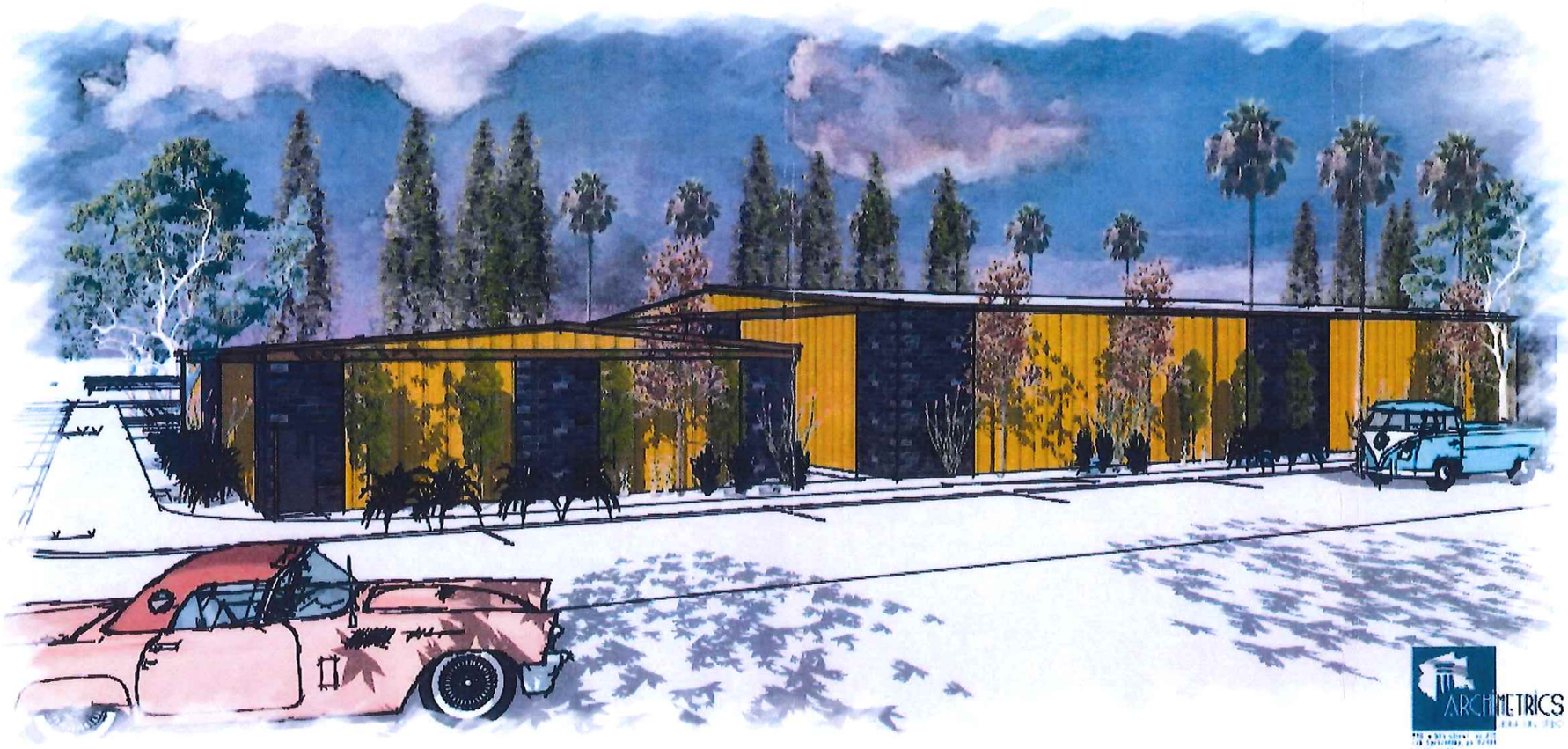
(C2)
ELEVATIONS
APN // 0186-093-18

SHEET 9 OF 10
LAND PROJ #0041
NUMBERING NOTE
DRAWING LAYOUT 4-21-2021

ATTACHMENT D-2: Elevations

APPLICANT:

SITE ADDRESS: 1150 Broadway



LEGAL DESCRIPTION, ADDRESS & APN

LEGAL: LOTS 11 THRU 20 AND THE WEST HALF OF 10, INCLUSIVELY, BLOCK 9 OF MCWILLIAMS SURVEY, M.B. 3/77-18

ADDRESS: 1150 WEST BROADWAY STREET, NEEDLES, CA 92363
APN: 0186 093 16 0000

REVISED
11:00 am, Jun 24, 2021

SHEET INDEX

1 AS IS SITEPLAN
2 PROPOSED SITE PLAN & EXTERIOR SECURITY
3 FLOORPLAN LAYOUT (C1)
4 FLOORPLAN LAYOUT (C2)
5 DISTRIBUTION PLAN
6 LIGHTING & SECURITY LAYOUT (C1 & C2)
7 LANDSCAPING PLAN
8 ELEVATIONS (C1)
9 ELEVATIONS (C2)
10 GRADING PLAN

CANNABIS FACILITY
FOR
CALIFA HARVEST, LLC

REV.	REVISION DESCRIPTION	BY	DATE

DESIGNED BY: CHAD
DRAWN BY: CHAD
CHECKED BY: RJC

ALTEC ENGINEERING CORP.
19531 Highway 18
Apple Valley, CA. 92307
(760) 242-0917 • RANDYAICP@GMAIL.COM
RANDOLPH J. COLEMAN, AICP, PE#61113, PE#30322 DATE

OWNER & APPLICANT
CALIFA HARVEST, LLC
C/O ALBERT SEKOIAN
2714 CAUMSETT CT
LAS VEGAS, NV 89117
(818) 395-9393

LOCATION:
APN 0186-093-16-0000 LOCATED AT THE TOP OF CURB AT THE SOUTHWEST CORNER OF "G" STREET AND WAE STREET IN THE CITY OF NEEDLES.
ELEVATION = 490.64 FEET.

ZONING = COMMERCIAL
LOT SQ.FT.: 28,430.14 SQ.FT. OR .62 ACRES
PROPOSED USES:: CANNABIS FACILITY

SCALE: NTS
WORK ORDER NO.: NEEDLES NURSERY

REVISED 6 24 2021
COVER SHEET
1150 BROADWAY ST
NEEDLES, CA 92363

COVER SHEET
LAND PROF SOCIAL NEEDLES NURSERY
DRAWING NO.: COVER SHEET

ATTACHMENT D-3: Conceptual Elevations

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway





8x11

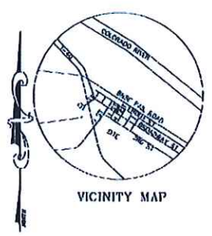
ATTACHMENT STONE TYPE/COLOR PALLETTE
APPLICANT: ALBERT SEKOIAN
ADDRESS: 1150 W. BROADWAY, NEEDLES

LEGAL DESCRIPTION, ADDRESS & APN

LEGAL: LOTS 13 THRU 30, INCLUSIVELY, BLOCK 9 OF MCWILLIAMS SURVEY, M.B. 13/17 18
ADDRESS: 1150 WEST BROADWAY STREET, NEEDLES, CA 92363
APN: 0186-093-18-0000

MISC. INFORMATION AND NOTES

1. ONLY THE CONVENTIONAL BUILDINGS ARE REQUIRED TO BE PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM, IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARD NO 13, (2013 EDITION) STANDARD FOR THE INSTALLATION OF SPRINKLER SYSTEMS. NO PROPOSED FIRE SPRINKLERS IN GREEN HOUSES.
2. THE SPRINKLER SYSTEM MUST BE PROVIDED WITH VALVE TAMPER SWITCHES AND A WATER FLOW ALARM BOTH TAMPER AND FLOW ALARMS ARE REQUIRED TO BE TRANSMITTED TO AN APPROVED MONITORING STATION. IN ADDITION, THE WATER-FLOW ALARM IS REQUIRED TO ALERT THE OCCUPANTS OF THE BUILDING, IN ACCORDANCE WITH NFPA STANDARD NO. 72, THE NATIONAL FIRE ALARM CODE. (STROBE LIGHTS ARE REQUIRED IN PUBLIC REST ROOMS, TO NOTIFY THE HEARING IMPAIRED.)
3. POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS MUST COMPLY WITH FIRE DEPARTMENT STANDARD NO. 5 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION).
4. LOCKS ARE TO BE "KNOX" BRAND PLUGS. (EXCEPTION: BREAKAWAY CAPS ARE PERMITTED IN SECURED AREAS NOT SUBJECT TO VANDALISM.)
5. SEPARATE PERMITS ARE REQUIRED FOR FIRE PROTECTION SYSTEMS. (FIRE SPRINKLERS, UNDERGROUND FIRE MAINS, FIRE DETECTION AND ALARM SYSTEMS, ETC.) WORK ON THE SYSTEMS MAY NOT BEGIN UNTIL THE APPROPRIATE PERMITS HAVE BEEN ISSUED.
6. STREET ADDRESS NUMBERS ARE TO BE POSTED ON THE STREET SIDE OF THE BUILDING, IN ACCORDANCE WITH FIRE DEPARTMENT STANDARD NO. 3 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION).
7. AN APPROVED SECURITY LOCK BOX SYSTEM, FOR FIRE DEPARTMENT ACCESS TO FIRE PROTECTION EQUIPMENT AND BUILDING COMMON AREAS, SHALL BE INSTALLED IN ACCORDANCE WITH FIRE DEPARTMENT STANDARD NO. 2 (COPIES ARE AVAILABLE AT FIRE ADMINISTRATION).
8. AN APPROVED FIRE PROTECTION WATER SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH NFPA STANDARD NO. 24 AND FIRE DEPARTMENT STANDARD NO. 5.
9. FIRE EXTINGUISHERS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA STANDARD NO. 10, PRIOR TO OCCUPANCY.
10. AN AUDIBLE AND VISIBLE SMOKE DETECTOR COMPLYING WITH UBC STANDARD NO. 35-3 SHALL BE PROVIDED WITH SMOKE DETECTOR ACTIVATED FAIL SAFE DOOR. IN BUILDINGS PROVIDED WITH FIRE ALARM SYSTEMS, THE SMOKE DETECTORS SHALL REPORT A SMOKE CONDITION TO THE ALARM PANEL. (EXCEPTION: DETECTORS NEED NOT TRANSMIT AN ALARM IF OCCUPANTS CAN EXIT THE BUILDING BY TRAVELING NO MORE THAN ONE HUNDRED (100) FEET.)



VICINITY MAP

LEGEND:

TC – TOP OF CURB	PP – POWER POLE
FL – FLOW LINE	(XX.XX) – EXISTING ELEVATION
EP – EDGE OF PAVEMENT	XX.XX – FUTURE ELEVATION
TP – TOP OF PAVEMENT	FG – FINISHED GRADE
TBM – TEMPORARY BENCH MARK	FS – FINISHED SURFACE
BSL – BUILDING SETBACK LINE	PUE – PUBLIC UTILITY EASEMENT
PC – PROPERTY CORNER	——— – FLOW LINE
FF – FINISHED FLOOR	——— – BOUNDARY LINE
(O)– POWER POLE	——— – CENTERLINE

PARKING:

9 STANDARD SPACES FOR PROPOSED BUILDINGS +1 LOADING SPACES (14'x20')
1 1 ADA (10'x25') PARKING SPACE + 1 ELECTRIC VEHICLE SPACE = 11

PARKING REQUIRED = 8 + 1 ADA + 1 LOADING = 10 SPACES
PARKING PROVIDED = 8 + 1 ADA + 1 LOADING + 1 EV = 11

ADA SPACE REQUIREMENTS–
1 FOR EVERY 8 ACCESSIBLE PARKING PER SITE TO BE VAN ACCESSIBLE (NOT APPLICABLE)

1 – ADA PARKING SPACES PROVIDED
1 – ADA/ELECTRIC VEHICLE SPACE
1 – LOADING SPACE PROVIDED

BUILDING NOTES:

C1 CULTIVATION BUILDING (PHASE 1) EXISTING BUILDING EXPANSION
C2 NEW CULTIVATION BUILDING (PHASE 2) 21' HIGH MAX

LANDSCAPING NOTES:

6 DIFFERENT PLANT TYPES TO BE SPREAD OUT EVENLY ACROSS THE 5' ABUTTING BROADWAY STREET AND "I" STREET, PLUS 2 PARKING ISLANDS, PLUS 234 S.F. ALONG THE WEST WALL OF C2.

SITE PLAN KEY NOTES

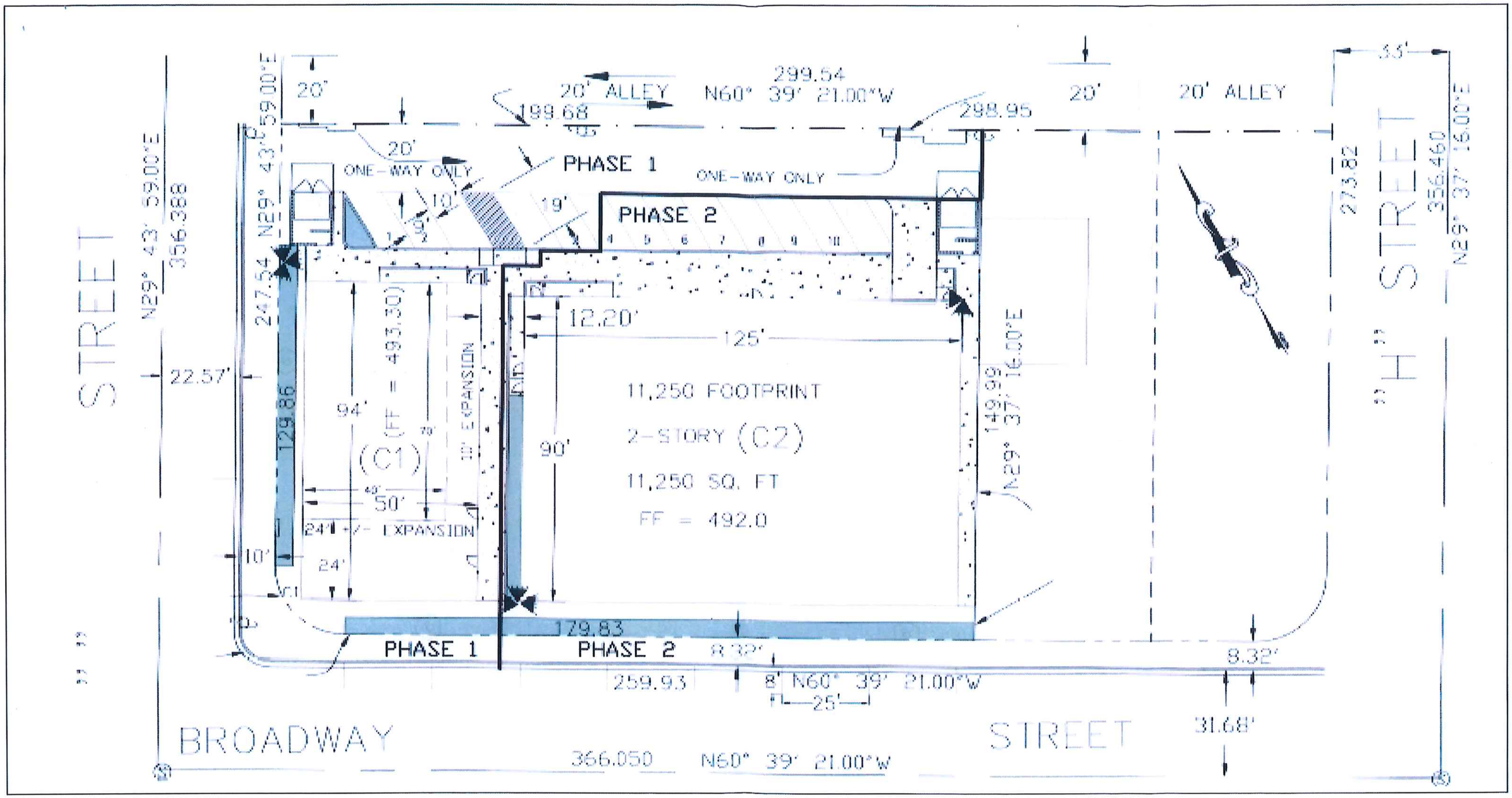
1. —PROPERTY LINE
2. —EXISTING FIRE HYDRANT
3. —EXISTING 6' 0" HIGH CHAIN LINK FENCE, TO BE REMOVED AND REPLACED WITH 6' WROUGHT IRON FENCE
4. —EXISTING BUILDING TO BE EXPANDED 10' ON THE EAST AND 24' ON THE SOUTH AND USED AS CULTIVATION & TRANSPORTATION
5. —EXISTING CONCRETE CURB AND GUTTER TO BE REPLACED
6. —NEW LANDSCAPING PROVIDED 5' ALONG BROADWAY, "I" STREET & FRONT STREET TO STAY = VVVVVVVVVVVVV
7. —FIRE SPRINKLER RISER, SEE PLUMBING DESIGN DRAWINGS
8. ——►— = CAR FLOW DIRECTION
9. —PROPOSED MASONRY TRASH ENCLOSURE
10. —ADA ACCESSIBLE STANDARD AND/OR VAN PARKING SPACE
11. —STANDARD PARKING (9' X 18')
12. ▽ = DOORS
13. —LOADING SPACE 12' WIDE DEDICATED FOR LOADING/UNLOADING
14. ——|——| = 23' SLIDING GATE & KEYPAD
15. ——|——| = 24' SLIDING GATE & KEYPAD
16. = SIDEWALK/PATH OF TRAVEL.
17. —EXISTING 6' 0" HIGH CHAIN LINK FENCE TO BE REMOVED AND REPLACED WITH 6' BLOCK WALL ALONG EAST PROPERTY LINE.

DESIGNED BY: CHAD DRAWN BY: CHAD CHECKED BY: RJC	ALLC LANDSCAPING CORP. 19531 Highway 18 Apple Valley, CA. 92307 (760) 242-9817 * RANDYALCP@GMAIL.COM RANDOLPH J. COLEMAN, ASLA, PRINCIPAL, PRJ38293 DATE	OWNER & APPLICANT CALIFA HARVEST, LLC C/O ALBERT SEKOIAN 2714 CAUMSETT CT LAS VEGAS, NV 89117 (818) 395-9393	BENCHMARK: NGS BENCHMARK EL.0746 LOCATED IN THE TOP OF CURB AT THE SOUTHWEST CORNER OF "G" STREET AND VAE STREET IN THE CITY OF NEEDLES. ELEVATION = 490.84 feet ZONING – COMMERCIAL LOT SQFT: 28,430.34 SQFT. OR .62 ACRES PROPOSED USES: CANNABIS FACILITY	SCALE 1"=20' BOOK ORDER NO.: NEEDLES NURSERY	LANDSCAPING PLAN APN # 0186-093-18	SHEET 7 OF 10 LAND PROT BOOK: NEEDLES NURSERY DRAWING NO.:

ATTACHMENT E: Landscape Plan

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway



ATTACHMENT F: Security and Lighting Plan

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway



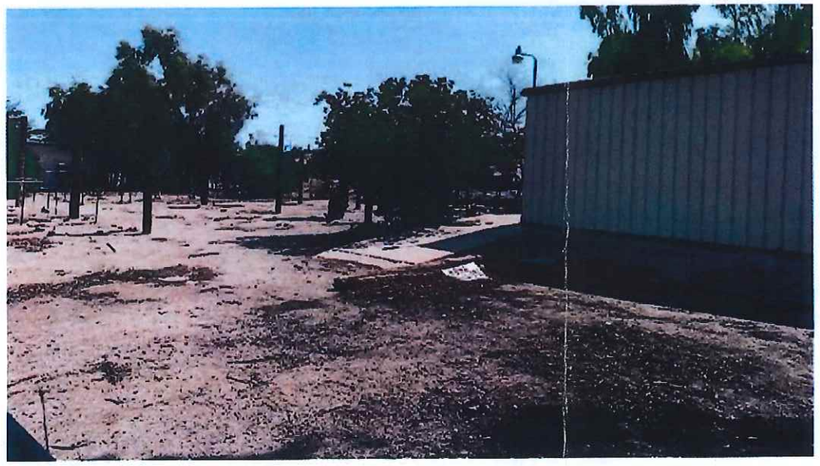
Facing North



Facing West



Facing Southeast



Facing South

ATTACHMENT G: Project Site Existing Conditions

APPLICANT: Califa Harvest LLC

SITE ADDRESS: 1150 Broadway

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ SARDA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Warrants

Background: n/a

Fiscal Impact: n/a

Recommended Action: **APPROVE,** the Warrants Register through September 28, 2021.

Submitted By: Sylvia Miledi, Director of Finance

City Management Review: Rick **Date:** 9/21/21

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

Agenda Item: 7

CITY OF NEEDLES CITY COUNCIL

WARRANT SUMMARY TOTALS FOR SEPTEMBER 28, 2021

		DEPT. AMT.	FUND AMT.	28-Sep	21-22 BUDGET
FUND 101	GENERAL FUND	$ 5,383.50			
101.1015.412	CITY ATTORNEY	$ 5,800.00		$ 11,600.00	$80,000
101.1020.413	CITY MANAGER	$ 45.29		$ 45,050.16	$204,293
101.1025.415	FINANCE DEPT.	$ 1,288.10		$ 66,760.52	$528,654
101.1030.414	CITY CLERK/COUNCIL/MAYOR	$ 149.32		$ 22,093.85	$201,933
101.1035.416	PLANNING /ZONING	$ 1,385.71		$ 27,253.54	$299,577
101.1040.417	ENGINEERING	$ 1,385.70		$ 34,843.07	$247,804
101.1060.410	COMMUNITY PROMOTIONS	$ -		$ -	$69,770
101.1070.410	SENIOR CENTER	$ 1,720.74		$ 8,744.65	$55,404
101.2010.421	SHERIFF	$ 237,302.00		$ 736,381.00	$2,944,931
101.2020.423	ANIMAL SHELTER/CONTROL	$ 992.01		$ 26,050.98	$234,591
101.2025.424	BULDING & SAFETY	$ 1,385.71		$ 25,859.86	$379,636
101.2030.423	CODE ENFORCEMENT	$ 27,752.98		$ 98,469.76	$571,775
101.3010.431	PUBLIC WORKS	$ 7,459.99		$ 218,659.35	$3,650,127
101.4730.472	SANITATION	$ 354.73		$ 25,619.30	$155,620
101.5770.452.	AQUATICS	$ 10.00		$ 49,097.95	$180,845
101.5772.452	PARKS	$ 27,626.08		$ 83,292.41	$466,589
101.5773.452	JACK SMITH PARK MARINA	$ 95.58		$ 20,987.59	$135,838
101.5774.452	RECREATION	$ 7,506.83		$ 55,017.46	$347,431
GENERAL FUND	TOTAL ALL GF DEPARTMENTS		$ 327,644.27		$10,754,818
FUND 205	CDBG		$ 18,024.16	$ 19,340.16	$27,174
FUND 206	CEMETERY		$ 137.54	$ 27,000.58	$205,141
FUND 208	CALTRANS GRANTS		$ 73.00	$ 800,073.00	$800,073
FUND 209	NARCOTICS FORFEITURE		$ -	$ -	$0
FUND 210	SPECIAL GAS TAX		$ -	$ 22,626.00	$235,135
FUND 213	DEPT OF HOUSE. & COMM DEVL		$ -	$ -	$112,810
FUND 214	SANBAG NEW LOCAL MEAS I		$ -	$ 1,247.08	$91,760
FUND 225	COPS-AB 3229 SUPPLEMENTAL		$ 7,321.00	$ 28,156.64	$283,431
FUND 235	INTERSTATE COMM/I40 J ST.		$ -	$ -	$0
FUND 239	CA.CONSERV RECYLING GRANT		$ -	$ -	$5,000
FUND 240	EL GARCES INTERMODAL		$ -	$ -	$0
FUND 241	SAFE RTS TO SCHOOL (SR2S)		$ -	$ -	$12,885
FUND 243	ACTIVE TRANSPORT PROGRAM		$ -	$ -	$0
FUND 270	REDEVELOPMENT AGENCY		$ -	$ -	$204,500
FUND 470	RDA CAP PROJ.LOW & MOD.		$ -	$ -	$300,000
FUND 501	NPUA		$ 2,337.24	$ 4,026.84	$2,687,194
FUND 502	WATER DEPARTMENT		$ 34,996.60	$ 283,340.49	$2,001,236
FUND 503	WASTEWATER DEPARTMENT		$ 70,882.63	$ 247,099.16	$1,297,932
FUND 505	SANITATION		$ 3,775.09	$ 137,505.57	$1,324,900
FUND 506	ALL AMERICAN CANAL PROJ.		$ 424.50	$ 9,691.80	$1,012,427
FUND 507	GOLF FUND	$ -			
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	$ 3,613.71		$ 76,123.51	$731,730
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	$ 4,390.72		$ 32,398.33	$368,468
FUND 507	GOLF FUND TOTAL	$ -	$ 8,004.43		
FUND 508	CUST.SVC/UT BUSINESS OFFICE		$ 1,423.87	$ 42,416.08	$359,455
FUND 509	MIS		$ 9,688.16	$ 41,173.86	$252,370
FUND 510	ADMIN. FACILITY		$ 4,063.38	$ 22,429.02	$395,203
FUND 511	FLEET MANAGEMENT		$ 1,641.78	$ 19,781.95	$270,933
FUND 512	VEHICLE REPLACEMENT		$ 3,680.25	$ -	$0
FUND 520	SR DIAL A RIDE		$ 5,709.83	$ 12,544.93	$125,215
FUND 521	DIAL-A-RIDE MEDICAL TRANS.		$ 1,601.90	$ 4,132.48	$40,458
FUND 525	NEEDLES AREA TRANSIT (NAT)		$ 33,579.49	$ 84,111.71	$494,264
FUND 580	ELECTRIC		$ 138,614.60	$ 740,270.78	$6,241,073
FUND 581	NPUA CAPITAL ELECTRIC		$ 740.00		$26,552
FUND 582	NPUA CAPITAL WATER		$ -	$ 7,605.00	$161,102
FUND 583	NPUA CAPITAL WASTEWATER		$ -	$ 1,076.35	$2,218
FUND 650	IMPACT FEES NORTH NEEDLES		$ -	$ -	$0
FUND 651	IMPACT FEES SOUTH AREAS		$ -		$0
TOTAL	ALL FUNDS & DEPARTMENTS		$ 674,363.72	$ 4,219,952.77	$30,825,457

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: R. DL 9/21/21

Sylvia Miledi, Director of Finance — Date: Sylvia Miledi 9/20/21

Kippy Poulson, City Treasurer — Date: 9/20/21

9/17/2021

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
13860	3709	00	ADRIAN CHAVEZ	09/28/2021	396.58	.00
13861	3305	00	AGUA CALIENTE	09/28/2021	26,413.87	.00
13862	1924	00	AHA MACAV POWER SERVICE	09/28/2021	712.50	.00
13863	3750	00	AUTO ZONE	09/28/2021	207.42	.00
13864	2629	00	BARON PEST SOLUTIONS	09/28/2021	117.00	.00
13865	3808	00	HATZ, BERNARD	09/28/2021	396.58	.00
13866	480	00	BEST BEST & KRIEGER LLP	09/28/2021	424.50	.00
13867	178	00	BIG O TIRES & NAPA AUTO PARTS	09/28/2021	232.01	.00
13868	454	00	BINGHAM EQUIPMENT COMPANY	09/28/2021	434.84	.00
13869	3313	00	BLUE RIVER WATER CORP.	09/28/2021	47.25	.00
13870	3276	00	BRODY CHEMICAL COMP.INC.	09/28/2021	121.36	.00
13871	3922	00	BROOKS CONSULTING LLC	09/28/2021	8,762.50	.00
13872	3981	00	CENTRAL PRODUCTS LLC	09/28/2021	13,463.36	.00
13873	3035	00	CENTURY LINK CORP.	09/28/2021	100.00	.00
13874	3136	00	CITY OF NEEDLES	09/28/2021	60,635.41	.00
13875	1	00	COLCLASURE, ANGEL	09/28/2021	11.87	.00
13876	2320	00	COUNTY OF SAN BERNARDINO	09/28/2021	3,775.09	.00
13877	455	00	CULLIGAN WATER COND.	09/28/2021	41.80	.00
13878	2934	00	DANA KEPNER COMPANY INC.	09/28/2021	1,008.38	.00
13879	1	00	DEAN PETERSON	09/28/2021	200.00	.00
13880	440	00	DECO FOODSERVICE INCORP.	09/28/2021	165.56	.00
13881	3580	00	DIAMOND PURE WATER	09/28/2021	50.00	.00
13882	3661	00	DIGITAL MAP PRODUCTS, L.P.	09/28/2021	6,758.93	.00
13883	501	00	DOI-BOR-REGION: LOWER COLORADO	09/28/2021	26,526.22	.00
13884	2653	00	EMPIRE SOUTHWEST	09/28/2021	115.14	.00
13885	1904	00	ENDURA STEEL	09/28/2021	87.10	.00
13886	3913	00	ENTERPRISE FM TRUST	09/28/2021	3,680.25	.00
13887	3462	00	EUSI LLC	09/28/2021	54,864.48	.00
13888	615	00	FEDEX	09/28/2021	73.00	.00
13889	1296	00	FRONTIER	09/28/2021	232.14	.00
13890	324	00	GRAINGER PART OPERATIONS INC.	09/28/2021	114.98	.00
13891	3912	00	GREEN PRO SOLUTIONS	09/28/2021	885.51	.00
13892	2612	00	HARDWARE EXPRESS INCORP.	09/28/2021	879.27	.00
13893	3593	00	HINDERLITER, DE LLAMAS & ASSOC.	09/28/2021	654.82	.00
13894	3864	00	HORIZON TECHNOLOGIES INC.	09/28/2021	1,120.00	.00
13895	638	00	JESSE FRAGOSO	09/28/2021	95.00	.00
13896	3512	00	KIMBERLY MITCHELL	09/28/2021	542.64	.00
13897	3502	00	KIPPY POULSON	09/28/2021	275.00	.00
13898	3283	00	LOWE'S	09/28/2021	220.92	.00
13899	3985	00	MOSES LOVE	09/28/2021	274.50	.00
13900	207	00	NEEDLES SENIOR CITIZENS	09/28/2021	115.90	.00
13901	218	00	NEWS WEST PUBLISHING CO.	09/28/2021	927.03	.00
13902	3986	00	NORTHERN SAFETY CO., INC	09/28/2021	92.99	.00
13903	3972	00	NORWALL POWERSYSTEMS, INC	09/28/2021	1,170.70	.00
13904	1786	00	NPUA	09/28/2021	VOID	
13905	1786	00	NPUA	09/28/2021	53,159.57	.00
13906	3324	00	OFFICE EXPRESS	09/28/2021	222.56	.00
13907	1503	00	PHILLIP LEJEUNE	09/28/2021	480.00	.00
13908	1491	00	PIONEER RESEARCH CORP.	09/28/2021	757.80	.00
13909	1578	00	PURCHASE POWER	09/28/2021	3,070.75	.00
13910	15	00	QUILL CORP.	09/28/2021	488.35	.00

CHECK NUMBER	VENDOR NUMBER	SEQ#	VENDOR NAME	CHECK DATE	CHECK AMOUNT	DISCOUNTS/RETAINAGE TAKEN
13911	818	00	R & R PRODUCTS INC.	09/28/2021	801.49	.00
13912	309	00	REPUBLIC SERVICES #785	09/28/2021	595.99	.00
13913	3558	00	RICK DANIELS	09/28/2021	11.37	.00
13914	591	00	ROBINSON ELECTRIC CO. INC.	09/28/2021	1,541.42	.00
13915	2468	00	RON'S TIRE PRO'S	09/28/2021	1,076.00	.00
13916	3796	00	ROUTE 66 BROADBAND LLC	09/28/2021	329.49	.00
13917	2687	00	S.B. COUNTY FIRE DEPARTMENT	09/28/2021	1,227.00	.00
13918	3361	00	S.B. COUNTY SHERIFF'S DEPARTMENT	09/28/2021	244,623.00	.00
13919	2589	00	SAN BERNARDINO COUNTY	09/28/2021	8,079.55	.00
13920	3344	00	SLOVAK BARON & EMPEY LLP	09/28/2021	41,584.50	.00
13921	284	00	SOUTHWEST GAS CORP.	09/28/2021	59.76	.00
13922	3837	00	SOUTHWEST GROUND WATER	09/28/2021	740.00	.00
13923	3605	00	STATEWIDE TRAFFIC SAFETY & SIGNS	09/28/2021	868.08	.00
13924	3904	00	STELLA-JONES CORPORATION	09/28/2021	22,812.49	.00
13925	3917	00	TOUCHSTONE GOLF LLC	09/28/2021	1,763.55	.00
13926	3873	00	TRANSPORTATION CONCEPTS	09/28/2021	40,775.32	.00
13927	1	00	TRI STATE PROPERTY 3	09/28/2021	2,325.37	.00
13928	3266	00	TRI STATE TOOL REPAIR	09/28/2021	238.90	.00
13929	772	00	TRI-STATE ACE HARDWARE	09/28/2021	256.48	.00
13930	2798	00	U.S. DEPARTMENT OF ENERGY	09/28/2021	6,578.28	.00
13931	3272	00	ULINE	09/28/2021	4,560.80	.00
13932	3825	00	ULTRA PEST CONTROL, LLC	09/28/2021	45.00	.00
13933	315	00	UNDERGROUND SERVICE ALERT OF SO CAL	09/28/2021	171.69	.00
13934	3830	00	UNIFIRST CORPORATION	09/28/2021	1,318.34	.00
13935	761	00	USABLUEBOOK	09/28/2021	650.54	.00
13936	1741	00	V & L LASER LLC	09/28/2021	1,069.00	.00
13937	3987	00	VORTEX INDUSTRIES, INC	09/28/2021	2,715.40	.00
13938	3528	00	WESTERN ENVIRONMENTAL TESTING LAB.	09/28/2021	1,124.00	.00
13939	1023	00	XEROX	09/28/2021	459.32	.00
13940	3842	00	XIO, INC.	09/28/2021	120.00	.00
13941	3828	00	3D-NETWORKS L.L.C.	09/28/2021	10,238.16	.00

NUMBER OF CHECKS 82 GRAND TOTAL 674,363.72

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
13860	3709	ADRIAN CHAVEZ	001965		09/28/2021	101-2030-423.55-00	396.58		
							396.58	*	396.58
13861	3305	AGUA CALIENTE	001710		09/28/2021	580-4750-473.63-10	26,413.87		
							26,413.87	*	26,413.87
13862	1924	AHA MACAV POWER SERVICE	001964		09/28/2021	580-4750-473.61-21	712.50		
							712.50	*	712.50
13863	3750	AUTO ZONE	001632		09/28/2021	511-3021-432.43-26	20.25		
			001633		09/28/2021	511-3021-432.43-37	165.85		
			001634		09/28/2021	511-3021-432.43-38	21.32		
							207.42	*	207.42
13864	2629	BARON PEST SOLUTIONS	001635		09/28/2021	510-4410-405.43-01	85.00		
			001713		09/28/2021	511-3020-432.43-29	32.00		
							117.00	*	117.00
13865	3808	BERNARD J. HATZ	001966		09/28/2021	101-2030-423.55-00	396.58		
							396.58	*	396.58
13866	480	BEST BEST & KRIEGER LLP	001637		09/28/2021	506-4713-477.31-50	424.50		
							424.50	*	424.50
13867	178	BIG O TIRES & NAPA AUTO P	001640		09/28/2021	580-4750-473.60-55	12.59		
			001971		09/28/2021	507-5761-453.43-04	72.13		
			001972		09/28/2021	507-5761-453.43-04	11.82		
			001973		09/28/2021	507-5761-453.43-04	17.76		
			001974		09/28/2021	507-5761-453.43-04	22.38		
			001975		09/28/2021	507-5761-453.43-04	50.10		
			001976		09/28/2021	580-4750-473.43-03	72.70		
			001977		09/28/2021	580-4750-473.43-03	27.47-		
							232.01	*	232.01
13868	454	BINGHAM EQUIPMENT COMPANY	001711		09/28/2021	507-5761-453.43-04	283.91		
			001712		09/28/2021	507-5761-453.43-04	150.93		
							434.84	*	434.84
13869	3313	BLUE RIVER WATER CORP.	001968		09/28/2021	507-5761-453.43-04	47.25		
							47.25	*	47.25
13870	3276	BRODY CHEMICAL COMP.INC.	001636		09/28/2021	511-3020-432.61-28	121.36		
							121.36	*	121.36
13871	3922	BROOKS CONSULTING LLC	PI0029	022021	09/28/2021	580-4750-473.31-16	2,900.00		
			PI0039	022020	09/28/2021	580-4750-473.31-16	900.00		
			002073		09/28/2021	101-0000-204.03-01	4,962.50		
							8,762.50	*	8,762.50
13872	3981	CENTRAL PRODUCTS LLC	PI0040	022027	09/28/2021	205-6511-494.70-07	13,463.36		

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
13872	3981	CENTRAL PRODUCTS LLC					13,463.36	*	13,463.36
13873	3035	CENTURY LINK CORP.	001970		09/28/2021	507-5762-454.52-10	100.00		
							100.00	*	100.00
13874	3136	CITY OF NEEDLES	001714		09/28/2021	580-4750-473.80-43	40,792.83		
			001715		09/28/2021	502-4710-471.80-43	12,084.75		
			001716		09/28/2021	503-4720-475.80-43	7,757.83		
							60,635.41	*	60,635.41
13875	1	COLCLASURE, ANGEL	UT		09/28/2021	501-0000-211.00-00	11.87		
							11.87	*	11.87
13876	2320	COUNTY OF SAN BERNARDINO	001718		09/28/2021	505-4730-472.74-40	3,775.09		
							3,775.09	*	3,775.09
13877	455	CULLIGAN WATER COND.	001969		09/28/2021	101-3010-431.61-01	41.80		
							41.80	*	41.80
13878	2934	DANA KEPNER COMPANY INC.	001719		09/28/2021	502-4710-471.60-55	1,008.38		
							1,008.38	*	1,008.38
13879	1	DEAN PETERSON	001980		09/28/2021	580-4750-473.54-62	200.00		
							200.00	*	200.00
13880	440	DECO FOODSERVICE INCORP.	001770		09/28/2021	507-5762-454.61-06	74.62		
			001979		09/28/2021	101-5772-452.61-06	90.94		
							165.56	*	165.56
13881	3580	DIAMOND PURE WATER	001720		09/28/2021	510-4410-405.61-01	30.00		
			001978		09/28/2021	101-5770-452.61-01	10.00		
			002030		09/28/2021	101-5774-452.61-01	10.00		
							50.00	*	50.00
13882	3661	DIGITAL MAP PRODUCTS, LP	PI0030	022026	09/28/2021	101-1035-416.61-09	1,351.79		
			PI0031	022026	09/28/2021	101-1040-417.61-09	1,351.79		
			PI0032	022026	09/28/2021	101-2025-424.61-09	1,351.79		
			PI0033	022026	09/28/2021	101-2030-423.61-09	1,351.78		
			PI0034	022026	09/28/2021	502-4710-471.56-00	675.89		
			PI0035	022026	09/28/2021	580-4750-473.56-00	675.89		
							6,758.93	*	6,758.93
13883	501	DOI-BOR-REGION: LOWER COL	002043		09/28/2021	580-4750-473.63-10	26,526.22		
							26,526.22	*	26,526.22
13884	2653	EMPIRE SOUTHWEST	001642		09/28/2021	511-3021-432.43-36	115.14		
							115.14	*	115.14
13885	1904	ENDURA STEEL	001641		09/28/2021	101-3010-431.60-11	87.10		
							87.10	*	87.10

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
13886	3913	ENTERPRISE FM TRUST	001981		09/28/2021	512-0000-207.02-00	3,680.25		
							3,680.25	*	3,680.25
13887	3462	EUSI LLC	PI0036	022009	09/28/2021	503-4720-475.31-98	27,207.24		
			PI0037	022009	09/28/2021	503-4720-475.31-98	450.00		
			PI0041	022009	09/28/2021	503-4720-475.31-98	27,207.24		
							54,864.48	*	54,864.48
13888	615	FEDEX	001721		09/28/2021	208-3010-431.70-06	73.00		
							73.00	*	73.00
13889	1296	FRONTIER	001722		09/28/2021	510-4410-405.52-10	95.03		
			001723		09/28/2021	101-5772-452.52-10	137.11		
							232.14	*	232.14
13890	324	GRAINGER PART OPERATIONS	001643		09/28/2021	580-4750-473.43-57	114.98		
							114.98	*	114.98
13891	3912	GREEN PRO SOLUTIONS	001982		09/28/2021	503-4720-475.43-14	885.51		
							885.51	*	885.51
13892	2612	HARDWARE EXPRESS INCORP.	001645		09/28/2021	101-3010-431.61-01	8.79		
			001646		09/28/2021	101-3010-431.43-08	13.31		
			001647		09/28/2021	101-3010-431.61-01	20.25		
			001648		09/28/2021	101-5772-452.43-04	10.23		
			001649		09/28/2021	101-2020-423.43-29	10.61		
			001650		09/28/2021	101-5774-452.43-18	27.80		
			001651		09/28/2021	101-3010-431.43-08	8.80		
			001652		09/28/2021	511-3021-432.43-26	10.61		
			001653		09/28/2021	101-3010-431.61-01	25.58		
			001654		09/28/2021	101-3010-431.61-01	20.97		
			001655		09/28/2021	502-4710-471.60-55	10.83		
			001984		09/28/2021	101-3010-431.43-08	18.33		
			001985		09/28/2021	101-3010-431.43-08	16.34		
			001986		09/28/2021	101-5772-452.43-18	11.45		
			001987		09/28/2021	503-4720-475.43-14	283.00		
			001988		09/28/2021	503-4720-475.43-14	42.38		
			001989		09/28/2021	503-4720-475.43-02	11.85		
			001990		09/28/2021	503-4720-475.43-02	2.86		
			001991		09/28/2021	101-5772-452.43-18	39.69		
			001992		09/28/2021	507-5761-453.61-12	27.49		
			001993		09/28/2021	507-5761-453.61-12	22.49		
			001994		09/28/2021	507-5761-453.61-12	21.95		
			001995		09/28/2021	507-5761-453.61-12	32.75		
			001996		09/28/2021	507-5761-453.61-12	19.44		
			001997		09/28/2021	507-5761-453.61-12	55.22		
			001998		09/28/2021	507-5761-453.60-10	51.16		
			001999		09/28/2021	507-5761-453.43-17	8.91		
			002000		09/28/2021	507-5761-453.43-17	11.25		
			002001		09/28/2021	507-5761-453.43-04	10.83		

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
13892	2612	HARDWARE EXPRESS INCORP.	002002		09/28/2021	502-4710-471.60-55	24.10		
							879.27	*	879.27
13893	3593	HINDERLITER, DE LLAMAS &	001983		09/28/2021	101-1025-415.31-91	654.82		
							654.82	*	654.82
13894	3864	HORIZON TECHNOLOGIES INC.	001724		09/28/2021	101-2020-423.52-10	70.00		
			001725		09/28/2021	101-2030-423.52-10	70.00		
			001726		09/28/2021	508-4810-478.52-10	70.00		
			001727		09/28/2021	503-4720-475.52-10	140.00		
			001728		09/28/2021	502-4710-471.52-10	280.00		
			001729		09/28/2021	580-4750-473.52-10	175.00		
			001730		09/28/2021	101-3010-431.52-10	175.00		
			001731		09/28/2021	101-5772-452.52-10	140.00		
							1,120.00	*	1,120.00
13895	638	JESSE FRAGOSO	001638		09/28/2021	101-3010-431.31-40	45.00		
			001639		09/28/2021	101-3010-431.31-40	50.00		
							95.00	*	95.00
13896	3512	KIMBERLY MITCHELL	001736		09/28/2021	508-4810-478.55-00	542.64		
							542.64	*	542.64
13897	3502	KIPPY POULSON	001717		09/28/2021	101-1025-415.31-90	275.00		
							275.00	*	275.00
13898	3283	LOWE'S	001733		09/28/2021	510-4410-405.43-01	101.40		
			001734		09/28/2021	101-1030-414.61-01	95.05		
			001735		09/28/2021	101-5774-452.43-18	24.47		
							220.92	*	220.92
13899	3985	MOSES LOVE	001967		09/28/2021	101-2030-423.55-00	274.50		
							274.50	*	274.50
13900	207	NEEDLES SENIOR CITIZENS	001858		09/28/2021	520-4740-462.52-12	57.95		
			001859		09/28/2021	521-4740-462.52-12	57.95		
							115.90	*	115.90
13901	218	NEWS WEST PUBLISHING CO.	001737		09/28/2021	508-4810-478.53-00	138.23		
			001739		09/28/2021	101-3010-431.53-00	548.60		
			001860		09/28/2021	101-0000-204.65-00	59.39		
			001861		09/28/2021	101-0000-204.49-00	59.39		
			002004		09/28/2021	101-0000-204.45-00	121.42		
							927.03	*	927.03
13902	3986	NORTHERN SAFETY CO., INC	002003		09/28/2021	507-5761-453.43-04	92.99		
							92.99	*	92.99
13903	3972	NORWALL POWERSYSTEMS, INC	001738		09/28/2021	580-4750-473.60-55	1,170.70		
							1,170.70	*	1,170.70

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
13904	1786	NPUA						VOIDED
13905	1786	NPUA	001862		09/28/2021	101-5772-452.41-20	630.32	
			001863		09/28/2021	101-5772-452.41-20	1,306.38	
			001864		09/28/2021	101-5772-452.41-10	232.99	
			001865		09/28/2021	101-5772-452.41-20	91.96	
			001866		09/28/2021	101-5772-452.41-10	46.09	
			001867		09/28/2021	101-5772-452.41-20	211.09	
			001868		09/28/2021	101-5772-452.41-10	41.07	
			001869		09/28/2021	101-5772-452.41-20	214.72	
			001870		09/28/2021	101-5772-452.41-10	48.25	
			001871		09/28/2021	101-5772-452.41-10	31.00	
			001872		09/28/2021	101-5772-452.41-20	826.40	
			001873		09/28/2021	507-5761-453.41-20	48.47	
			001874		09/28/2021	507-5761-453.41-20	42.49	
			001875		09/28/2021	507-5761-453.41-20	76.31	
			001876		09/28/2021	101-5772-452.41-20	721.69	
			001877		09/28/2021	101-5772-452.41-10	858.65	
			001878		09/28/2021	101-5772-452.41-20	2,798.15	
			001879		09/28/2021	101-5772-452.41-10	283.95	
			001880		09/28/2021	101-5772-452.41-20	12,333.48	
			001881		09/28/2021	580-4750-473.41-11	53.39	
			001882		09/28/2021	503-4720-475.41-10	45.56	
			001883		09/28/2021	503-4720-475.41-20	41.63	
			001884		09/28/2021	580-4750-473.41-11	36.66	
			001885		09/28/2021	580-4750-473.41-11	54.31	
			001886		09/28/2021	580-4750-473.41-20	31.78	
			001887		09/28/2021	580-4750-473.41-11	30.27	
			001888		09/28/2021	580-4750-473.41-11	53.65	
			001889		09/28/2021	580-4750-473.41-11	33.99	
			001890		09/28/2021	580-4750-473.41-20	41.61	
			001891		09/28/2021	101-5773-452.41-10	95.58	
			001892		09/28/2021	502-4710-471.41-10	11,067.91	
			001893		09/28/2021	502-4710-471.41-10	30.85	
			001894		09/28/2021	507-5762-454.41-12	1,318.01	
			001895		09/28/2021	507-5762-454.41-10	578.20	
			001896		09/28/2021	507-5762-454.41-20	65.22	
			001897		09/28/2021	507-5762-454.41-21	65.21	
			001898		09/28/2021	507-5762-454.41-30	222.81	
			001900		09/28/2021	507-5762-454.41-10	196.10	
			001901		09/28/2021	101-3010-431.41-10	471.75	
			001902		09/28/2021	101-3010-431.41-20	20.02	
			001903		09/28/2021	101-3010-431.41-30	371.35	
			001904		09/28/2021	502-4710-471.41-10	34.97	
			001905		09/28/2021	580-4750-473.41-11	2,549.09	
			002044		09/28/2021	101-5774-452.41-10	1,858.17	
			002045		09/28/2021	101-5774-452.41-20	204.62	
			002046		09/28/2021	101-5774-452.41-30	148.54	
			002047		09/28/2021	101-5774-452.41-10	278.95	
			002048		09/28/2021	101-5774-452.41-10	42.34	
			002049		09/28/2021	101-5774-452.41-10	1,969.15	

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

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13905	1786	NPUA	002050		09/28/2021	101-5774-452.41-20	950.02		
			002051		09/28/2021	101-5774-452.41-30	74.27		
			002052		09/28/2021	101-5772-452.41-20	1,942.31		
			002053		09/28/2021	101-5772-452.41-30	14.41		
			002054		09/28/2021	502-4710-471.41-10	2,265.95		
			002055		09/28/2021	101-1070-410.41-10	1,405.09		
			002056		09/28/2021	101-1070-410.41-20	241.38		
			002057		09/28/2021	101-1070-410.41-30	74.27		
			002058		09/28/2021	101-5772-452.41-10	63.24		
			002060		09/28/2021	101-5772-452.41-20	205.05		
			002061		09/28/2021	101-5772-452.41-10	58.85		
			002062		09/28/2021	101-5772-452.41-20	52.15		
			002063		09/28/2021	580-4750-473.41-11	75.32		
			002064		09/28/2021	580-4750-473.41-11	55.60		
			002065		09/28/2021	580-4750-473.41-11	30.85		
			002066		09/28/2021	101-5772-452.41-10	170.03		
			002067		09/28/2021	101-5772-452.41-20	1,682.69		
			002068		09/28/2021	101-5772-452.41-30	74.27		
			002069		09/28/2021	101-5772-452.41-10	45.64		
			002070		09/28/2021	101-5772-452.41-20	67.37		
			002075		09/28/2021	101-2020-423.41-10	522.72		
			002078		09/28/2021	101-2020-423.41-20	84.40		
			002079		09/28/2021	101-2020-423.41-30	148.54		
							53,159.57	*	53,159.57
13906	3324	OFFICE EXPRESS	001743		09/28/2021	101-1025-415.61-01	17.95		
			001814		09/28/2021	510-4410-405.61-01	204.61		
							222.56	*	222.56
13907	1503	PHILLIP LEJEUNE	002029		09/28/2021	502-4710-471.31-90	480.00		
							480.00	*	480.00
13908	1491	PIONEER RESEARCH CORP.	002005		09/28/2021	101-3010-431.60-11	757.80		
							757.80	*	757.80
13909	1578	PURCHASE POWER	001744		09/28/2021	510-4410-405.52-20	3,070.75		
							3,070.75	*	3,070.75
13910	15	QUILL CORP.	001745		09/28/2021	510-4410-405.61-01	124.97		
			001746		09/28/2021	510-4410-405.61-31	188.95		
			001747		09/28/2021	510-4410-405.61-01	75.40		
			001748		09/28/2021	101-1025-415.61-01	27.99		
			001749		09/28/2021	101-2030-423.61-01	10.63		
			001750		09/28/2021	101-1025-415.61-01	23.69		
			001751		09/28/2021	101-1025-415.61-01	21.54		
			002006		09/28/2021	101-1025-415.61-01	8.29		
			002007		09/28/2021	101-1025-415.61-01	6.89		
							488.35	*	488.35
13911	818	R & R PRODUCTS INC.	001757		09/28/2021	206-5771-452.43-18	62.59		

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13911	818	R & R PRODUCTS INC.	001758		09/28/2021	101-5772-452.43-04	62.59		
			001759		09/28/2021	507-5761-453.43-04	62.59		
			001760		09/28/2021	507-5761-453.43-04	245.60		
			001761		09/28/2021	507-5761-453.43-17	284.22		
			002008		09/28/2021	507-5761-453.43-04	83.90		
							801.49	*	801.49
13912	309	REPUBLIC SERVICES #78	002009		09/28/2021	503-4720-475.43-02	595.99		
							595.99	*	595.99
13913	3558	RICK DANIELS	002010		09/28/2021	101-1020-413.55-00	11.37		
							11.37	*	11.37
13914	591	ROBINSON ELECTRIC CO. INC	001752		09/28/2021	101-5772-452.43-04	85.00		
			001753		09/28/2021	580-4750-473.54-62	1,456.42		
							1,541.42	*	1,541.42
13915	2468	RON'S TIRE PRO'S	001762		09/28/2021	511-3021-432.43-36	1,076.00		
							1,076.00	*	1,076.00
13916	3796	ROUTE 66 BROADBAND LLC	001625		09/28/2021	101-2020-423.52-10	15.00-		
			001754		09/28/2021	507-5761-453.52-10	100.00		
			001755		09/28/2021	101-3010-431.52-10	100.00		
			001756		09/28/2021	507-5761-453.52-10	144.49		
							329.49	*	329.49
13917	2687	S.B. COUNTY FIRE DEPARTME	002012		09/28/2021	101-3010-431.61-21	1,227.00		
							1,227.00	*	1,227.00
13918	3361	S.B.COUNTY SHERIFF'S DEPA	002013		09/28/2021	101-2010-421.31-80	237,302.00		
			002028		09/28/2021	225-2010-421.31-80	7,321.00		
							244,623.00	*	244,623.00
13919	2589	SAN BERNARDINO COUNTY	002014		09/28/2021	101-2020-423.62-00	170.74		
			002015		09/28/2021	101-2030-423.62-00	268.89		
			002016		09/28/2021	101-3010-431.62-00	2,099.34		
			002017		09/28/2021	101-4730-472.62-00	354.73		
			002018		09/28/2021	101-5772-452.62-00	957.09		
			002019		09/28/2021	206-5771-452.62-00	74.95		
			002020		09/28/2021	502-4710-471.62-00	1,372.58		
			002021		09/28/2021	503-4720-475.62-00	202.24		
			002022		09/28/2021	507-5761-453.62-00	1,128.58		
			002023		09/28/2021	580-4750-473.62-00	1,450.41		
							8,079.55	*	8,079.55
13920	3344	SLOVAK BARON EMPEY MURPHY	001815		09/28/2021	101-1015-412.31-50	5,800.00		
			001816		09/28/2021	101-2030-423.31-50	45.20		
			001817		09/28/2021	101-2030-423.31-50	203.40		
			001818		09/28/2021	101-0000-204.78-00	180.80		
			001819		09/28/2021	101-2030-423.31-50	271.20		

BANK 04 WELLS FARGO BANK - CITY GENERAL CHECKING

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13920	3344	SLOVAK BARON EMPEY MURPHY	001820		09/28/2021	101-2030-423.31-50	1,135.70		
			001821		09/28/2021	101-2030-423.31-50	564.15		
			001822		09/28/2021	101-2030-423.31-50	1,888.14		
			001823		09/28/2021	101-2030-423.31-50	67.80		
			001824		09/28/2021	101-2030-423.31-50	4,474.80		
			001825		09/28/2021	101-2030-423.31-50	793.60		
			001826		09/28/2021	101-2030-423.31-50	869.00		
			001827		09/28/2021	101-2030-423.31-50	2,819.70		
			001828		09/28/2021	101-2030-423.31-50	610.20		
			001829		09/28/2021	101-2030-423.31-50	1,698.21		
			001830		09/28/2021	101-2030-423.31-50	45.20		
			001831		09/28/2021	101-2030-423.31-50	226.00		
			001832		09/28/2021	101-2030-423.31-50	248.60		
			001833		09/28/2021	101-2030-423.31-50	45.20		
			001834		09/28/2021	101-2030-423.31-50	1,334.10		
			001835		09/28/2021	101-2030-423.31-50	385.40		
			001836		09/28/2021	101-2030-423.31-50	1,139.80		
			001837		09/28/2021	101-2030-423.31-50	1,667.40		
			001838		09/28/2021	101-2030-423.31-50	540.55		
			001839		09/28/2021	101-2030-423.31-50	2,578.95		
			001840		09/28/2021	101-2030-423.31-50	429.40		
			001841		09/28/2021	101-2030-423.31-50	158.20		
			001842		09/28/2021	101-2030-423.31-50	710.20		
			001959		09/28/2021	502-4710-471.31-50	969.55		
			001960		09/28/2021	503-4720-475.31-50	969.55		
			001961		09/28/2021	502-4710-471.31-50	3,390.58		
			001962		09/28/2021	503-4720-475.31-50	3,390.58		
			001963		09/28/2021	580-4750-473.31-50	1,933.34		
							41,584.50	*	41,584.50
13921	284	SOUTHWEST GAS CORP.	001763		09/28/2021	510-4410-405.41-60	19.45		
			001764		09/28/2021	101-3010-431.41-60	18.04		
			001765		09/28/2021	507-5761-453.41-50	22.27		
							59.76	*	59.76
13922	3837	SOUTHWEST GROUND WATER	PI0028	022008	09/28/2021	582-4710-471.71-07	740.00		
							740.00	*	740.00
13923	3605	STATEWIDE TRAFFIC SAFETY	002011		09/28/2021	101-3010-431.61-05	868.08		
							868.08	*	868.08
13924	3904	STELLA-JONES CORPORATION	PI0038	022017	09/28/2021	580-4750-473.60-55	22,812.49		
							22,812.49	*	22,812.49
13925	3917	TOUCHSTONE GOLF LLC	001624		09/28/2021	507-5762-454.31-90	1,763.55		
							1,763.55	*	1,763.55
13926	3873	TRANSPORTATION CONCEPTS	001930		09/28/2021	520-4740-462.32-90	4,654.17		
			001931		09/28/2021	520-4740-462.51-20	737.73		
			001932		09/28/2021	520-4740-462.62-00	259.98		

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
13926	3873	TRANSPORTATION CONCEPTS	001933		09/28/2021	521-4740-462.32-90	546.24		
			001934		09/28/2021	521-4740-462.51-20	737.73		
			001935		09/28/2021	521-4740-462.62-00	259.98		
			001936		09/28/2021	525-4770-461.32-90	31,212.30		
			001937		09/28/2021	525-4770-461.62-00	2,367.19		
							40,775.32	*	40,775.32
13927	1	TRI STATE PROPERTY 3	UT		09/28/2021	501-0000-211.00-00	2,325.37		
							2,325.37	*	2,325.37
13928	3266	TRI STATE TOOL REPAIR	002024		09/28/2021	507-5761-453.43-17	119.43		
			002025		09/28/2021	507-5761-453.43-17	119.47		
							238.90	*	238.90
13929	772	TRI-STATE ACE HARDWARE	001732		09/28/2021	101-3010-431.60-11	256.48		
							256.48	*	256.48
13930	2798	U.S. DEPARTMENT OF ENERGY	001768		09/28/2021	580-4750-473.63-10	6,402.99		
			001769		09/28/2021	580-4750-473.63-10	175.29		
							6,578.28	*	6,578.28
13931	3272	ULINE	001843		09/28/2021	205-6511-494.70-07	4,560.80		
							4,560.80	*	4,560.80
13932	3825	ULTRA PEST CONTROL, LLC	002042		09/28/2021	101-5774-452.43-18	45.00		
							45.00	*	45.00
13933	315	UNDERGROUND SERVICE ALERT	001947		09/28/2021	503-4720-475.49-14	12.90		
			001948		09/28/2021	502-4710-471.43-04	12.90		
			001949		09/28/2021	580-4750-473.49-14	12.92		
			001950		09/28/2021	503-4720-475.49-14	13.78		
			001951		09/28/2021	502-4710-471.43-04	13.78		
			001952		09/28/2021	580-4750-473.49-14	13.79		
			001953		09/28/2021	503-4720-475.49-14	12.91		
			001954		09/28/2021	502-4710-471.43-04	12.91		
			001955		09/28/2021	580-4750-473.49-14	12.90		
			001956		09/28/2021	503-4720-475.49-14	17.63		
			001957		09/28/2021	502-4710-471.43-04	17.63		
			001958		09/28/2021	580-4750-473.49-14	17.64		
							171.69	*	171.69
13934	3830	UNIFIRST CORPORATION	001844		09/28/2021	502-4710-471.61-04	41.39		
			001845		09/28/2021	507-5762-454.61-06	7.00		
			001846		09/28/2021	101-5772-452.61-04	61.74		
			001847		09/28/2021	101-3010-431.61-04	79.25		
			001848		09/28/2021	503-4720-475.61-04	16.65		
			001849		09/28/2021	503-4720-475.61-04	16.65		
			001850		09/28/2021	580-4750-473.61-04	122.43		
			001851		09/28/2021	507-5761-453.61-04	61.74		
			001852		09/28/2021	511-3020-432.61-04	79.25		

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
13934	3830	UNIFIRST CORPORATION	001853		09/28/2021	580-4750-473.61-04	314.88		
			001854		09/28/2021	502-4710-471.61-04	37.85		
			001855		09/28/2021	502-4710-471.61-04	41.39		
			001856		09/28/2021	101-5774-452.61-06	8.00		
			002035		09/28/2021	101-3010-431.61-04	97.44		
			002036		09/28/2021	101-5774-452.61-06	8.00		
			002037		09/28/2021	503-4720-475.61-04	17.13		
			002038		09/28/2021	502-4710-471.61-04	41.39		
			002039		09/28/2021	507-5761-453.61-04	63.39		
			002040		09/28/2021	580-4750-473.61-04	202.77		
							1,318.34	*	1,318.34
13935	761	USABLUEBOOK	001771		09/28/2021	502-4710-471.60-55	382.02		
			002041		09/28/2021	503-4720-475.43-02	268.52		
							650.54	*	650.54
13936	1741	V & L LASER LLC	001772		09/28/2021	508-4810-478.61-02	169.00		
			001773		09/28/2021	101-1025-415.61-02	149.00		
			001774		09/28/2021	508-4810-478.61-02	504.00		
			002031		09/28/2021	101-1025-415.61-02	69.00		
			002032		09/28/2021	502-4710-471.61-02	178.00		
							1,069.00	*	1,069.00
13937	3987	VORTEX INDUSTRIES, INC	002076		09/28/2021	101-5772-452.43-18	978.04		
			002077		09/28/2021	101-5774-452.43-18	1,737.36		
							2,715.40	*	2,715.40
13938	3528	WESTERN ENVIRONMENTAL TES	001800		09/28/2021	503-4720-475.59-75	171.00		
			001801		09/28/2021	503-4720-475.59-75	171.00		
			001802		09/28/2021	503-4720-475.59-75	381.00		
			002033		09/28/2021	502-4710-471.59-75	401.00		
							1,124.00	*	1,124.00
13939	1023	XEROX	001938		09/28/2021	101-1020-413.70-01	33.92		
			001939		09/28/2021	101-1025-415.70-01	33.92		
			001940		09/28/2021	101-1030-414.70-01	54.27		
			001941		09/28/2021	101-1035-416.70-01	33.92		
			001942		09/28/2021	101-1040-417.70-01	33.92		
			001943		09/28/2021	101-2025-424.70-01	33.92		
			001944		09/28/2021	101-2030-423.70-01	33.92		
			001945		09/28/2021	101-3010-431.70-01	13.57		
			001946		09/28/2021	510-4410-405.70-01	67.82		
			002034		09/28/2021	101-5774-452.74-20	120.14		
							459.32	*	459.32
13940	3842	XIO, INC.	002072		09/28/2021	502-4710-471.31-90	120.00		
							120.00	*	120.00
13941	3828	3D-NETWORKS LLC	001766		09/28/2021	509-4910-479.31-90	2,675.00		
			001767		09/28/2021	509-4910-479.31-90	3,100.00		

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
13941	3828	3D-NETWORKS LLC	002026		09/28/2021	509-4910-479.52-13	1,000.66		
			002027		09/28/2021	509-4910-479.31-90	2,912.50		
			002074		09/28/2021	503-4720-475.61-02	550.00		
							10,238.16	*	10,238.16
						BANK/CHECK TOTAL	674,363.72		674,363.72
						ALL BANKS/CHECKS TOTAL	674,363.72		674,363.72

CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR SEPTEMBER 10, 2021

		DEPT. AMT.	FUND AMT.	10-Sep	21-22 BUDGET
FUND 101	GENERAL FUND	$ 14,029.78			
101.1015.412	CITY ATTORNEY	$ -		$ 5,800.00	$80,000
101.1020.413	CITY MANAGER	$ 1,031.40		$ 44,243.53	$204,293
101.1025.415	FINANCE DEPT.	$ 4,243.11		$ 64,554.13	$528,654
101.1030.414	CITY CLERK/COUNCIL/MAYOR	$ 287.75		$ 21,827.17	$201,933
101.1035.416	PLANNING /ZONING	$ 746.10		$ 26,743.24	$299,577
101.1040.417	ENGINEERING	$ 1,247.10		$ 34,138.26	$247,804
101.1060.410	COMMUNITY PROMOTIONS	$ -		$ -	$69,770
101.1070.410	SENIOR CENTER	$ -		$ 6,917.65	$55,404
101.2010.421	SHERIFF	$ -		$ 499,079.00	$2,944,931
101.2020.423	ANIMAL SHELTER/CONTROL	$ 1,276.46		$ 24,456.28	$234,591
101.2025.424	BULDING & SAFETY	$ 2,371.68		$ 74,819.34	$379,636
101.2030.423	CODE ENFORCEMENT	$ 4,028.00		$ 70,905.00	$571,775
101.3010.431	PUBLIC WORKS	$ 3,798.92		$ 210,282.74	$3,650,127
101.4730.472	SANITATION	$ 407.67		$ 25,082.25	$155,620
101.5770.452.	AQUATICS	$ -		$ 48,963.46	$180,845
101.5772.452	PARKS	$ 902.78		$ 55,210.64	$466,589
101.5773.452	JACK SMITH PARK MARINA	$ 1,438.81		$ 20,469.24	$135,838
101.5774.452	RECREATION	$ 2,213.09		$ 46,824.83	$347,431
GENERAL FUND	TOTAL ALL GF DEPARTMENTS		$ 38,022.65		$10,754,818
FUND 205	CDBG		$ -	$ 1,316.00	$27,174
FUND 206	CEMETERY		$ 683.82	$ 26,696.62	$205,141
FUND 208	CALTRANS GRANTS		$ -	$ 800,000.00	$800,000
FUND 209	NARCOTICS FORFEITURE		$ -	$ -	$0
FUND 210	SPECIAL GAS TAX		$ -	$ 22,626.00	$235,135
FUND 213	DEPT OF HOUSE. & COMM DEVL		$ -	$ -	$112,810
FUND 214	SANBAG NEW LOCAL MEAS I		$ -	$ 1,247.08	$91,760
FUND 225	COPS-AB 3229 SUPPLEMENTAL		$ -	$ 20,835.64	$283,431
FUND 235	INTERSTATE COMM/I40 J ST.		$ -	$ -	$0
FUND 239	CA.CONSERV RECYLING GRANT		$ -	$ -	$5,000
FUND 240	EL GARCES INTERMODAL		$ -	$ -	$0
FUND 241	SAFE RTS TO SCHOOL (SR2S)		$ -	$ -	$12,885
FUND 243	ACTIVE TRANSPORT PROGRAM		$ -	$ -	$0
FUND 270	REDEVELOPMENT AGENCY		$ -	$ -	$204,500
FUND 470	RDA CAP PROJ.LOW & MOD.		$ -	$ -	$300,000
FUND 501	NPUA		$ -	$ 2,950.00	$2,687,194
FUND 502	WATER DEPARTMENT		$ 5,256.24	$ 245,634.06	$2,001,236
FUND 503	WASTEWATER DEPARTMENT		$ 5,274.54	$ 202,522.87	$1,297,932
FUND 505	SANITATION		$ -	$ 133,730.48	$1,324,900
FUND 506	ALL AMERICAN CANAL PROJ.		$ 326.30	$ 9,438.03	$1,012,427
FUND 507	GOLF FUND	$ 918.92			
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	$ 2,436.29		$ 71,433.49	$731,730
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	$ 1,631.52		$ 29,771.16	$368,468
FUND 507	GOLF FUND TOTAL	$ -	$ 4,986.73		
FUND 508	CUST.SVC/UT BUSINESS OFFICE		$ 2,646.78	$ 40,084.27	$359,455
FUND 509	MIS		$ -	$ 31,485.70	$252,370
FUND 510	ADMIN. FACILITY		$ -	$ 18,365.64	$395,203
FUND 511	FLEET MANAGEMENT		$ 846.52	$ 18,237.48	$270,933
FUND 512	VEHICLE REPLACEMENT		$ -	$ -	$0
FUND 520	SR DIAL A RIDE		$ -	$ 6,835.10	$125,215
FUND 521	DIAL-A-RIDE MEDICAL TRANS.		$ -	$ 2,530.58	$40,458
FUND 525	NEEDLES AREA TRANSIT (NAT)		$ -	$ 50,532.22	$494,264
FUND 580	ELECTRIC		$ 18,075.03	$ 599,692.79	$6,241,073
FUND 581	NPUA CAPITAL ELECTRIC		$ -		$26,552
FUND 582	NPUA CAPITAL WATER		$ -	$ 6,865.00	$161,102
FUND 583	NPUA CAPITAL WASTEWATER		$ -	$ 1,076.35	$2,218
FUND 650	IMPACT FEES NORTH NEEDLES		$ -	$ -	$0
FUND 651	IMPACT FEES SOUTH AREAS		$ -		$0
TOTAL	ALL FUNDS & DEPARTMENTS		$ 76,118.61	$ 3,624,223.32	$30,825,384

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

Kippy Poulson, City Treasurer — Date 9/20/21

Sylvia Miledi 9/9/21
Sylvia Miledi, Director of Finance — Date

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
13850	3319	00	CITY EMPLOYEES ASSOCIATES	09/10/2021	160.00	.00
13851	3286	00	COLONIAL LIFE	09/10/2021	2,598.98	.00
13852	3399	00	COURT-ORDERED DEBT COLLECTIONS	09/10/2021	59.08	.00
13853	1305	00	GREAT WEST LIFE	09/10/2021	4,895.00	.00
13854	3634	00	GREAT-WEST LIFE & ANNUTIY	09/10/2021	290.85	.00
13855	1199	00	SBPEA TEAMSTERS LOCAL 1932	09/10/2021	800.08	.00
13856	3242	00	SDRMA	09/10/2021	67,314.62	.00

NUMBER OF CHECKS 7 GRAND TOTAL 76,118.61

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
13850	3319	CITY EMPLOYEES ASSOCIATES	001705		09/10/2021	101-0000-209.03-01	120.00		
			001706		09/10/2021	580-0000-209.03-01	20.00		
			001707		09/10/2021	502-0000-209.03-01	20.00		
							160.00	*	160.00
13851	3286	COLONIAL LIFE	001671		09/10/2021	101-0000-209.03-01	2,238.44		
			001672		09/10/2021	502-0000-209.03-01	87.28		
			001673		09/10/2021	508-0000-209.03-01	149.32		
			001674		09/10/2021	580-0000-209.03-01	123.94		
							2,598.98	*	2,598.98
13852	3399	COURT-ORDERED DEBT COLLEC	001708		09/10/2021	101-0000-209.03-01	59.08		
							59.08	*	59.08
13853	1305	GREAT WEST LIFE & ANNUITY	001656		09/10/2021	101-0000-209.03-01	3,090.00		
			001657		09/10/2021	502-0000-209.03-01	125.00		
			001658		09/10/2021	507-0000-209.03-01	40.00		
			001659		09/10/2021	580-0000-209.03-01	1,640.00		
							4,895.00	*	4,895.00
13854	3634	GREAT-WEST LIFE & ANNUITY	001660		09/10/2021	101-0000-209.01-00	38.13		
			001661		09/10/2021	101-0000-209.01-00	24.27		
			001662		09/10/2021	580-0000-209.01-00	174.52		
			001663		09/10/2021	580-0000-209.01-00	53.93		
							290.85	*	290.85
13855	1199	SBPEA TEAMSTERS LOCAL 193	001664		09/10/2021	101-0000-209.03-01	352.52		
			001665		09/10/2021	502-0000-209.03-01	108.39		
			001666		09/10/2021	503-0000-209.03-01	20.66		
			001667		09/10/2021	507-0000-209.03-01	57.42		
			001668		09/10/2021	508-0000-209.03-01	50.18		
			001669		09/10/2021	511-0000-209.03-01	30.76		
			001670		09/10/2021	580-0000-209.03-01	180.15		
							800.08	*	800.08
13856	3242	SPECIAL DISTRICT RISK	001675		09/10/2021	101-1020-413.24-10	1,031.40		
			001676		09/10/2021	101-1025-415.24-10	4,243.11		
			001677		09/10/2021	101-1030-414.24-10	287.75		
			001678		09/10/2021	101-1035-416.24-10	746.10		
			001679		09/10/2021	101-1040-417.24-10	1,247.10		
			001680		09/10/2021	101-2020-423.24-10	1,276.46		
			001681		09/10/2021	101-2025-424.24-10	2,371.68		
			001682		09/10/2021	101-2030-423.24-10	4,028.00		
			001683		09/10/2021	101-3010-431.24-10	3,798.92		
			001684		09/10/2021	101-4730-472.24-10	407.67		
			001685		09/10/2021	101-5772-452.24-10	902.78		
			001686		09/10/2021	101-5773-452.24-10	1,438.81		
			001687		09/10/2021	101-5774-452.24-10	2,213.09		
			001688		09/10/2021	101-0000-209.03-01	8,107.34		
			001689		09/10/2021	206-5771-452.24-10	534.36		

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
13856	3242	SPECIAL DISTRICT RISK	001690		09/10/2021	206-0000-209.03-01	149.46		
			001691		09/10/2021	502-4710-471.24-10	4,915.57		
			001692		09/10/2021	503-4720-475.24-10	3,287.50		
			001693		09/10/2021	503-0000-209.03-01	772.20		
			001694		09/10/2021	506-4713-477.24-10	257.90		
			001695		09/10/2021	506-0000-209.03-01	68.40		
			001696		09/10/2021	507-5761-453.24-10	2,436.29		
			001697		09/10/2021	507-0000-209.03-01	821.50		
			001698		09/10/2021	507-5762-454.24-10	1,631.52		
			001699		09/10/2021	508-4810-478.24-10	1,934.28		
			001700		09/10/2021	508-0000-209.03-01	513.00		
			001701		09/10/2021	511-3020-432.24-10	644.76		
			001702		09/10/2021	511-0000-209.03-01	171.00		
			001703		09/10/2021	580-4750-473.24-10	12,836.39		
			001704		09/10/2021	580-0000-209.03-01	3,046.10		
			001709		09/10/2021	503-0000-209.03-01	1,194.18		
							67,314.62	*	67,314.62
						BANK/CHECK TOTAL	76,118.61		76,118.61
						ALL BANKS/CHECKS TOTAL	76,118.61		76,118.61

CITY OF NEEDLES CITY COUNCIL
WARRANT SUMMARY TOTALS FOR SEPTEMBER 14, 2021

		DEPT. AMT.	FUND AMT.	14-Sep	21-22 BUDGET
FUND 101	GENERAL FUND	$ -			
101.1015.412	CITY ATTORNEY	$ -		$ 5,800.00	$80,000
101.1020.413	CITY MANAGER	$ -		$ 44,243.53	$204,293
101.1025.415	FINANCE DEPT.	$ -		$ 64,554.13	$528,654
101.1030.414	CITY CLERK/COUNCIL/MAYOR	$ 59.00		$ 21,827.17	$201,933
101.1035.416	PLANNING /ZONING	$ -		$ 26,743.24	$299,577
101.1040.417	ENGINEERING	$ -		$ 34,138.26	$247,804
101.1060.410	COMMUNITY PROMOTIONS	$ -		$ -	$69,770
101.1070.410	SENIOR CENTER	$ -		$ 6,917.65	$55,404
101.2010.421	SHERIFF	$ -		$ 499,079.00	$2,944,931
101.2020.423	ANIMAL SHELTER/CONTROL	$ -		$ 24,456.28	$234,591
101.2025.424	BULDING & SAFETY	$ -		$ 74,819.34	$379,636
101.2030.423	CODE ENFORCEMENT	$ 59.00		$ 70,905.00	$571,775
101.3010.431	PUBLIC WORKS	$ -		$ 210,282.74	$3,650,127
101.4730.472	SANITATION	$ -		$ 25,082.25	$155,620
101.5770.452.	AQUATICS	$ -		$ 48,963.46	$180,845
101.5772.452	PARKS	$ -		$ 55,210.64	$466,589
101.5773.452	JACK SMITH PARK MARINA	$ -		$ 20,469.24	$135,838
101.5774.452	RECREATION	$ -		$ 46,824.83	$347,431
GENERAL FUND	TOTAL ALL GF DEPARTMENTS		$ 118.00		$10,754,818
FUND 205	CDBG		$ -	$ 1,316.00	$27,174
FUND 206	CEMETERY		$ 2,760.00	$ 26,696.62	$205,141
FUND 208	CALTRANS GRANTS		$ -	$ 800,000.00	$800,000
FUND 209	NARCOTICS FORFEITURE		$ -	$ -	$0
FUND 210	SPECIAL GAS TAX		$ -	$ 22,626.00	$235,135
FUND 213	DEPT OF HOUSE. & COMM DEVL		$ -	$ -	$112,810
FUND 214	SANBAG NEW LOCAL MEAS I		$ -	$ 1,247.08	$91,760
FUND 225	COPS-AB 3229 SUPPLEMENTAL		$ -	$ 20,835.64	$283,431
FUND 235	INTERSTATE COMM/I40 J ST.		$ -	$ -	$0
FUND 239	CA.CONSERV RECYLING GRANT		$ -	$ -	$5,000
FUND 240	EL GARCES INTERMODAL		$ -	$ -	$0
FUND 241	SAFE RTS TO SCHOOL (SR2S)		$ -	$ -	$12,885
FUND 243	ACTIVE TRANSPORT PROGRAM		$ -	$ -	$0
FUND 270	REDEVELOPMENT AGENCY		$ -	$ -	$204,500
FUND 470	RDA CAP PROJ.LOW & MOD.		$ -	$ -	$300,000
FUND 501	NPUA		$ -	$ 2,950.00	$2,687,194
FUND 502	WATER DEPARTMENT		$ -	$ 245,634.06	$2,001,236
FUND 503	WASTEWATER DEPARTMENT		$ -	$ 202,522.87	$1,297,932
FUND 505	SANITATION		$ -	$ 133,730.48	$1,324,900
FUND 506	ALL AMERICAN CANAL PROJ.		$ -	$ 9,438.03	$1,012,427
FUND 507	GOLF FUND	$ -			
FUND 507-5761-453	GOLF MAINTENANCE DEPARTMENT	$ 64.50		$ 71,433.49	$731,730
FUND 507-5762-454	GOLF PRO SHOP DEPARTMENT	$ -		$ 29,771.16	$368,468
FUND 507	GOLF FUND TOTAL	$ -	$ 64.50		
FUND 508	CUST.SVC/UT BUSINESS OFFICE		$ 485.00	$ 40,084.27	$359,455
FUND 509	MIS		$ -	$ 31,485.70	$252,370
FUND 510	ADMIN. FACILITY		$ -	$ 18,450.64	$395,203
FUND 511	FLEET MANAGEMENT		$ -	$ 18,237.48	$270,933
FUND 512	VEHICLE REPLACEMENT		$ -	$ -	$0
FUND 520	SR DIAL A RIDE		$ -	$ 6,835.10	$125,215
FUND 521	DIAL-A-RIDE MEDICAL TRANS.		$ -	$ 2,530.58	$40,458
FUND 525	NEEDLES AREA TRANSIT (NAT)		$ -	$ 50,532.22	$494,264
FUND 580	ELECTRIC		$ -	$ 599,692.79	$6,241,073
FUND 581	NPUA CAPITAL ELECTRIC		$ -		$26,552
FUND 582	NPUA CAPITAL WATER		$ -	$ 7,605.00	$161,102
FUND 583	NPUA CAPITAL WASTEWATER		$ -	$ 1,076.35	$2,218
FUND 650	IMPACT FEES NORTH NEEDLES		$ -	$ -	$0
FUND 651	IMPACT FEES SOUTH AREAS		$ -		$0
TOTAL	ALL FUNDS & DEPARTMENTS		$ 3,427.50	$ 3,625,048.32	$30,825,384

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 9/2/21
Rick Daniels, City Manager — Date

Sylvia Miledi 9/9/21
Sylvia Miledi, Director of Finance — Date

Kippy Poulson 9/20/21
Kippy Poulson, City Treasurer — Date

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
13857	3313	00	BLUE RIVER WATER CORP.	09/14/2021	64.50	.00
13858	3984	00	UTAH HEADSTONE DESIGN LLC	09/14/2021	2,760.00	.00
13859	1741	00	V & L LASER LLC	09/14/2021	603.00	.00

NUMBER OF CHECKS 3 GRAND TOTAL 3,427.50

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
13857	3313	BLUE RIVER WATER CORP.	001626		09/14/2021	507-5761-453.43-17	64.50		
							64.50	*	64.50
13858	3984	UTAH HEADSTONE DESIGN LLC	001623		09/14/2021	206-5771-452.43-45	2,760.00		
							2,760.00	*	2,760.00
13859	1741	V & L LASER LLC	001627		09/14/2021	508-4810-478.61-02	198.00		
			001628		09/14/2021	508-4810-478.61-02	198.00		
			001629		09/14/2021	101-1030-414.61-01	59.00		
			001630		09/14/2021	508-4810-478.61-02	89.00		
			001631		09/14/2021	101-2030-423.61-02	59.00		
							603.00	*	603.00
						BANK/CHECK TOTAL	3,427.50		3,427.50
						ALL BANKS/CHECKS TOTAL	3,427.50		3,427.50

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

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

Background: In April 2021, the city received a new all-in-one law enforcement trailer which replaced a 2000 smart speed trailer that was outdated and no longer serviceable. Captain Tarangle has now submitted the attached quote from Vigilant Solutions LLC for the purchase and installation of the license plate reader . As this product is compatible with the sheriff's dept. computer systems, the vendor is sole source for all license plate readers operated by that department throughout the county.

Fiscal Impact: $19,321.25 includes sales tax to come from COPS grant funding (#225-2010-421.72-17)

COPS currently has a cash balance of $147,000

Environmental Impact: N/A

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

Finance Director: Sm

Submitted By: Ross Tarangle/Cheryl Sallis

City Management Review: Rick **Date:** 9/20/21

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

Agenda Item: 8

Q:\council\council cover sheet 9-28-21 - license plate reader for radar trailer.doc/cks

RESOLUTION NO. 2021-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, WAIVING THE SEALED BID PROCESS AND ACCEPTING A QUOTE FROM VIGILANT SOLUTIONS LLC IN THE AMOUNT OF $19,321.25 FOR PURCHASE AND INSTALLATION OF A LICENSE PLATE READER TO BE INSTALLED ON A 2021 ATS/ATS-5 RADAR TRAILER USING COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT FUNDS

WHEREAS, the City of Needles contracts with the San Bernardino County Sheriff's Dept. for law enforcement services; and

WHEREAS, on recommendation of the Captain of the Colorado River Station/Needles Police Dept, the City Council authorized purchase of a law enforcement trailer to perform all-in-one functions including speed awareness, message posting, and license plate reader from All Traffic Solutions; and

WHEREAS, the license plate reader technology is of a specialized nature and must be compatible with the existing Sheriff's Dept. computer system; and

WHEREAS, Vigilant Solutions LLC has provided a project quotation for the purchase and installation of such a system on a 2021 ATS/ATS-5 radar trailer; and

WHEREAS, Vigilant Solutions is a County of San Bernardino sole source for all license plate readers operated by the Sheriff's Dept. throughout the county as the product is compatible with the Department's computer system.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Needles, California, hereby waives the sealed bid process and accepts a project quotation from Vigilant Solutions LLC in the amount of $19,321.25 for purchase and installation of license plate reader to be installed on a 2021 ATS/ATS-5 radar trailer using COPS grant funding for such purchase.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 28th day of September, 2021, by the following roll call vote:

AYES: COUNCIL MEMBERS

NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(SEAL)

ATTEST:_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

VIGILANT SOLUTIONS

Quote for:
The City Of Needles

Attn:
David Wagner

Reference:
Trailer Retrofit, 5 Years (Install)

Quote By:
Daniel Ramsden

Date:
09-08-21

VIGILANT SOLUTIONS

VIGILANT SOLUTIONS	**Vigilant Solutions, LLC** **1152 Stealth Street** **Livermore, California 94551** **(P) 925-398-2079 (F) 925-398-2113**	MOTOROLA SOLUTIONS

Issued To:	The City Of Needles - Attention: David Wagner	Date:	09-08-21
Project Name:	Trailer Retrofit, 5 Years (Install)	Quote ID:	DAR-1430-06

PROJECT QUOTATION

We at Vigilant Solutions, LLC are pleased to quote the following systems for the above referenced project:

Qty	Item #	Description
(1)	VT-TRL-2-55-L5F	**25mm L5F Upfit Kit** • LPR Upfit kit for conversion of a standard VMS, speed or other similar trailer to include LPR o (2) 25mm L5F Cameras o 10.1" Rugged Tablet with Intel 8th Generation Core i7 processor o Touchscreen Monitor o GPS/4G antenna o Cabling required for standard installations • Trailer must include the following: o 12V power system o Internal mounting space for LPR processing unit and monitor o Suitable mounting location for LPR cameras
(5)	VSBSCSVC-04	**Vigilant LPR Basic Service Package for Hosted/Managed LPR Deployments** • Managed/hosted server account services by Vigilant o Includes access to all LEARN or Client Portal and CarDetector software updates • Priced per camera per year for over 60 total camera units • Requires new/existing Enterprise Service Agreement (ESA)
(1)	SSU-SYS-COM	**Vigilant System Start Up & Commissioning of 'In Field' LPR system** • Vigilant technician to visit customer site • Includes system start up, configuration and commissioning of LPR system • Applies to mobile (1 System) and fixed (1 Camera) LPR systems
(1)	VS-TRVL-01	**Vigilant Travel via Client Site Visit** • Vigilant certified technician to visit client site • Includes all travel costs for onsite support services
(1)	VS-SHP-02	**Vigilant Shipping Charges - Fixed or Comms** • Applies to each fixed camera LPR System • Or Communication Box Purchased without LPR System • Shipping Method is FOB Shipping
(1)	Install	**Install of LPR equipment.**

(1)	Sales tax	**7.75% sales tax on hardware (Needles, Ca).**	
Subtotal Price			**$19,321.25**

Quote Notes:

1. All prices are quoted in USD and will remain firm and in effect for 60 days.
2. Returns or exchanges will incur a 15% restocking fee.
3. Orders requiring immediate shipment may be subject to a 15% QuickShip fee.
4. Start Up and Training services are exclusive of travel costs - Cost to be borne BY OTHERS.
5. This Quote is provided per our conversation & details given by you - not in accordance to any written specification.
6. This Quote does not include anything outside the above stated bill of materials.
7. Install included.
8. Sales tax included.
9. 5 year of hosting included.

Quoted by: Daniel Ramsden - 925-398-2079 - daniel.ramsden@vigilantsolutions.com

Total Price	**$19,321.25**

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Receive and file the Transportation Development Act Triennial Performance Audit for Fiscal Years 2018 - 2020 for the Needles Transit Services

Background: Every three years, the San Bernardino County Transportation Authority (SBCTA) has a triennial audit performed on the Needles Transit Services (Needles Area Transit, Dial-a-Ride, and Dial-a-Ride Medical Transport/Shopper Shuttle). Attached is the audit for the 2018-2020 fiscal years. Three recommendations were made as part of this audit:

1. Ensure timely completion and submittal of the Transit Operators Financial Transactions Reports to the State Controller. (High Priority)

Auditor Comments: In the compliance review section, it was found that the City submitted its Transit Operators Financial Transactions Reports to the State Controller after the statutory deadline during all three years of the audit period. Pursuant to PUC Section 99243, the report is due within seven months after the end of the fiscal year, which is on or before January 31. The submission of reports to the State Controller in a timely manner will further demonstrate the City's proactive approach to compliance with state reporting instructions.

Action taken to implement: Response by City's finance director - Our auditors complete and submit this report for us based on our Trial Balance reports. We are lacking detailed notes as to why the reports were submitted late for those years. It could have been a number of delays, just not sure.

SBCTA - Retains the auditing firm that prepares the transit audit and State Controller's Reports for filing and has met with the auditors and advised that timely completion and filing of these reports is to be a priority.

2. Ensure key performance indicators such as accidents, incidents, road calls, and deadhead service data are reported and monitored in TransTrack Manager. (High Priority)

Auditor Comments: The City has been proficient in its utilization of TransTrack Manager in the reporting of system performance metrics. However, data for some performance categories such as miles between NTD reportable accidents, number of reportable accidents, system failures, and road calls are not reported in TransTrack. While

#9

reportable accident data are reported in the NTD, they did not get transferred into TransTrack. It is suggested that data for these vehicle performance categories be included and monitored in TransTrack.

Action taken to implement: While noting that there have been no accidents, NTD reportable or otherwise, implemented July 2021

3. Reinstate the Google Transit trip planning tool on the Needles Transit Services web page. (Medium Priority)

Auditor Comments: This recommendation is being carried forward in this audit for full implementation. It is recommended that staff work to reinstate the Google Transit trip planner as well as a Google Translate widget feature for non-English-speaking users.

Action taken to implement: The City's IT contractor is aware of this recommendation and will restore the Google transit trip planner on the City's website as soon as possible but no later than December 1, 2021

Fiscal Impact: N/A

Environmental Impact: N/A

Recommended Action: MOVE to receive and file the Transportation Development Act Triennial Performance Audit for Fiscal Years 2018 - 2020 for the Needles Transit Services.

Submitted By: Cheryl Sallis, Community Services Manager

City Management Review: Rick **Date:** 9/20/21

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

Agenda Item: 9

FY 2018–2020 TRIENNIAL PERFORMANCE AUDIT

sb cta
san bernardino county transportation authority

NEEDLES TRANSIT SERVICES



August 2021

Submitted to:

San Bernardino County Transportation Authority

Submitted by:

Michael Baker INTERNATIONAL

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Executive Summary

The San Bernardino County Transportation Authority (SBCTA) engaged Michael Baker International (Michael Baker) to conduct the Transportation Development Act (TDA) triennial performance audit of the five public transit operators under its jurisdiction. The performance audit serves to ensure accountability in the use of public transportation revenue. This performance audit is conducted for Needles Transit Services (Needles, City) covering the most recent triennial period, fiscal years 2017–18 through 2019–20.

The audit includes a review of the following areas:

- Compliance with TDA Requirements
- Status of Prior Audit Recommendations
- Transit System Performance Trends
- Detailed Functional Review

From the review, recommendations were developed to improve the operational efficiency and effectiveness of Needles Transit Services.

Compliance with TDA Requirements

Of the compliance requirements pertaining to Needles Transit Services, the operator complied with eight out of nine requirements. The City was not in compliance regarding the timely submittal of its Transit Operator Financial Transactions Reports. Two additional compliance requirements did not apply to Needles Transit Services (i.e., blended and urban farebox recovery ratios).

Status of Prior Audit Recommendations

Needles satisfactorily implemented one out of the two prior audit recommendations. The completed recommendation pertained to the use of local support funds to enhance farebox revenues. The second recommendation, pertaining to the implementation of electronic and mobile trip planning tools, was partially implemented, and is carried forward in this audit for full implementation.

System Performance Trends

1. NAT exceeded its annual fare recovery ratio, although the FY 2020 farebox recovery ratio dipping to 10.17 percent in FY 2020 in large part to the COVID-19 pandemic and state shelter-in-place order during the last quarter of that year. The Dial-A-Ride farebox recovery ratio exceeded 15 percent during the audit period with the contribution of local Measure I support funding. Transit services are funded by TDA Article 8(c). The SBCTA board adopted

performance criteria for Needles Transit Services that set the system-wide farebox recovery ratio at 10 percent.[1]

2. Operating costs system-wide increased by 22.6 percent from the FY 2017 base year through FY 2020 based on audited financial data. Deviated fixed route operating costs increased by 20.5 percent and Dial-A-Ride costs increased by 40.2 percent based on audited financial and internal data. The annualized growth in operating costs for the deviated fixed route was 6.6 percent and 12.6 percent for Dial-A-Ride. The increase in operating costs is due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020.

3. Ridership decreased 3.2 percent system-wide, consisting of a 7.2 percent decrease on deviated fixed route. In contrast, there was 23.4 percent increase in Dial-A-Ride ridership from the FY 2017 base year to FY 2020. Ridership on Dial-A-Ride increased 13 percent in FY 2018 followed by a 6.6 percent increase in FY 2019. The overall declines in ridership are attributed to lower retail fuel prices as well as reduced commercial activity in Needles involving the closure of a major chain store and a restaurant. The increase in ridership on Dial-A-Ride is attributed to the implementation of the Shopper Shuttle. In consideration of the COVID-19 pandemic impacts toward the latter part of FY 2020 and the adverse impacts on transit, system-wide ridership decreased 5.8 percent. Ridership decreased 22.9 percent in the second quarter of FY 2020, followed by a 12.1 percent decrease in the third quarter, and 26.3 percent decrease in the fourth quarter, when the statewide shelter-in-place order was in full effect.

4. Operating cost per passenger, an indicator of cost effectiveness, increased by 26.7 percent system-wide from $12.94 in the FY 2017 base year to $16.39 in FY 2020. Cost per passenger increased by a comparable 29.9 percent on the NAT deviated fixed route service and 15.1 percent on Dial-A-Ride. The trend in this indicator reflects the increase in operating costs in contrast to the decrease in ridership. In consideration of the pandemic toward the latter part of FY 2020 and the adverse impacts on transit, system-wide cost per passenger was $11.23 in the first quarter of FY 2020, $16.43 in the second quarter, $17.84 in the third quarter, and $24.69 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per passenger in FY 2020 was $17.55.

5. Operating cost per hour, an indicator of cost efficiency, increased 6.8 percent system-wide from $89.08 in the FY 2017 base year to $95.12 in FY 2020. Cost per hour on the deviated increased 15.5 percent. Dial-A-Ride exhibited a 0.7 percent increase in this indicator. The

[1] It is noted that the audited farebox ratio in FY 2020 was adversely impacted from the COVID-19 pandemic and state shelter-in-place order. Local funds (Measure I) were applied by the operator to supplement farebox revenues to satisfy the 10 percent fare ratio for the deviated fixed route and the 15 percent fare ratio for Dial-A-Ride as permitted by Section 99268.19.

trend in this indicator reflects the increase in operating costs in contrast to the modest increase in vehicle service hours. In consideration of the COVID-19 pandemic impacts toward the end of FY 2020, system-wide cost per hour was $89.76 in the first quarter, $100.91 in the second quarter, $93.69 in the third quarter, and $96.12 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per hour in FY 2020 was $95.12.

6. Passengers per vehicle service hour, which measures the effectiveness of the service delivered, decreased 15.7 percent system-wide from 6.9 passengers in the FY 2017 base year to 5.8 passengers per hour in FY 2020. This indicator decreased 11.1 percent for deviated fixed route and by 12.5 percent for Dial-A-Ride. The trends are indicative of the decrease in passenger trips in contrast to the increase in vehicle service hours. During FY 2020, passengers per hour system-wide were 8.0 in the first quarter, 6.1 in the second quarter, 5.3 in the third quarter, and 3.9 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average number of passengers per hour in FY 2020 was 5.8 passengers.

Functional Review

1. NAT expanded service hours on Saturday from 10:00 a.m. to 5:00 p.m., effective July 2017. Prior to this change, Saturday hours were from 10:00 a.m. to 2:00 p.m. Riders have requested service later in the evenings and on Sundays.

2. A fare increase was implemented during the audit period in July 2017. General public fares increased from $1.25 to $1.30 per trip. The City implemented a second fare increase in July 2018 from $1.30 to $1.35 per trip. Fares were also increased on the Dial-A-Ride and Dial-A-Ride medical services. The City is considering another fare increase pending the findings from the COVID-19 fare analysis being conducted by SBCTA.

3. The City implemented the Shopper Shuttle Pilot Program on July 10, 2019 in response to rider demand for shopping options upon closure of a major grocer within the City. The Shopper Shuttle operates on Wednesday on a prepaid, reservation basis departing Needles at 8:15 a.m. and returning by 12:30 p.m. The prepaid round trip fare is $9.00.

4. In December 2018, the City received a notice of termination of the operating contract from RATP Dev/McDonald Transit Associates Inc. The City released a Request for Proposals (RFP) in March 2019 with no responses received. The RFP was reissued in May 2019 and two proposals were received. In September 2019, the City Council approved a contract with Transportation Concepts to provide operations of the local fixed and deviated route transit services and Dial-a-Ride services including senior and disabled demand response and DAR Medical Transport/Shopper Shuttle for the period starting October 1, 2019, to June 30, 2023.

5. The Needles Transit Services Short Range Transit Plan (SRTP) 2020–2025 was completed in January 2020 and adopted by the City Council in February 2020. The SRTP update included a series of passenger and community surveys to determine service needs and trends. There were four financially constrained recommendations in the 2020-2025 SRTP.

6. In collaboration with SBCTA, the City participated in the Transit Marketing and Fare Study Project in 2018 to encourage and promote transit ridership through a targeted marketing campaign. The project was a multi-phase effort that included a market research report and marketing brief. The project was funded through the Low Carbon Transit Operations Program (LCTOP). Marketing collateral and initiatives that were implemented included enhanced flyers and posters promoting the NAT service, and free ride campaigns.

Recommendations

Performance Audit Recommendation	Background	Timeline
1. Ensure timely completion and submittal of the Transit Operators Financial Transactions Reports to the State Controller.	In the compliance review section, it was found that the City submitted its Transit Operators Financial Transactions Reports to the State Controller after the statutory deadline during all three years of the audit period. Pursuant to Public Utilities Code Section 99243, the report is due within seven months after the end of the fiscal year, which is on or before January 31. The submission of reports to the State Controller in a timely manner will further demonstrate Needles' proactive approach to compliance with state reporting instructions.	High Priority
2. Ensure key performance indicators such as accidents, incidents, road calls, and deadhead service data are reported in TransTrack Manager.	Needles has been proficient in its utilization of TransTrack Manager in the reporting of system performance metrics. A review of the quarterly performance scorecard in TransTrack confirmed that most performance indicators and data are being reported, such as farebox recovery ratio, operating costs per revenue hour and mile, passengers per revenue hour and mile, complaints, and on-time performance. However, data for some performance categories such as miles between National Transit Database (NTD) reportable accidents,	High Priority

Performance Audit Recommendation	Background	Timeline
	number of reportable accidents, system failures, and road calls are not reported in TransTrack. While reportable accident data are reported in the NTD, they did not get transferred into TransTrack. In addition, although the incidents of road calls were negligible during the audit period, they were not reported. Also, because the transit vehicles must be transported to Blythe (almost 100 miles one-way) to a Transportation Concepts facility for major maintenance and repairs, deadhead service hours and miles could build up which impact vehicle life. It is suggested that data for these vehicle performance categories be included and monitored in TransTrack.	
3. Reinstate the Google Transit trip planning tool on the Needles Transit Services web page.	This recommendation is being carried forward in this audit for full implementation. The City implemented the Google Transit trip planner on the transit page of the City's website in mid-2018 as part of the transit marketing campaign funded through a LCTOP grant. However, in mid to late 2019, a new City website was created and went live without the Google Transit trip planner feature being transferred. As of this report, the Google Transit trip planner has yet to be restored on the transit page of the City of Needles website. It is recommended that staff work to reinstate the Google Transit trip planner as well as a Google Translate widget feature for non-English-speaking users.	Medium Priority

Section I

Introduction

California's Transportation Development Act (TDA) requires that a triennial performance audit be conducted of public transit entities that receive TDA revenues. The performance audit serves to ensure accountability in the use of public transportation revenue.

The San Bernardino County Transportation Authority (SBCTA) engaged Michael Baker International (Michael Baker) to conduct the TDA triennial performance audit of the five public transit operators under its jurisdiction in San Bernardino County. This performance audit is conducted for Needles Transit Services (also referred to as the City in this report) covering the most recent triennial period, fiscal years 2017–18 through 2019–20.

The purpose of the performance audit is to evaluate the effectiveness and efficiency of Needles Transit Services in its use of TDA funds to provide public transportation in its service area. This evaluation is required as a condition for continued receipt of these funds for public transportation purposes. In addition, the audit evaluates the City's compliance with the conditions specified in the California Public Utilities Code (PUC). This task involves ascertaining whether the City is meeting the PUC's reporting requirements. Moreover, the audit includes calculations of transit service performance indicators and a detailed review of the transit administrative functions. From the analysis that has been undertaken, a set of recommendations has been made which is intended to improve the performance of transit operations.

In summary, this TDA audit affords the opportunity for an independent, constructive, and objective evaluation of the organization and its operations that otherwise might not be available. The methodology for the audit included in-person interviews with city transit management as well as on-site management from the new contract operator, collection and review of agency documents, data analysis, and on-site observations. The *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Entities* published by the California Department of Transportation (Caltrans) was used to guide in the development and conduct of the audit.

Overview of the Transit System

Transit services have operated in Needles since the early 1980s when the City of Needles contracted Dial-A-Ride services with the Needles Senior Citizens Club, a nonprofit corporation. A transit needs study commissioned in 1994 paved the way for a fixed-route transit service for general public use. As a result, Needles Area Transit (NAT) commenced service in 1995, consisting of a deviated fixed route. NAT is administered by the City of Needles and, during most of the audit period, was operated under a contract with RATP Dev North America/McDonald Transit Associates, Inc. A separate Dial-A-Ride service for seniors and persons with disabilities continued to be operated under contract by the Needles Senior Citizens Club. Dial-A-Ride provides trips within or around the city. In addition to the Dial-A-Ride service, the City (through

the Needles Senior Citizens Club) in October 2008 launched a medical transportation service for non-emergency medical trips to Fort Mohave and Bullhead City, Arizona. In July 2016, the City entered into a contract with McDonald Transit to assume operations of the Dial-a-Ride services.

In December 2018, the City was given notice by RATP Dev/McDonald Transit of their intention to terminate the operations contract. In response, the City issued a Request for Proposals (RFP) in March 2019 to solicit a replacement contract operator. After receiving no response, a second RFP was released in May 2019 and two bids were received. After a review and vetting process, Transportation Concepts of Irvine, California, was selected to operate Needles' transit services for an initial base contract term of October 1, 2019, to June 30, 2023. Together, NAT, Dial-A-Ride, and Dial-A-Ride Medical Transport/Shopper Shuttle Pilot Program form Needles Transit Services.

Needles is located at the east central edge of San Bernardino County along the western bank of the Colorado River opposite the state of Arizona. The city lies at the junction of Interstate 40 and US Route 95 and has a total land area of 30.81 square miles. Founded in 1883, Needles is a California charter city incorporated in 1913 and has a council-manager form of government. Based on the 2019 American Community Survey, 5-Year Estimates, the city's population was 4,965, of which 20.8 percent was age 65 or older. The 2021 population was estimated to be 5,353 as reported by the California Department of Finance.

System Characteristics

NAT provides a route deviation service that traverses many parts of the city. The service is divided into two loops that intersect at Broadway and G Street: North-South Loop and West Loop. The West Loop departs Broadway and G Street on the hour and returns to the G Street stop 25 minutes after the hour. The bus continues on the North-South Loop departing G Street on the half-hour and returns to G Street 55 minutes after the hour. There are 38 time points on the route. Route deviations are offered on a same-day basis provided there is sufficient time built into the schedule. Most route deviations are accommodated since the drivers are familiar with repeat passengers who request a deviation, and the drivers have developed routes to efficiently pick up passengers while keeping to the published bus schedule.

The deviated fixed-route system operates from 7:00 a.m. to 6:55 p.m., Monday through Friday, and on Saturdays from 10:00 a.m. to 4:55 p.m. The service does not operate on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

The Dial-A-Ride service is provided to senior citizens (age 55 and older) and disabled persons on a prescheduled basis. The service is provided within Needles from 9:00 a.m. to 1:00 p.m., Monday through Friday. Within this time frame, a Lunch Bunch shuttle service is operated on weekdays from 11:00 a.m. to 1:00 p.m. Reservations are taken from 9:00 a.m. to 12:45 p.m.

Areas in the city not served by deviated fixed route but served by Dial-A-Ride include a mobile home park near the Five Mile area (Landing) and US Route 95 South in the southeastern portions of the city, and residential housing in the northern portions of Needles. Special runs sponsored

by the Senior Citizens Club are provided outside the city limits. Last call for same-day service is taken at 12:45 p.m. The window for a scheduled pickup is one-half hour: 15 minutes before the scheduled time and 15 minutes after. The service does not operate on weekends.

The medical transportation service operates between Needles, Fort Mohave and Bullhead City, Arizona, two days a week, Tuesday and Thursday. The service is available on a prescheduled first-come, first-served basis; depending on ridership needs, it departs from the Needles Senior Center at 9:15 a.m. and returns at approximately 3:15 p.m. There is a two-tier fare structure based on distance traveled with no discounts to seniors, disabled persons, students, or children.

Based on the onboard passenger survey responses conducted during the development of the *Needles Transit Services Short-Range Transit Plan (SRTP) 2020-2025* and the closure of the only grocery store in Needles in April 2018, the City implemented a Shopper Shuttle Pilot Program to Fort Mohave, Arizona, in July 2019. The Shopper Shuttle operates on Wednesdays from the west parking lot of El Garces Intermodal Transportation Facility at 8:15 a.m. with stops at the Walmart Supercenter, Safeway, Smith's Food and Drug, and CVS Pharmacy in Fort Mohave. The shuttle returns to Needles at 12:30 p.m., dropping residents off at their homes. Passengers pre-schedule and pre-pay trips up to 11:00 a.m. on the Tuesday prior to the day of service. As there is no local taxi service and very limited affordable vehicle rental availability in the city, the transit system is responsible for providing as much service as feasible.

Fares

The fare schedule for NAT and Dial-A-Ride is shown in the following table. Fare increases for the deviated fixed route were implemented in July 2017 (Resolution No. 2017-41) and in July 2018 (Resolution No. 2018-30). In conjunction with the July 2017 fare increase, NAT introduced a single boarding pass for the same price as a regular one-way cash fare.

Table I-1
NAT and Dial-A-Ride Fare Schedule

	Effective July 1, 2017		Effective July 1, 2018	
NAT Deviated Fixed Route	**Regular**	**Senior/ Disabled**	**Regular**	**Senior/ Disabled**
One Way	$1.30	$1.20	$1.35	$1.25
Route Deviation	$1.85	$1.75	$2.00	$1.90
30-Punch Pass	$36.00		$39.00	
Dial-A-Ride				
One Way	$1.00		$1.10	
Senior Lunch Bunch (Round Trip)	$1.00		$1.10	
Dial-A-Ride Medical Transport				
Between Needles Bridge North and Fort Mohave Medical Complex	$5.00		$6.00	
From Fort Mohave Medical Center up to Bullhead City/Laughlin Bridge	$10.00		$12.00	
Shopper Shuttle (Effective July 10, 2019)				

Pre-paid Round Trip Fare	$9.00

Source: Needles Transit Services

On NAT, up to two children 5 years of age or younger may ride free when accompanied by a fare-paying adult. The NAT 30-Punch Pass and Single Boarding Pass are available for purchase through the City of Needles. Persons with disabilities require a City-issued photo identification card to qualify for the senior/disabled fare on NAT.

Fleet

NAT has a fleet of three 18-passenger vehicles, two of which were acquired in 2018. The Needles Dial-A-Ride service operates three 7-passenger vehicles. Vehicles operated by both services are equipped with wheelchair lifts in conformance with the Americans with Disabilities Act (ADA) of 1990. Table I-2 shows the vehicle fleet and service type.

Table I-2
Vehicle Fleet

Year	Manufacturer	Quantity	Fuel Type	Service Type	Seating Capacity
2002	Ford	1	Gasoline	Dial-A-Ride	7 (2 W/C)
2008	El Dorado Aerolite 200	1	Gasoline	Dial-A-Ride	7 (2 W/C)
2009	Starcraft Starlite Type I Paratransit	1	Gasoline	Dial-A-Ride	7 (2 W/C)
2012	Elkhart Coach ECII	1	Gasoline	NAT	18 (2 W/C)
2018	Glaval Titan II	2	Gasoline	NAT	18 (2 W/C)
Total		**6**			

Source: Needles Transit Services
W/C = Wheelchair

The City retired one of its 2012 Elkhart Coach ECII vehicles operated on the NAT route in November 2018. In addition, the City took delivery of two 2018 Glaval Titan II vehicles during the audit period. All fixed route buses have six video cameras on-board. Future Dial-A-Ride replacement vehicles will also have cameras installed.

Section II

Operator Compliance Requirements

This section of the audit report contains the analysis of Needles' ability to comply with state requirements for continued receipt of TDA funds. The evaluation uses the guidebook *Performance Audit Guidebook for Transit Operators and Regional Transportation Planning Agencies* to assess transit operators. The guidebook contains a checklist of eleven measures taken from relevant sections of the PUC and the California Code of Regulations. Each requirement is discussed in the table below, including a description of the system's efforts to comply with the requirements. In addition, the findings from the compliance review are described in the text following the table.

Table II-1
Operator Compliance Requirements Matrix

Operator Compliance Requirements	Reference	Compliance Efforts
The transit operator has submitted annual reports to the RTPA based upon the Uniform System of Accounts and Records established by the State Controller. Report is due within seven (7) months after the end of the fiscal year (on or before January 31). The report shall contain underlying data from audited financial statements prepared in accordance with generally accepted accounting principles, if this data is available.	Public Utilities Code, Section 99243	Completion/submittal dates: *Separate Fixed Route/Specialized Services Reports:* FY 2018: June 25, 2019 FY 2019: March 3, 2020 FY 2020: February 17, 2021 Transit Operators Financial Transactions Reports were completed and submitted after the seven-month deadline pursuant to the TDA statute. **Conclusion: Not in Compliance.**
The operator has submitted annual fiscal and compliance audits to the RTPA and to the State Controller within 180 days following the end of the fiscal year (Dec. 27), or has received the appropriate 90-day extension by the RTPA allowed by law.	Public Utilities Code, Section 99245	Completion/submittal dates: FY 2018: December 28, 2018 FY 2019: March 20, 2020 FY 2020: March 21, 2021 The annual fiscal and compliance audits for FY 2019 and FY 2020 were submitted

Table II-1 Operator Compliance Requirements Matrix		
Operator Compliance Requirements	**Reference**	**Compliance Efforts**
		within the 90-day extension period by the RTPA as allowed by law. Responsibility for submittal of the annual fiscal audit lies with the SBCTA auditor, which operates independently of the City of Needles. **Conclusion: Complied.**
The CHP has, within the 13 months prior to each TDA claim submitted by an operator, certified the operator's compliance with Vehicle Code Section 1808.1 following a CHP inspection of the operator's terminal.	Public Utilities Code, Section 99251 B	Through its contract operator, Needles Area Transit participates in the California Highway Patrol (CHP) Transit Operator Compliance Program in which the CHP has conducted inspections within the 13 months prior to each TDA claim at the contract operator's facility located at 950 Front Street in Needles. Inspection dates applicable to the audit period were March 22, 2017; March 15, 2018; April 4, 2019; and February 11, 2020. The City's contract operator received a satisfactory rating for all inspections conducted. **Conclusion: Complied.**
The operator's claim for TDA funds is submitted in compliance with rules and regulations adopted by the RTPA for such claims.	Public Utilities Code, Section 99261	As a condition of approval, Needles Transit Services' annual claims for Local Transportation Funds and State Transit Assistance Funds are submitted

Table II-1 Operator Compliance Requirements Matrix		
Operator Compliance Requirements	**Reference**	**Compliance Efforts**
		in compliance with the rules and regulations adopted by SBCTA. **Conclusion: Complied.**
If an operator serves urbanized and non-urbanized areas, it has maintained a ratio of fare revenues to operating costs at least equal to the ratio determined by the rules and regulations adopted by the RTPA.	Public Utilities Code, Section 99270.1	This requirement is not applicable, as Needles Transit Services serves a non-urbanized area. **Conclusion: Not Applicable.**
The operator's operating budget has not increased by more than 15% over the preceding year, nor is there a substantial increase or decrease in the scope of operations or capital budget provisions for major new fixed facilities unless the operator has reasonably supported and substantiated the change(s).	Public Utilities Code, Section 99266	Percentage change in Needles Transit Services' operating budget: FY 2018: +3.1% FY 2019: +6.0% FY 2020: +18.3% The increases in the operating budget are due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020. *Source: FY 2017–2020 City of Needles budgets* **Conclusion: Complied.**
The operator's definitions of performance measures are consistent with Public Utilities Code Section 99247, including	Public Utilities Code, Section 99247	Needles Transit Services' definition of performance is consistent with PUC Section 99247. A review of trip sheets

Table II-1
Operator Compliance Requirements Matrix

Operator Compliance Requirements	Reference	Compliance Efforts
(a) operating cost, (b) operating cost per passenger, (c) operating cost per vehicle service hour, (d) passengers per vehicle service hour, (e) passengers per vehicle service mile, (f) total passengers, (g) transit vehicle, (h) vehicle service hours, (i) vehicle service miles, and (j) vehicle service hours per employee.		from the NAT contract operator as well as from Dial-A-Ride indicates that correct performance data are being collected. **Conclusion: Complied.**
If the operator serves an urbanized area, it has maintained a ratio of fare revenues to operating costs at least equal to one-fifth (20 percent), unless it is in a county with a population of less than 500,000, in which case it must maintain a ratio of fare revenues to operating costs of at least equal to three-twentieths (15 percent), if so determined by the RTPA.	Public Utilities Code, Sections 99268.2, 99268.3, 99268.12, 99270.1	This requirement is not applicable, as Needles Transit Services serves a non-urbanized area. **Conclusion: Not Applicable.**
If the operator serves a rural area, or provides exclusive services to elderly and disabled persons, it has maintained a ratio of fare revenues to operating costs at least equal to one-tenth (10 percent).	Public Utilities Code, Sections 99268.2, 99268.4, 99268.5	Needles Transit Services' operating ratios using data derived from the annual fiscal and compliance audits were as follows: **NAT** **DAR** FY 2018: 10.69% 17.39% FY 2019: 12.07% 16.25% FY 2020: 10.17% 21.56% Transit services are funded by TDA Article 8(c). The SBCTA

Table II-1 Operator Compliance Requirements Matrix		
Operator Compliance Requirements	**Reference**	**Compliance Efforts**
		board adopted performance criteria for Needles Transit Services that set the system-wide farebox recovery ratio at 10 percent, which is met through passenger fare revenues and local Measure I support contributions. *Assembly Bill (AB) 90, passed into law and signed by the governor in June 2020 in response to the COVID-19 pandemic impacts, prohibits the imposition of penalties on a transit operator that does not maintain the required ratio of fare revenues to operating cost during the FY 2019–20 or FY 2020–21. Local funds (Measure I) were applied by the operator to supplement farebox revenues to satisfy the 10 percent fare ratio as permitted by Section 99268.19. *Source: Needles Transit Fund Financial Statements (Audited) & Needles Transit Services Internal Reports* **Conclusion: Complied.**
The current cost of the operator's retirement system is fully funded with respect to the officers and employees of its public transportation	Public Utilities Code, Section 99271	The City contracts with a private provider for operations, while the cost of City staff's retirement is fully funded under the California Public Employees

Table II-1 Operator Compliance Requirements Matrix		
Operator Compliance Requirements	**Reference**	**Compliance Efforts**
system, or the operator is implementing a plan approved by the RTPA which will fully fund the retirement system within 40 years.		Retirement System (CalPERS). **Conclusion: Complied.**
If the operator receives state transit assistance funds, the operator makes full use of funds available to it under the Urban Mass Transportation Act of 1964 before TDA claims are granted.	California Code of Regulations, Section 6754(a)(3)	Needles Transit Services uses federal funds that are available to the agency, as reported in the Needles Transit Fund Financial Statements (Audited). FY 2018: $44,416 (operations) FY 2019: $39,707 (operations) FY 2020: $41,921 (operations) $43,951 (CARES Act) **Conclusion: Complied.**

Findings and Observations from Operator Compliance Requirements Matrix

1. Of the compliance requirements pertaining to Needles Transit Services, the operator complied with eight out of nine requirements. The City was not in compliance regarding the timely submittal of its Transit Operator Financial Transactions Reports. Two additional compliance requirements did not apply to Needles Transit Services (i.e., blended and urban farebox recovery ratios).

2. NAT exceeded its annual fare recovery ratio, although the FY 2020 farebox recovery ratio dipping to 10.17 percent in FY 2020 in large part to the COVID-19 pandemic and state shelter-in-place order during the last quarter of that year. The Dial-A-Ride farebox recovery ratio exceeded 15 percent during the audit period with the contribution of local Measure I support funding. Transit services are funded by TDA Article 8(c). The SBCTA board adopted performance criteria for Needles Transit Services that set the system-wide farebox recovery ratio at 10 percent.[2]

3. Through its contract operator, Needles Transit Services participates in the CHP Transit Operator Compliance Program and received inspections of NAT vehicles within the 13 months prior to each TDA claim. Satisfactory ratings were made for all inspections conducted during the audit period.

4. The operating budget increased each of the three years of the audit period. The FY 2018 operating budget increased 3.1 percent followed by a higher increase of 6 percent in FY 2019. For FY 2020, the operating budget increased 18.3 percent due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020 following departure of the system's prior operator.

[2] It is noted that the audited farebox ratio in FY 2020 was adversely impacted from the COVID-19 pandemic and state shelter-in-place order. Local funds (Measure I) were applied by the operator to supplement farebox revenues to satisfy the 10 percent fare ratio for the deviated fixed route and the 15 percent fare ratio for Dial-A-Ride as permitted by Section 99268.19.

Section III

Prior Triennial Performance Recommendations

Needles Transit Services' efforts to implement the recommendations made in the prior triennial audit are examined in this section of the report. For this purpose, each prior recommendation for the agency is described, followed by a discussion of City efforts to implement the recommendation. Conclusions concerning the extent to which the recommendations have been adopted by the agency are then presented.

Prior Recommendation 1

Review opportunities for increasing local revenue to boost farebox recovery. (High priority)

Background: State Senate Bill (SB) 508, passed in October 2015, makes changes to how farebox recovery is calculated. Consistent with current practice, transit systems can boost their farebox recovery through inclusion of local revenues generated by the transit service. Needles Transit Services has had some challenges maintaining farebox recovery attainment relative to its standard. Even though the City has been able to use local Measure I contributions to support the Dial-A-Ride farebox recovery, it is still expected to attain a 10 percent farebox recovery ratio for NAT and a 15 percent farebox recovery ratio for Dial-A-Ride.

Under the new law, other local revenues can prop up the farebox. In addition to local Measure I contributions, examples of local fund revenues include advertisements on buses and bus shelters, gains on the sale of capital assets, lease revenues generated by transit-owned property, and fare revenue agreements in lieu of individual fare payment with entities that have regular riders. Both revenues and operating costs are modified in deriving the farebox ratio for TDA eligibility purposes, and the City should work with the fiscal auditor to accurately reflect the farebox ratio allowed under new state law. One opportunity would be lease revenue from prospective tenants in the historic El Garces Hotel and Transportation Depot.

Actions Taken by Needles Transit Services

The City has been utilizing available local support revenues allocated to transit services including from Measure I. During the audit period, the City investigated the possibility of generating revenue from the placement of advertising space on buses and bus shelters. The sales of capital assets (surplus vehicles) go back into the applicable transit fund revenues. There are currently no fare revenue agreements; however, the NAT single boarding pass and NAT 30-punch pass, along with the Dial-A-Ride ticket, are used by County social service agencies and local businesses to provide to their clientele in lieu of individual fare payments. The El Garces Intermodal Transportation Depot is owned by the City of Needles and is not solely owned by Needles Transit Services; therefore, lease revenues are not available to support the transit system. Staff has

committed to work with the auditors to continue to look for additional local revenue sources to support farebox revenues as allowed under the TDA statute.

Conclusion

This recommendation has been implemented.

Prior Recommendation 2

Consider implementation of electronic and mobile trip planning tools. (Medium Priority)

Background: Needles Transit Services provides information about its services through the City's website, which was updated during the audit period to reflect the fare increases and Saturday schedule changes. The website currently does not provide any trip planning tools other than the PDF links to the schedule. One turnkey approach would be to incorporate Google Transit onto the transit webpage. Google Transit's key features include simple and accessible online trip planning, Google user access to Needles' website, trip planning in numerous languages, comparisons with other modes of travel (automotive, cycling and pedestrian), and compatibility with many mobile devices. Other trip planning tools include the Transit App, which provides real-time transit route information in a mobile format.

Actions Taken by Needles Transit Services

The City implemented the Google Transit trip planner on the transit page of the City's website in June/July 2018 as part of the transit marketing campaign funded through a Low Carbon Transit Operations Program (LCTOP) grant. However, in mid to late 2019, a new City website was created and went live without the Google Transit trip planner feature being transferred. As of this report, the Google Transit trip planner has yet to be restored on the transit page of the City of Needles website. It is recommended that staff work to reestablish the trip planning tools as well as a Google Translate widget feature for non-English-speaking users.

Conclusion

This recommendation has been partially implemented and being carried forward for full implementation.

Section IV

TDA Performance Indicators

This section reviews NAT and Dial-A-Ride performance in providing transit services to the community in an efficient and effective manner. TDA requires that at least five specific performance indicators be reported, which are contained in the following tables. Farebox recovery ratio is not one of the five specific indicators but is a requirement for continued TDA funding. Therefore, farebox calculation is also included. Two additional performance indicators, operating cost per mile and average fare per passenger, are included as well. Findings from the analysis are contained in the section following the tables.

Tables IV-1 through IV-3 provide the performance indicators for Needles Transit Services, including system-wide, NAT deviated fixed route, and senior Dial-A-Ride services. Tables IV-4 through IV-6 provide quarterly performance indicators for the transit service modes specifically for FY 2019-20 to show the impacts of the COVID-19 pandemic impacts upon the service. Graphs are also provided to depict the trends in the indicators.

Table IV-1
TDA Performance Indicators
Needles Transit Services, System-wide

		Audit Period			
Performance Data and Indicators	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	***% Change FY 2017-2020***
Operating Cost	$410,765	$434,932	$446,675	$503,750	***22.6%***
Total Passengers	31,750	28,355	32,624	30,738	***-3.2%***
Vehicle Service Hours	4,611	5,021	5,127	5,296	***14.9%***
Vehicle Service Miles	61,017	64,515	64,010	66,965	***9.7%***
Employee FTE's	6	6	6	6	***0.0%***
Passenger Fares	$38,790	$41,722	$47,765	$48,395	***24.8%***
Measure I Contribution	$22,761	$11,154	$10,425	$15,559	***-31.6%***
Total Fare Revenue	$61,551	$52,876	$58,190	$63,954	***3.9%***
Operating Cost per Passenger	$12.94	$15.34	$13.69	$16.39	***26.7%***
Operating Cost per Vehicle Service Hour	$89.08	$86.62	$87.12	$95.12	***6.8%***
Operating Cost per Vehicle Service Mile	$6.73	$6.74	$6.98	$7.52	***11.7%***
Passengers per Vehicle Service Hour	6.9	5.6	6.4	5.8	***-15.7%***
Passengers per Vehicle Service Mile	0.52	0.44	0.51	0.46	***-11.8%***
Vehicle Service Hours per Employee	768.5	836.8	854.5	882.7	***14.9%***
Average Fare per Passenger	$1.22	$1.47	$1.46	$1.57	***28.9%***
Fare Recovery Ratio	14.98%	12.16%	13.03%	12.70%	***-15.3%***
Consumer Price Index - (CPI-West Region, BLS)	2.5%	3.6%	2.7%	1.2%	

Source: Needles Transit Fund Financial Statements (Audited), State Controller Report, TransTrack Manager
Needles Transit Services Internal Reports

Table IV-2
TDA Performance Indicators
NAT Deviated Fixed Route

		Audit Period			
Performance Data and Indicators	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	***% Change FY 2017-2020***
Operating Cost	$325,282	$339,854	$344,716	$392,093	***20.5%***
Total Passengers	27,599	23,665	27,623	25,616	***-7.2%***
Vehicle Service Hours	3,292	3,419	3,412	3,436	***4.4%***
Vehicle Service Miles	47,912	49,861	50,028	51,711	***7.9%***
Employee FTE's	4	4	4	4	***0.0%***
Passenger Fares	$34,015	$36,342	$41,619	$39,880	***17.2%***
Operating Cost per Passenger	$11.79	$14.36	$12.48	$15.31	***29.9%***
Operating Cost per Vehicle Service Hour	$98.81	$99.40	$101.03	$114.11	***15.5%***
Operating Cost per Vehicle Service Mile	$6.79	$6.82	$6.89	$7.58	***11.7%***
Passengers per Vehicle Service Hour	8.4	6.9	8.1	7.5	***-11.1%***
Passengers per Vehicle Service Mile	0.58	0.47	0.55	0.50	***-14.0%***
Vehicle Service Hours per Employee	823.0	854.8	853.0	859.0	***4.4%***
Average Fare per Passenger	$1.23	$1.54	$1.51	$1.56	***26.3%***
Fare Recovery Ratio	10.46%	10.69%	12.07%	10.17%	***-2.7%***
Consumer Price Index - (CPI-West Region, BLS)	2.5%	3.6%	2.7%	1.2%	

Source: Needles Transit Fund Financial Statements (Audited), State Controller Report, TransTrack Manager
Needles Transit Services Internal Reports

Table IV-3
TDA Performance Indicators
Senior Dial-A-Ride
(including Medical Transport/Shopper Shuttle)

		Audit Period			
Performance Data and Indicators	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**	***% Change FY 2017-2020***
Operating Cost	$78,624	$95,078	$101,959	$111,657	***42.0%***
Total Passengers	4,151	4,690	5,001	5,122	***23.4%***
Vehicle Service Hours*	1,319	1,602	1,715	1,860	***41.0%***
Vehicle Service Miles*	13,105	14,654	13,982	15,254	***16.4%***
Employee FTE's	2	2	2	2	***0.0%***
Passenger Fares	$4,775	$5,380	$6,146	$8,515	***78.3%***
Measure I Contribution	$22,761	$11,154	$10,425	$15,559	***-31.6%***
Total Fare Revenue	$27,536	$16,534	$16,571	$24,074	***-12.6%***
Operating Cost per Passenger	$18.94	$20.27	$20.39	$21.80	***15.1%***
Operating Cost per Vehicle Service Hour	$59.61	$59.35	$59.45	$60.03	***0.7%***
Operating Cost per Vehicle Service Mile	$6.00	$6.49	$7.29	$7.32	***22.0%***
Passengers per Vehicle Service Hour	3.1	2.9	2.9	2.8	***-12.5%***
Passengers per Vehicle Service Mile	0.32	0.32	0.36	0.34	***6.0%***
Vehicle Service Hours per Employee	659.5	801.0	857.5	930.0	***41.0%***
Average Fare per Passenger	$1.15	$1.15	$1.23	$1.66	***44.5%***
Fare Recovery Ratio	6.07%	5.66%	6.03%	7.63%	***25.6%***
Fare Recovery Ratio with Local Measure I Support	35.02%	17.39%	16.25%	21.56%	***-38.4%***
Consumer Price Index - (CPI-West Region, BLS)	2.5%	3.6%	2.7%	1.2%	

Source: Needles Transit Fund Financial Statements (Audited), State Controller Report, TransTrack Manager
Needles Transit Services Internal Reports

*Hours and miles on the Dial-A-Ride service are total hours and miles per an agreement between SBCTA and the City of Needles in the reporting and monitoring of the service.

*The senior Dial-A-Ride is subject to an overall farebox recovery standard of 15 percent, which is met through passenger fare revenues and local Measure I support contributions.

Table IV-4
TDA Quarterly Performance Indicators – FY 2019-20
Needles Transit Services, System-wide

	FY 2019-20				
Performance Data and Indicators	**1st Quarter**	**2nd Quarter**	**3rd Quarter**	**4th Quarter**	***% Change FY 2019-20***
Operating Cost	$117,138	$132,097	$126,009	$128,506	***9.7%***
Total Passengers	10,427	8,042	7,065	5,204	***-50.1%***
Vehicle Service Hours	1,305	1,309	1,345	1,337	***2.5%***
Vehicle Service Miles	16,381	16,257	17,884	16,443	***0.4%***
Passenger Fare Revenue	$16,821	$17,171	$7,918	$6,485	***-61.4%***
Operating Cost per Passenger	$11.23	$16.43	$17.84	$24.69	***119.8%***
Operating Cost per Vehicle Service Hour	$89.76	$100.91	$93.69	$96.12	***7.1%***
Operating Cost per Vehicle Service Mile	$7.15	$8.13	$7.05	$7.82	***9.3%***
Passengers per Vehicle Service Hour	8.0	6.1	5.3	3.9	***-51.3%***
Passengers per Vehicle Service Mile	0.64	0.49	0.40	0.32	***-50.3%***
Average Fare per Passenger	$1.61	$2.14	$1.12	$1.25	***-22.8%***
Fare Recovery Ratio	14.36%	13.00%	6.28%	5.05%	***-64.9%***

Source: TransTrack Manager; Needles Transit Services Internal Reports

Table IV-5
TDA Quarterly Performance Indicators – FY 2019-20
NAT Deviated Fixed Route

	FY 2019-20				
Performance Data and Indicators	**1st Quarter**	**2nd Quarter**	**3rd Quarter**	**4th Quarter**	***% Change FY 2019-20***
Operating Cost	$89,631	$104,742	$97,516	$100,204	***11.8%***
Total Passengers	9,141	6,712	5,828	3,935	***-57.0%***
Vehicle Service Hours	859	859	859	859	***0.0%***
Vehicle Service Miles	12,740	12,525	13,855	12,591	***-1.2%***
Passenger Fare Revenue	$14,932	$14,269	$6,116	$4,563	***-69.4%***
Operating Cost per Passenger	$9.81	$15.61	$16.73	$25.46	***159.7%***
Operating Cost per Vehicle Service Hour	$104.34	$121.93	$113.52	$116.65	***11.8%***
Operating Cost per Vehicle Service Mile	$7.04	$8.36	$7.04	$7.96	***13.1%***
Passengers per Vehicle Service Hour	10.6	7.8	6.8	4.6	***-57.0%***
Passengers per Vehicle Service Mile	0.72	0.54	0.42	0.31	***-56.4%***
Average Fare per Passenger	$1.63	$2.13	$1.05	$1.16	***-29.0%***
Fare Recovery Ratio	16.66%	13.62%	6.27%	4.55%	***-72.7%***

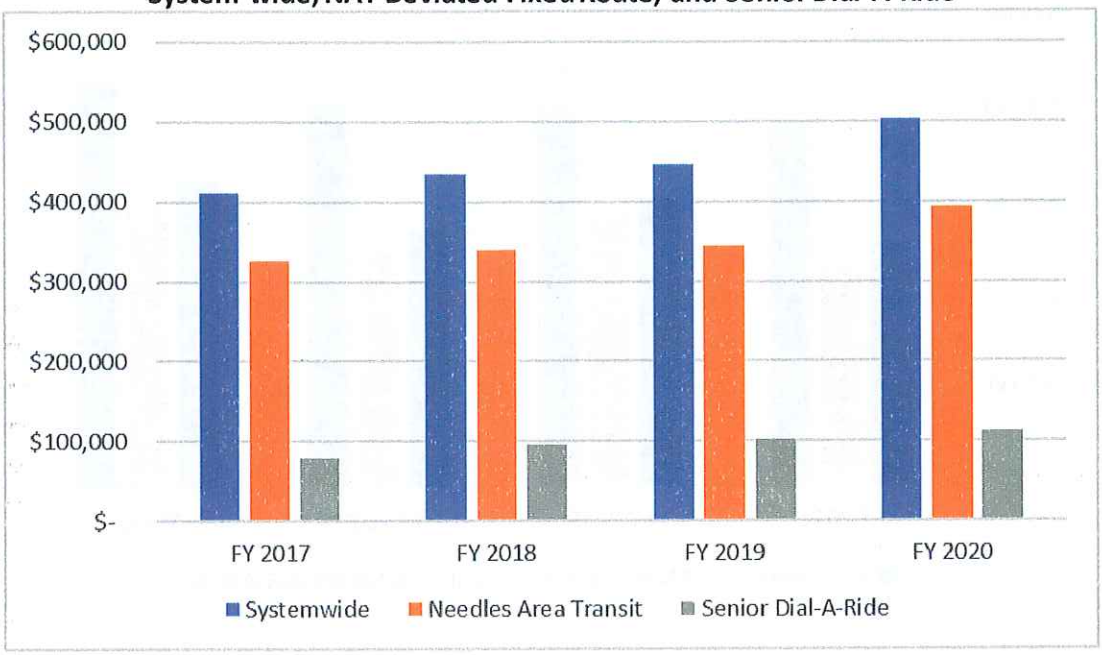
Source: TransTrack Manager; Needles Transit Services Internal Reports

Table IV-6
TDA Quarterly Performance Indicators – FY 2019-20
Senior Dial-A-Ride
(including Medical Transport/Shopper Shuttle)

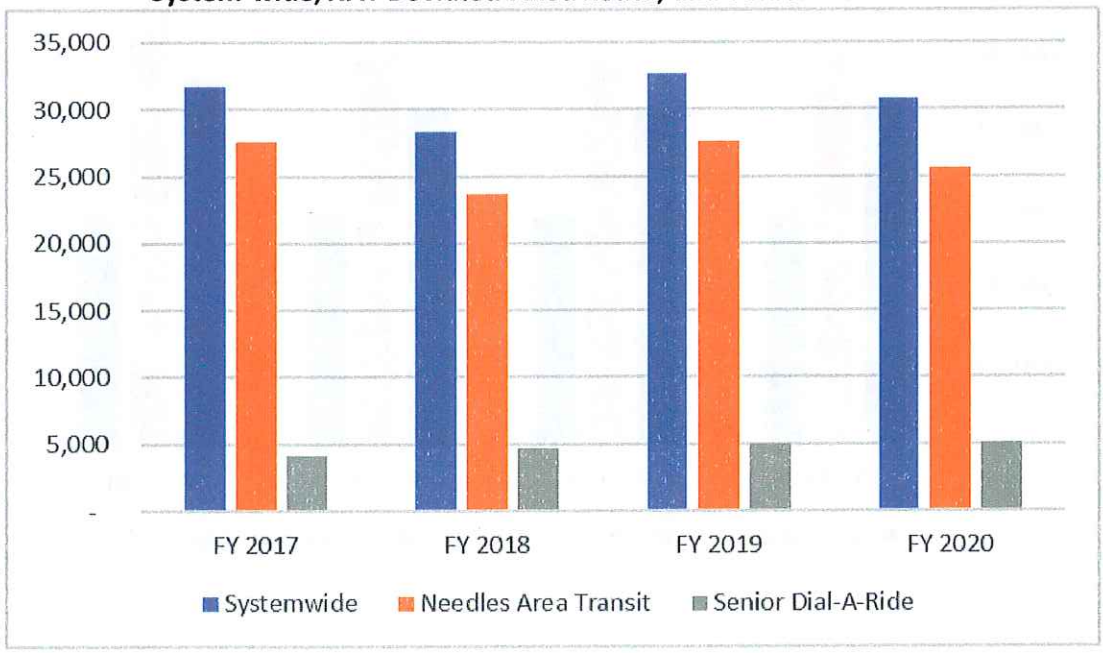
	FY 2019-20				
Performance Data and Indicators	**1st Quarter**	**2nd Quarter**	**3rd Quarter**	**4th Quarter**	***% Change FY 2019-20***
Operating Cost	$27,507	$27,355	$28,493	$28,302	***2.9%***
Total Passengers	1,286	1,330	1,237	1,269	***-1.3%***
Vehicle Service Hours*	446	450	486	478	***7.2%***
Vehicle Service Miles*	3,641	3,732	4,029	3,852	***5.8%***
Passenger Fare Revenue	$1,889	$2,902	$1,802	$1,922	***1.7%***
Operating Cost per Passenger	$21.39	$20.57	$23.03	$22.30	***4.3%***
Operating Cost per Vehicle Service Hour	$61.67	$60.79	$58.63	$59.21	***-4.0%***
Operating Cost per Vehicle Service Mile	$7.55	$7.33	$7.07	$7.35	***-2.7%***
Passengers per Vehicle Service Hour	2.9	3.0	2.5	2.7	***-7.9%***
Passengers per Vehicle Service Mile	0.35	0.36	0.31	0.33	***-6.7%***
Average Fare per Passenger	$1.47	$2.18	$1.46	$1.51	***3.1%***
Fare Recovery Ratio	6.87%	10.61%	6.32%	6.79%	***-1.1%***

Source: TransTrack Manager; Needles Transit Services Internal Reports
* Hours and miles on the Dial-A-Ride service are total hours and miles per an agreement between SBCTA and the City of Needles in the reporting and monitoring of the service.

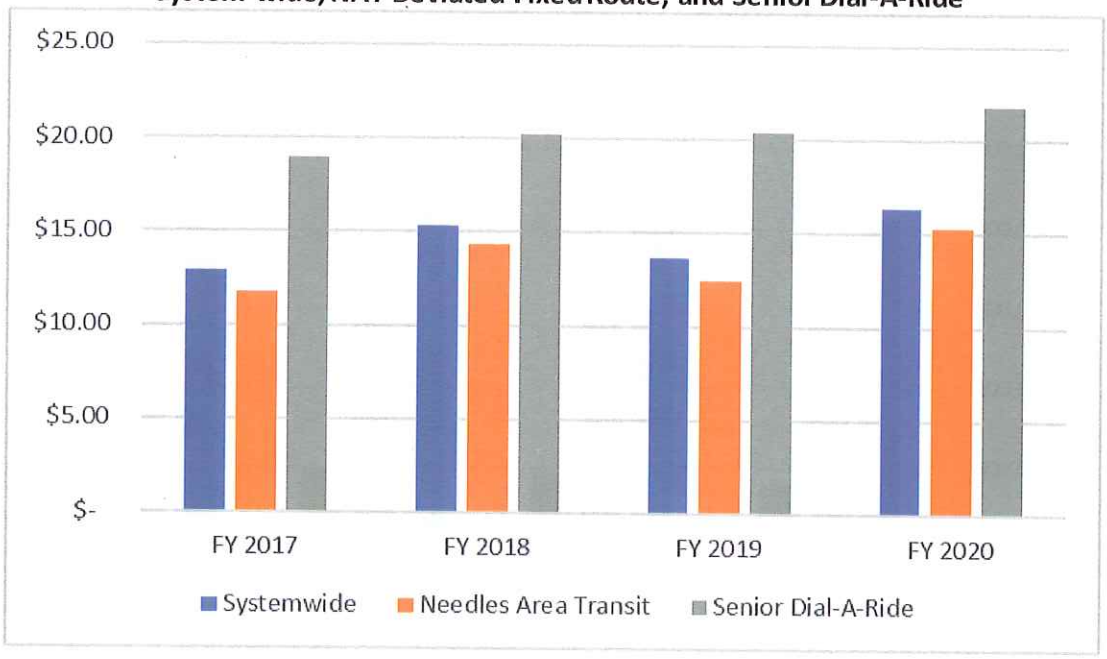
Graph IV-1
Operating Costs
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



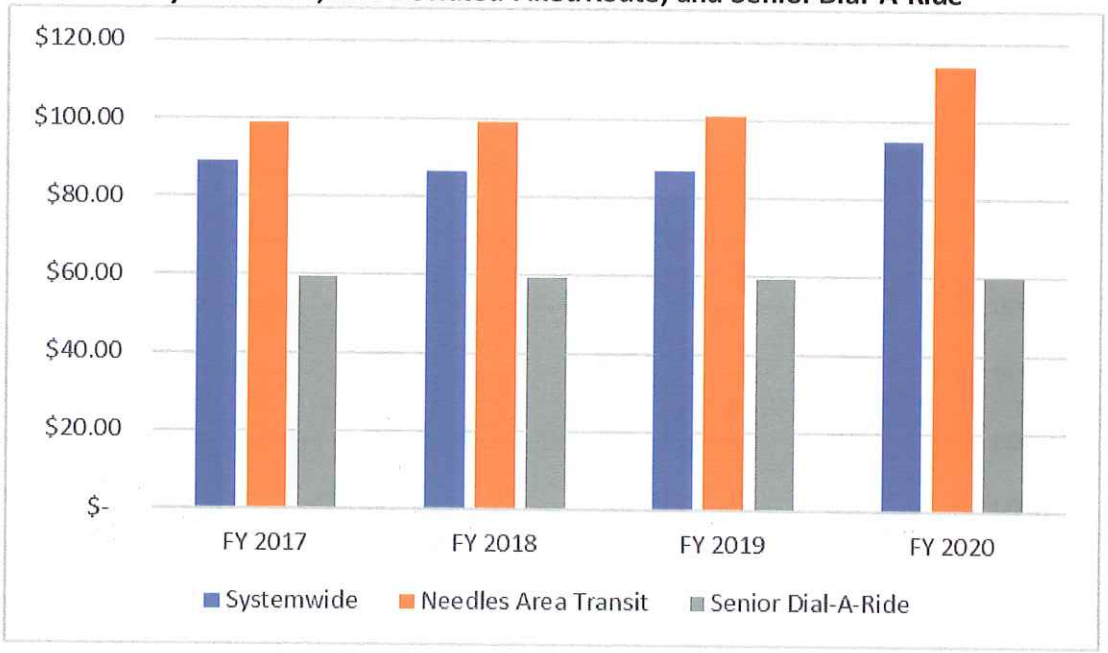
Graph IV-2
Ridership
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



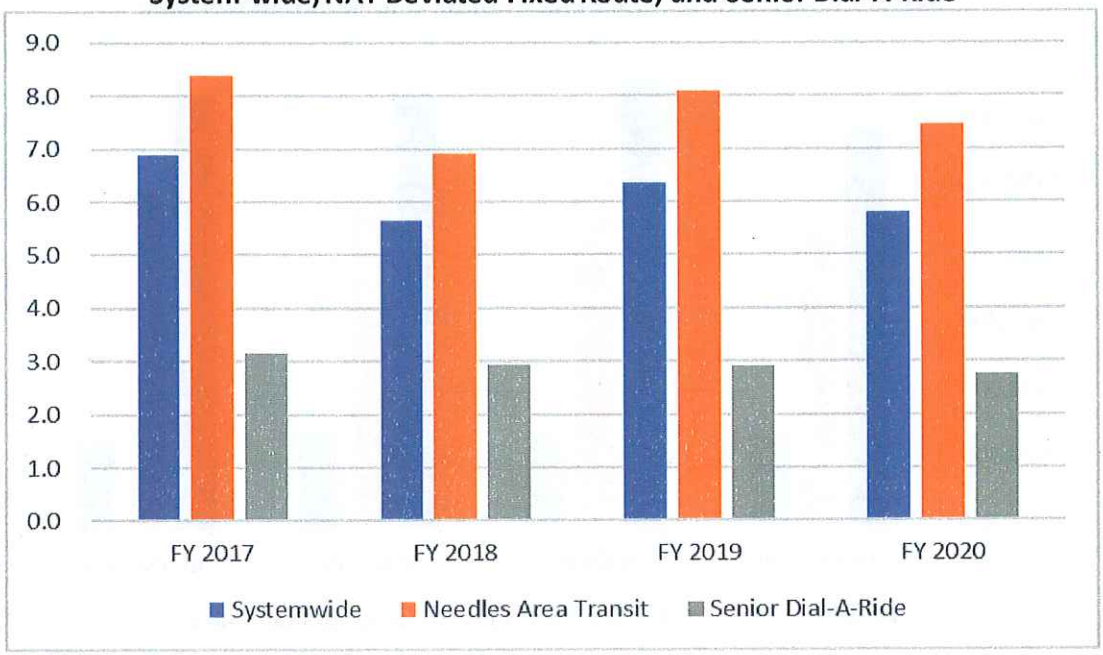
Graph IV-3
Operating Cost per Passenger
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



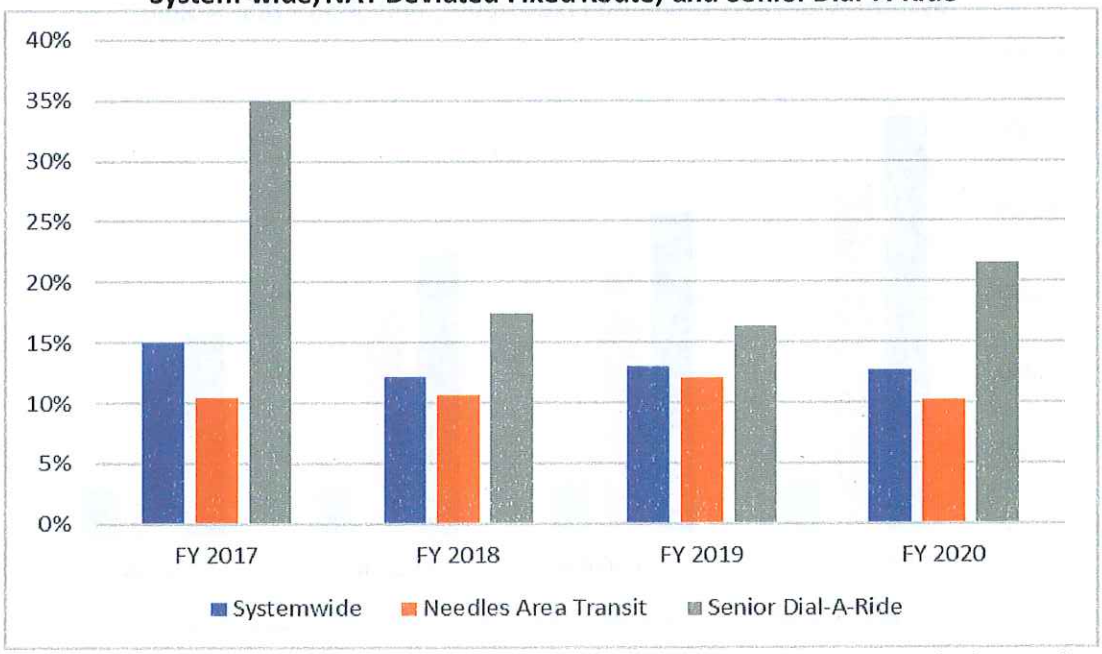
Graph IV-4
Operating Cost per Vehicle Service Hour
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



Graph IV-5
Passengers per Vehicle Service Hour
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride

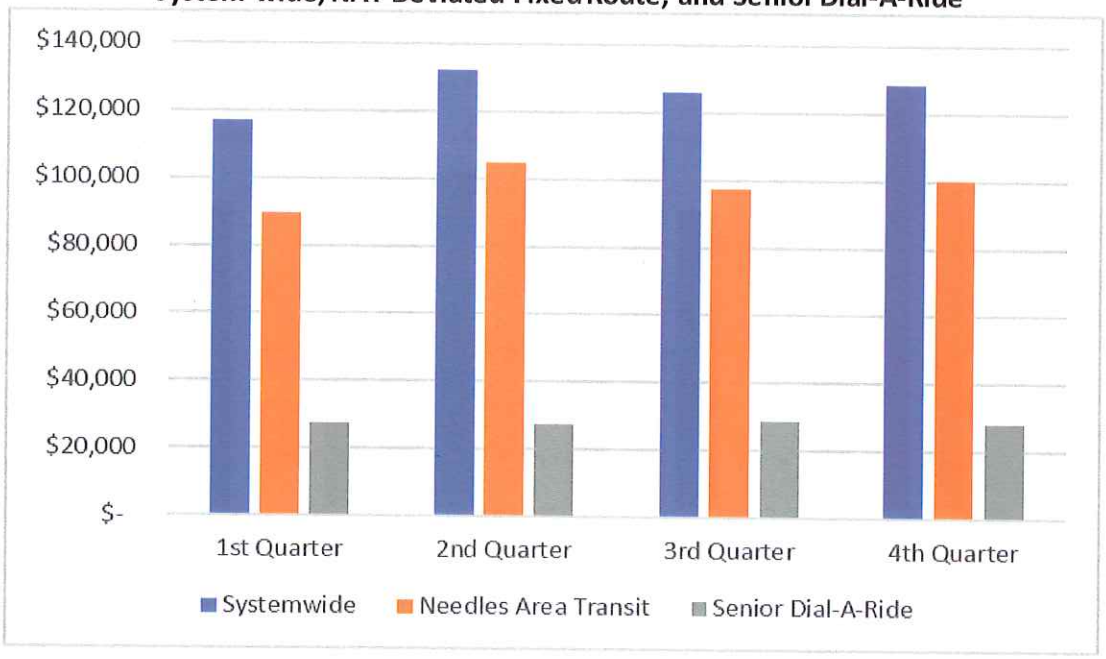


Graph IV-6
Fare Recovery Ratio
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride

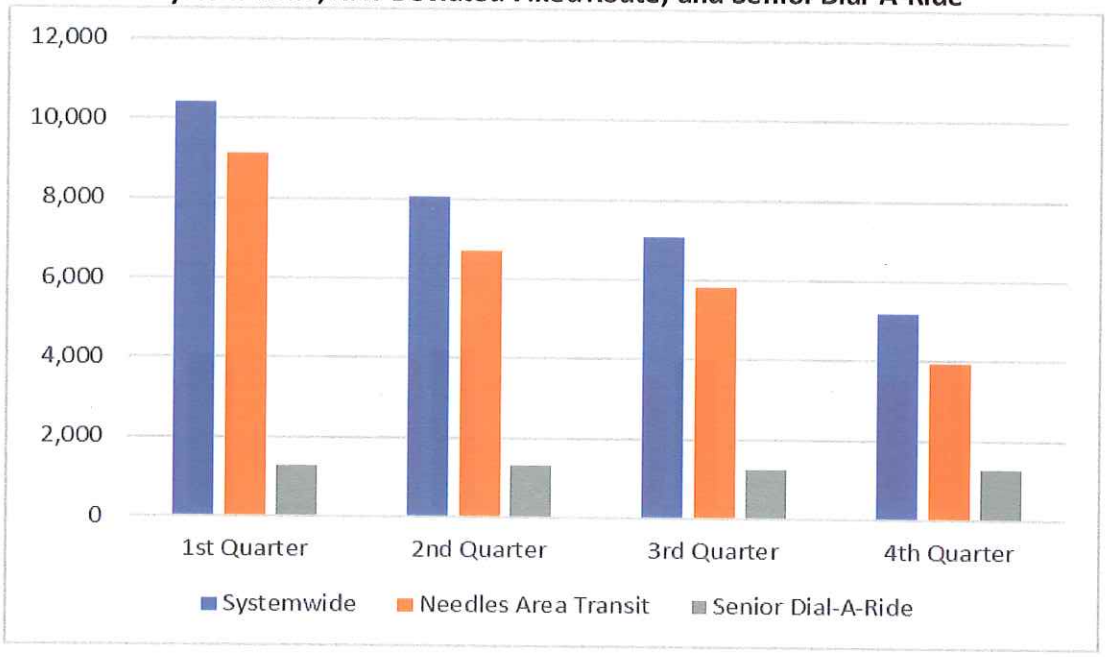


* The senior Dial-A-Ride is subject to an overall farebox recovery standard of 15 percent, which is met through passenger fare revenues and local Measure I support contributions.

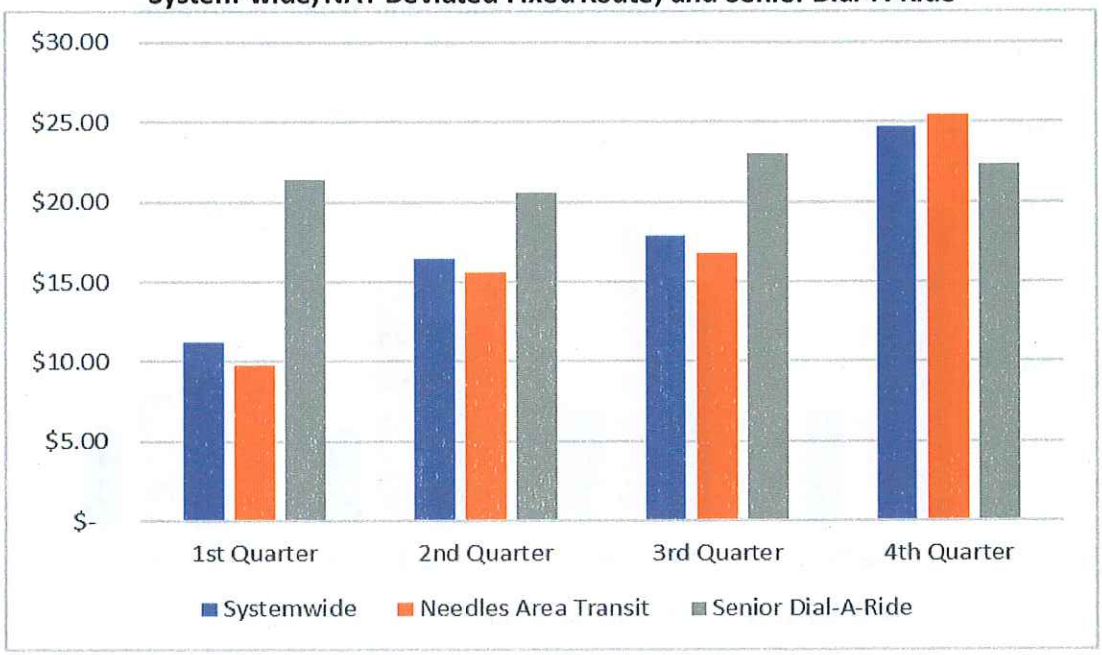
Graph IV-7
Operating Costs by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



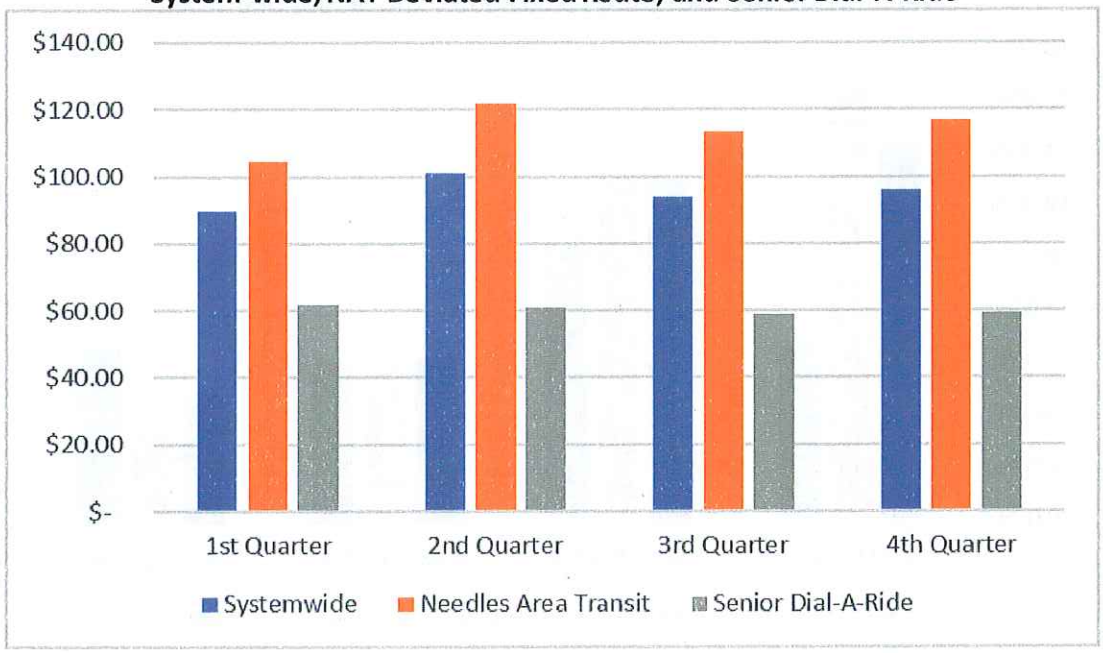
Graph IV-8
Ridership by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



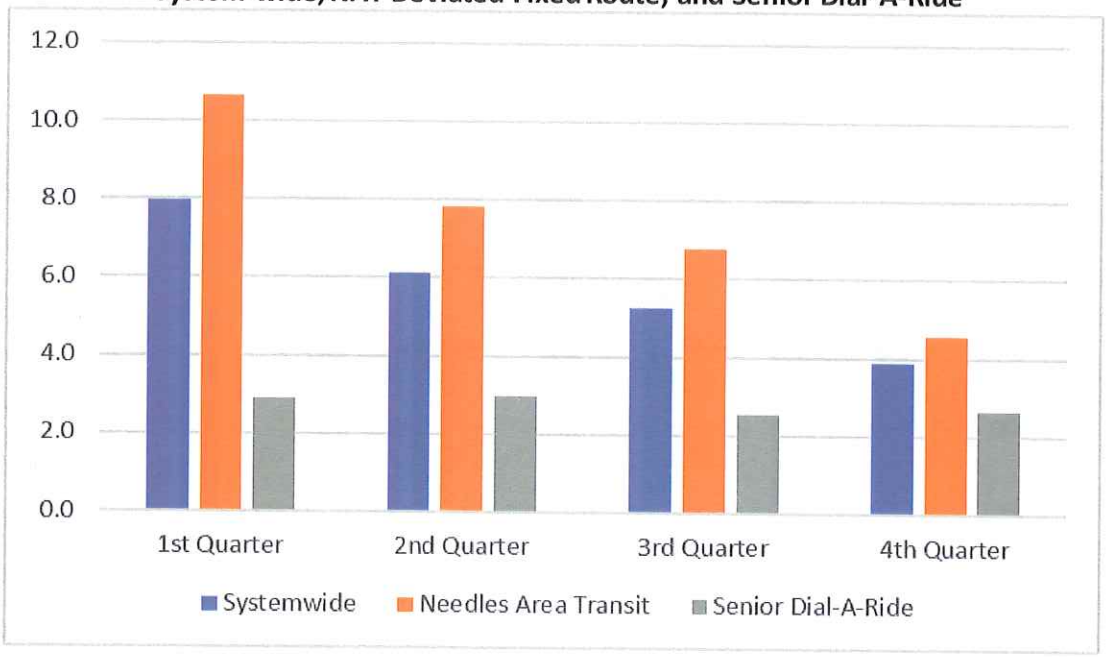
Graph IV-9
Operating Cost per Passenger by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



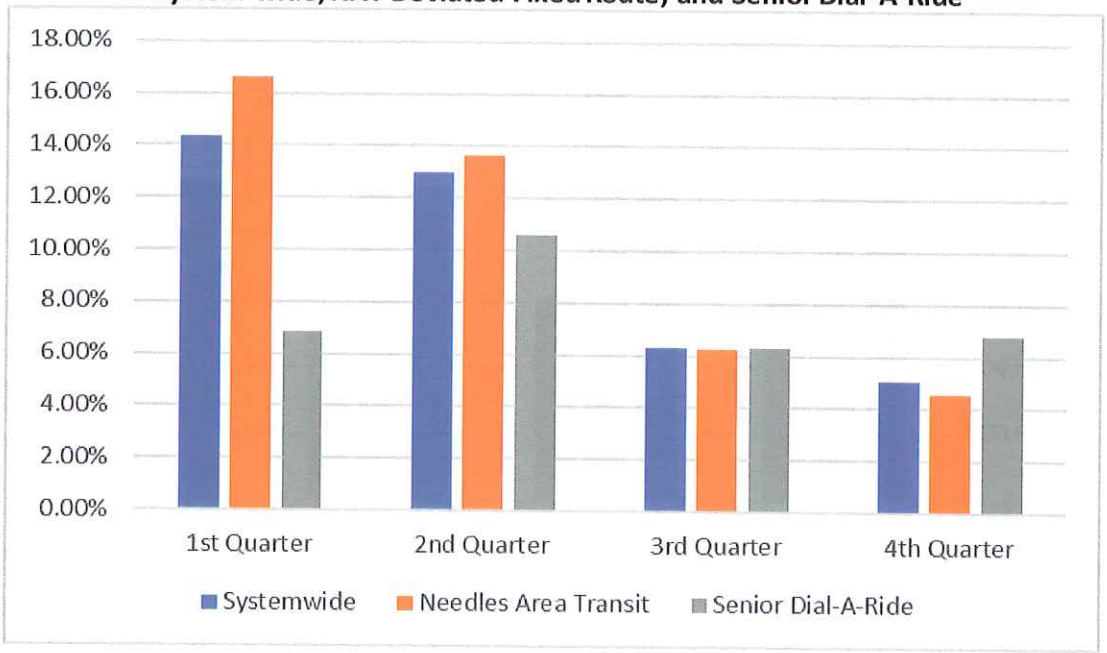
Graph IV-10
Operating Cost per Vehicle Service Hour by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



Graph IV-11
Passengers per Vehicle Service Hour by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



Graph IV-12
Fare Recovery Ratio by Quarter – FY 2019-20
System-wide, NAT Deviated Fixed Route, and Senior Dial-A-Ride



Findings from Verification of TDA Performance Indicators

1. Operating costs system-wide increased by 22.6 percent from the FY 2017 base year through FY 2020 based on audited financial data. Deviated fixed route operating costs increased by 20.5 percent and Dial-A-Ride costs increased by 40.2 percent based on audited financial and internal data. The annualized growth in operating costs for the deviated fixed route was 6.6 percent and 12.6 percent for Dial-A-Ride. The increase in operating costs is due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020.

2. Ridership decreased 3.2 percent system-wide, consisting of a 7.2 percent decrease on deviated fixed route. In contrast, there was 23.4 percent increase in Dial-A-Ride ridership from the FY 2017 base year to FY 2020. Ridership on Dial-A-Ride increased 13 percent in FY 2018 followed by a 6.6 percent increase in FY 2019. The overall declines in ridership are attributed to lower retail fuel prices as well as reduced commercial activity in Needles involving the closure of a major chain store and a restaurant. The increase in ridership on Dial-A-Ride is attributed to the implementation of the Shopper Shuttle. In consideration of the COVID-19 pandemic impacts toward the latter part of FY 2020 and the adverse impacts on transit, system-wide ridership decreased 5.8 percent. Ridership decreased 22.9 percent in the second quarter of FY 2020, followed by a 12.1 percent decrease in the third quarter, and 26.3 percent decrease in the fourth quarter, when the statewide shelter-in-place order was in full effect.

3. Vehicle service hours and miles were mixed in contrast to the increase in operating costs during the audit period. System-wide, vehicle service hours increased by a modest 14.9 percent whereas vehicle service miles increased 9.7 percent from the FY 2017 base year to FY 2020. Deviated fixed route service hours increased 4.4 percent while service miles increased 7.9 percent. Dial-A-Ride revenue service hours increased by 41 percent while revenue miles increased 16.4 percent. Hours and miles on the Dial-A-Ride service are total hours and miles per an agreement between SBCTA and the City of Needles in the reporting and monitoring of the service.

4. Operating cost per passenger, an indicator of cost effectiveness, increased by 26.7 percent system-wide from $12.94 in the FY 2017 base year to $16.39 in FY 2020. Cost per passenger increased by a comparable 29.9 percent on the NAT deviated fixed route service and 15.1 percent on Dial-A-Ride. The trend in this indicator reflects the increase in operating costs in contrast to the decrease in ridership. In consideration of the pandemic toward the latter part of FY 2020 and the adverse impacts on transit, system-wide cost per passenger was $11.23 in the first quarter of FY 2020, $16.43 in the second quarter, $17.84 in the third quarter, and $24.69 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per passenger in FY 2020 was $17.55.

5. Operating cost per hour, an indicator of cost efficiency, increased 6.8 percent system-wide from $89.08 in the FY 2017 base year to $95.12 in FY 2020. Cost per hour on the deviated

increased 15.5 percent. Dial-A-Ride exhibited a 0.7 percent increase in this indicator. The trend in this indicator reflects the increase in operating costs in contrast to the modest increase in vehicle service hours. In consideration of the COVID-19 pandemic impacts toward the end of FY 2020, system-wide cost per hour was $89.76 in the first quarter, $100.91 in the second quarter, $93.69 in the third quarter, and $96.12 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per hour in FY 2020 was $95.12.

6. Passengers per vehicle service hour, which measures the effectiveness of the service delivered, decreased 15.7 percent system-wide from 6.9 passengers in the FY 2017 base year to 5.8 passengers per hour in FY 2020. This indicator decreased 11.1 percent for deviated fixed route and by 12.5 percent for Dial-A-Ride. The trends are indicative of the decrease in passenger trips in contrast to the increase in vehicle service hours. During FY 2020, passengers per hour system-wide were 8.0 in the first quarter, 6.1 in the second quarter, 5.3 in the third quarter, and 3.9 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average number of passengers per hour in FY 2020 was 5.8 passengers.

7. Vehicle hours per full-time equivalent employee (FTE), which measures labor productivity, increased by 14.9 percent system-wide. This measure increased by 4.4 percent for deviated fixed route and increased 41 percent for Dial-A-Ride. This measure is based on the number of FTEs using employee pay hours from the State Controller Report and dividing by 2,000 hours per employee. The number of FTEs remained unchanged during the audit period.

8. The system-wide farebox recovery ratio decreased 15.3 percent from the FY 2017 base year through FY 2020 based on audited financial data and inclusive of local Measure I support for Dial-A-Ride. On an annual basis, farebox recovery was 14.98 percent in FY 2017; 12.16 percent in FY 2018; 13.03 percent in FY 2019; and 12.70 percent in FY 2020. For the NAT deviated fixed route, farebox recovery decreased 2.7 percent during the same period, with farebox dipping to 10.17 percent in FY 2020 due primarily to the COVID-19 pandemic impacts.

9. The Dial-A-Ride farebox recovery, composed of passenger fares and local Measure I support revenues, averaged 18.40 percent during the three-year audit period. The three-year average independent of local Measure I support was 6.44 percent. Passenger fares without local support demonstrated the necessity of applying local support funds. Passenger fares for Dial-A-Ride were $5,380 in FY 2018; $6,146 in FY 2019; and $8,515 in FY 2020 based on audited and internal reporting data. This trend is reflected in both the annual fiscal audits and internal city accounts. To meet the 15 percent farebox recovery threshold, local Measure I contributions more than doubled to fill the gap between passenger fares and the required amount. Local Measure I support for Dial-A-Ride was $11,154 in FY 2018; $10,425 in FY 2019; and $15,559 in FY 2020. Farebox ratios are audited figures from the TDA fiscal audits and include local support revenue such as Measure I.

   During FY 2020, system-wide farebox recovery was 14.36 percent in the first quarter, 13.00 percent in the second quarter, 6.28 percent in the third quarter, and 5.05 percent in the

fourth quarter. Needles did not suspend service nor fare collection during the onset of the pandemic.

Section V

Review of Operator Functions

This section provides an in-depth review of various functions within Needles Transit Services. The review highlights accomplishments, issues, and/or challenges that were determined during the audit period. The following functions were reviewed with transit staff at the City of Needles Administrative Offices and the Needles Transit Services Operations Facility located in the historic El Garces Hotel and Transportation Depot:

- Operations
- Maintenance
- Planning
- Marketing
- General Administration and Management

Several notable activities within Needles Transit Services occurred over the past three years, including the following:

- NAT expanded service hours on Saturday from 10:00 a.m. to 5:00 p.m., effective July 2017. Prior to this change, Saturday hours were from 10:00 a.m. to 2:00 p.m. Riders have requested service later in the evenings and on Sundays.

- A fare increase was implemented during the audit period in July 2017. General public fares increased from $1.25 to $1.30 per trip. The City implemented a second fare increase in July 2018 from $1.30 to $1.35 per trip. Fares were also increased on the Dial-A-Ride and Dial-A-Ride medical services. The City is considering another fare increase pending the findings of a fare analysis to be conducted by SBCTA.

- The City implemented the Shopper Shuttle Pilot Program on July 10, 2019 in response to rider demand for shopping options after closure of the only major grocer within the City. The Shopper Shuttle operates on Wednesday on a prepaid, reservation basis departing Needles at 8:15 a.m. and returning by 12:30 p.m. The prepaid round trip fare is $9.00.

- In December 2018, the City received a notice of termination of the operating contract from RATP Dev/McDonald Transit Associates Inc. The City released a Request for Proposals (RFP) in March 2019 with no responses received. The RFP was reissued in May 2019 and two proposals were received. In September 2019, the City Council approved a contract with Transportation Concepts to provide operations of local fixed and deviated route transit services and Dial-a-Ride services including senior and disabled demand

response and DAR Medical Transport/Shopper Shuttle for the period starting October 1, 2019, to June 30, 2023.

Operations

Contract Operations - NAT/DAR/DAR Medical-Shopper

NAT operates as a deviated fixed route system for the general public. The service is divided into two loops that intersect at Broadway and G Street: North-South Loop and West Loop. The two loops combined are approximately 15 miles in length with a total run time of one hour. The one-hour time interval allows for route deviations for customized pickups and drop-offs on a space and time available basis. Flag stops are classified as deviations. The system can accommodate most deviation requests.

The service had been operated under contract by McDonald Transit Associates since September 2006. McDonald Transit, based in Fort Worth, Texas, is a subsidiary of RATP Dev USA. The City had entered a new three-year contract with McDonald Transit to provide local fixed and deviated route service for the period July 1, 2014, and June 30, 2017. The contract had two 2-year extension options that could be exercised. In June 2017, the City exercised its option to extend the contract for an additional two-year period from July 1, 2017, through June 30, 2019.

In December 2018, the City received a notice of termination of the operating contract from RATP Dev. The City released a Request for Proposals (RFP) in March 2019 with no responses received. The RFP was reissued in May 2019 and two proposals were received. In July 2019, an interview committee composed of the City's transit manager, a representative from SBCTA, and a representative from AMMA Transit Planning vetted and interviewed representatives from the two firms that submitted proposals.

On September 10, 2019, the City Council approved a contract with Transportation Concepts to provide operations of local fixed and deviated route transit services and Dial-a-Ride services including senior and disabled demand response and DAR Medical Transport/Shopper Shuttle for the period starting October 1, 2019, to June 30, 2023. The contracts have two 2-year extension periods that can be exercised by the City without holding new proposal procedures. Transportation Concepts, based in Irvine, California, assumed operations of Needles Transit Services on October 1, 2019. The transition was characterized as being smooth and orderly with no major issues. The former McDonald/RATP employees were retained.

The service area's demographics appear to limit the options available to attract new riders. Needles is considered to be a lower-income community, and current NAT ridership tends to reflect that demographic. The cannabis industry has brought more residents into the service area; however, the influx has had no impact on ridership.

One of the highest traffic generators along the deviated fixed route closed its doors in April 2018. The 99 Cents Only Store, located in the Needles Towne Center, was the city's only grocery store.

On the flip side, the Dollar General store that opened in November 2016 has also tended to generate more automobile and pedestrian traffic.

In response to the closure of the 99 Cents Only Store, the City took steps to provide residents the means to access shopping in Fort Mohave, Arizona. In October 2018, as part of the SRTP process, an onboard survey was conducted. The survey found that there was a community need to provide a dedicated shopper shuttle into Arizona to access the Walmart Supercenter, Safeway, Smith's Food and Drug, and CVS Pharmacy. In response to the survey, the City implemented the Shopper Shuttle Pilot Program on July 10, 2019. The Shopper Shuttle operates on Wednesday on a prepaid, reservation basis departing Needles at 8:15 a.m. and returning by 12:30 p.m. The prepaid round trip fare is $9.00.

A fare increase was implemented during the audit period in July 2017. General public fares increased from $1.25 to $1.30 per trip. The City implemented a second fare increase in July 2018 from $1.30 to $1.35 per trip. Fares were also increased on the Dial-A-Ride and Dial-A-Ride Medical Transport services. The City is considering another fare increase pending the findings of a fare analysis to be conducted by SBCTA. In addition to the fare restructuring, NAT expanded service hours on Saturday from 10:00 a.m. to 5:00 p.m. effective July 2017. Prior to this change, Saturday hours were from 10:00 a.m. to 2:00 p.m. Riders have requested service later in the evenings and on Sundays.

Six bus stops were upgraded during the audit period, including the stop at the Needles Branch Library on Bailey Avenue and the stop on Q Street. The City also relocated the bus stop on Needles Highway at the Best Western Colorado River Inn to Arch Street and Needles Highway adjacent to the Circle K. Lighting improvements were also made as part of the upgrades. The City is considering the placement of trash cans at select bus stops and shelters.

NAT operations are headquartered at the western end of the historic El Garces Hotel and Intermodal Transportation Depot. Operation facilities include a garage at the opposite end of the depot parking lot where vehicles are stored. The contract operator leases the space from the City.

Fixed route dispatching is facilitated from the El Garces Depot using hand-held radios. Drivers call into dispatch on the half-hour, on the hour at the transfer point, and during route deviations. A dispatch log is maintained with detours and delays recorded. NAT vehicles are equipped with six cameras.

Driver trip sheets utilized on NAT include the pertinent operational data such as hours and mileage calculations, passenger counts, fare categories, route time points, deviations, and fueling. The driver's name, bus number, and date of service are noted at the top of the trip sheet. Time data include the clock in, pull out, in service, out of service, pull in, and clock out times. Mileage data include pull out, in service, out of service, and pull in mileage. The pull out/in service and out of service/pull in mileage data are the same since the first time point is adjacent to the El Garces Hotel and Intermodal Transportation Depot where the buses pull out and pull in.

The deviated fixed route uses non-electronic Diamond branded fareboxes. The vaults from the fareboxes are pulled after each run. The vault contents are emptied into a sealed envelope and placed into a safe located in the operations facility storage room. The fare revenues are counted the following day and deposited on Mondays, Wednesdays, and Fridays. Dial-A-Ride revenues are deposited on Fridays whereas fare revenues from the Dial-A-Ride Medical Transport and Shopper Shuttle are deposited monthly. The contract operator drops off the NAT fare receipts to the City, with the fare receipts counted twice: first by the contract operator involving two contract employees and second by City staff. The City gives the contract operator a receipt. Drivers complete a daily worksheet containing the passenger trip count, which can be used to reconcile the fare count. Variances generally reflect an overage of revenues.

COVID-19 Pandemic Impacts

As impacts from the novel coronavirus started to be realized in California, a state of emergency was declared on March 4, 2020. Subsequently, a mandatory statewide shelter-in-place order was implemented on March 19. In response to the order and pursuant to Centers for Disease Control and Prevention protocols, the City continued to operate service while implementing safety measures that protected drivers and passengers.

Personal protective equipment such as masks and face shields were implemented, and barriers were installed around driver areas to shield the operators from possible transmission from the passengers. Passengers seated on the vehicles were staggered to maintain social distancing. Additional safety measures included daily sanitation of the vehicles. Needles decided not to suspend fare collection during the pandemic or reduce service.

Personnel

Contract operations during the period of McDonald Transit were administered by a general manager, who also served as a lead dispatcher. The general manager held this position under McDonald Transit Associates since 2015 and was brought over as operations supervisor for the Transportation Concepts contract. A new project manager is also part of the NAT contract management structure who transferred from the Blythe operations. Current NAT operations include five drivers, one dispatcher, project manager, and the operations supervisor. One driver can cover NAT and Dial-A-Ride service modes during their shift. One driver can cover NAT and Dial-A-Ride service modes during their shift. During the audit period, there were two driver vacancies due to relocations from the area. The vacancies have since been filled. There were no missed trips or runs due to the shortage.

Newly hired drivers undergo eight hours of behind-the-wheel training, four hours of defensive driving training in accordance with the National Safety Council, and four hours of sensitivity training, which includes operation of wheelchair lifts and the proper securing of wheelchair-bound passengers. Drivers undergo four hours of refresher training annually as well as training if involved in a preventable accident. In addition, eight safety meetings are held annually, which consist of topical and video presentations as well as driver feedback and suggestions. Ongoing training topics include safe bus operations and emergency procedures. High visibility safety vests

are worn by employees when operating a bus. The operations supervisor rides with the drivers five to six times monthly as part of their evaluation process. The operations supervisor rides with the drivers five to six times monthly as part of their evaluation process.

Drivers are recruited through the local newspaper, *Needles Desert Star*, the contractor's website, LinkedIn, Indeed, and word-of-mouth. One of the most recent hires formerly worked in the trucking industry. Candidates must have a clean driving record, clear a drug test, and have a strong customer service orientation. Commercial driver testing is conducted at the DMV processing center located in Fontana.

Dial-A-Ride and Dial-A-Ride Medical Transport/Shopper Shuttle Pilot Program

Needles' demand-responsive transit service was operated under contract by RATP Dev/McDonald Transit since July 2016. Prior to this arrangement, the Needles Senior Citizens Club had been the operator since November 1984. The City approached RATP Dev/McDonald Transit Associates to take over operations of the Dial-A-Ride and Dial-A-Ride Medical Transport services due to the Senior Citizens Club's challenges in finding qualified drivers which would disrupt service. Dial-A-Ride and Dial-A-Medical Transport/Shopper Shuttle operations are currently operated by Transportation Concepts although dispatching of Dial-a-Ride services is done through a City employee located at the Needles Senior Center working with the private contractor.

More disabled riders are being carried on Dial-A-Ride. They utilize the service to conduct shopping, pay bills, and access medical appointments. The increased number of disabled riders has also included more escorts and attendants on Dial-A-Ride. In light of this, the City may consider the imposition of a fare for escorts/attendants. One rider on the Dial-A-Ride Medical service passed away in November 2020 which, for a small transit system, had a significant impact. This rider utilized the service to access dialysis appointments in Bullhead City. Higher automobile ownership has also impacted ridership.

Dial-A-Ride requests are available on demand with a 30-minute pickup window (15 minutes before and 15 minutes after), with dispatch occurring from City staff in the senior center. The driver trip sheets utilized on the Dial-A-Ride services are like those used on NAT. In lieu of time points, passenger names along with their pickup/drop-off addresses are indicated on the trip sheet. The Dial-A-Ride Medical is composed of a twice-weekly medical shuttle service to Fort Mohave and Bullhead City, Arizona. The medical shuttle operates Tuesday and Thursday and, depending on ridership demand, starts at 9:15 a.m. and ends at 3:00 p.m. Trips originate and terminate at the Needles Senior Center. Most of the riders using the shuttle are seniors, along with some younger riders. The medical shuttle also assists riders with picking up prescriptions at Safeway and CVS Pharmacy located just beyond Fort Mohave.

Two drivers are currently assigned to Dial-A-Ride and Dial-A-Ride Medical Transport/Shopper Shuttle Pilot Program. For Dial-A-Ride services, separate weekly and monthly reports are prepared by the City employee at the Senior Center which is cross-checked by the transit services manager. The monthly reports provide the bus number, ridership, and fare data per day.

Hours and miles are tracked monthly through TransTrack, data which is inputted by the contractor's operations supervisor. The no-shows reported during the audit period are summarized in Table V-1.

Table V-1
Dial-A-Ride No-Shows

	FY 2017	FY 2018	FY 2019	FY 2020
No-shows including DAR and DAR Medical Transport/Shopper Shuttle	13	10	14	30

Source: TransTrack

No-shows on the Dial-A-Ride services ranged between 10 and 30 occurrences during the audit period. The high number of no-shows in FY 2020 can be attributed to the July 2019 implementation of the Shopper Shuttle and the pre-paid cash donations received during the first six months of operation whereby the fare was not paid by the rider (23 shopper no-shows). Otherwise, one mitigating factor for the low number of no-shows is the familiarity of the Dial-A-Ride drivers and dispatch with the ridership base. No-shows are charged the applicable fare.

Operations Standards and Performance

The operations contract contains a set of liquidated damages for failing to meet minimum performance standards. The City has the discretion to apply these standards if service conditions warrant. Payment to the City by the contractor can be made for failing to meet certain standards in the following performance areas: late start-up, missed revenue service hours, on-time performance, customer complaints, defective equipment, uncleaned vehicle, inoperable vehicles, and monthly reporting. During the audit period, the City has had no cause to enforce the liquidated damages in the contract.

The City uses TransTrack to measure operational data such as ridership by line, mileage, riders per service hour, accidents, vehicle inspections, and road calls. The summary report provides data on a monthly and year-to-date basis. One operational measure reported on the performance summary report is accidents. Regarding vehicle safety, the City generally tracks the number of accidents that are categorized as "preventable." According to the Federal Motor Carrier Safety Administration, a preventable accident is one that occurs because the driver fails to act in a reasonably expected manner to prevent it. Based on the federal National Transit Database (NTD) definition, Needles Transit Service reported zero NTD reportable accidents, a testament to improved safety awareness during the audit period. On-time performance is determined through spot checking by the contract operations supervisor and calls into dispatch. On-time performance data are summarized in Table V-2.

Table V-2
NAT On-Time Performance

	FY 2017	FY 2018	FY 2019	FY 2020
On-Time Performance	99.8%	100%	100%	100%

Source: TransTrack

Given the configuration of the NAT routing and local traffic patterns, the system has been able to maintain a 100 percent on-time performance. Customer service levels are measured by tracking complaints and compliments on the performance summary report. Customer feedback through the comment card is also accounted for. In addition to being tracked on the summary report, the contract operator maintains a narrative report summarizing the type of complaint or compliment received. Complaints per 10,000 passengers are summarized in Table V-3.

Table V-3
Needles Transit Services Complaints – System-wide

	FY 2017	FY 2018	FY 2019	FY 2020
Number of Complaints	2	8	4	3
Passengers Served Between Complaints	15,875	3,544	8,156	9,600
Complaints per 10,000 Passengers	0.63	2.82	1.23	1.04

Source: TransTrack. Figures adjusted from complaints per 100,000 passengers to complaints per 10,000 passengers.

The number of recorded complaints decreased from 8 in FY 2018 to 3 in FY 2020, with the number of complaints per 10,000 passengers decreasing from 2.82 in FY 2018 to 1.04 in FY 2020. In general, complaints are made over the phone to either the contractor or the City. Phone numbers for both parties are listed on the NAT schedule. The City indicated it does not receive many complaints about NAT or Dial-A-Ride service. The contract operator, upon receipt of a complaint, completes a customer complaint form that identifies the customer, type of complaint, manager's response, and driver's response. Actions taken are recorded on the form and it is signed by both the operations manager and the driver. A copy of the form is then stored in the employee's personnel file. All complaints about NAT or Dial-A-Ride are entered into TransTrack by the City.

As stipulated in the service contract, the contractor is required to submit reports to the City detailing the operation of NAT. A list of sample report types is contained in the contract. Most of the operations data are captured through TransTrack from data entry by the contractor. The City in turn enters the financial data into TransTrack and does year-end checks of all performance data entered into TransTrack. The financial data are based on information received from the City Finance Department and contract operator's invoices.

The City receives hard copies of monthly data from the contractor, including fare revenue counts and copies of deposit receipts. A management report accompanies the data and highlights the major performance measures for the month, including total passengers, revenue miles, revenue hours, farebox revenue, road calls, collision accidents, on-time performance, and platform hour percentage (time the driver is operating the vehicle relative to total pay hours).

Maintenance

Transportation Concepts assumed direct responsibility for vehicle maintenance as part of the new service contract. Under the McDonald Transit contract, vehicle maintenance was outsourced to Desert River Lube and Auto (formerly Lube and Latte) in Needles. A maintenance audit found that regularly scheduled preventative maintenance inspections (PMIs) were not conducted and that the vendor did not maintain the appropriate documentation. Some of the defects discovered included worn tires and degraded suspension parts. Transportation Concepts received a copy of the previous maintenance records and, as part of the contract operator transition, RATP Dev/McDonald Transit was required to repair all deficiencies to bring the vehicles to satisfactory operating conditions.

Under Transportation Concepts, vehicles are generally serviced at the El Garces intermodal facility in Needles; however, due to space constraints and lack of a vehicle lift, vehicles requiring major maintenance or repair work are transported to the contractor's facility in Blythe. The Blythe facility has a better equipped shop with vehicle lifts and jacks. An impact to the vehicles from transport from Needles to Blythe is almost 100 miles one-way deadhead travel for the maintenance or repair, which could affect vehicle life. Light repair work and basic maintenance tasks such as oil changes and brake checks are conducted at Needles. Safety-related maintenance is subcontracted out on an as needed basis when the repair is beyond the capabilities of Transportation Concept's maintenance personnel. NAT vehicles are stored at the El Garces intermodal facility and Dial-A-Ride vehicles are stored at the City's Public Works yard.

PMIs are conducted every 3,000 miles or 45 days; whichever metric comes first. In addition to oil changes, brake and suspension inspections, wheelchair lifts, ADA access equipment and air conditioning are serviced. PMIs are tracked on an Excel spreadsheet. The operations supervisor also enters maintenance data into TransTrack. Drivers conduct pre- and post-trip inspections, which are recorded onto the daily vehicle inspection report (DVIR). The DVIR contains 10 categories as well as vehicle operations data that include reporting of starting and ending time and mileage. Vehicles are cleaned by the drivers daily. Cleaning protocols include sweeping, mopping, and disinfection. Defects are reported to the mechanic, who is assigned to Needles on Fridays or at any time there is an emergency with a bus that needs immediate attention.

Fueling takes place at the Thalypo Fuel Station located at 1520 Courtwright Road in Mohave Valley, Arizona. Each vehicle is assigned its own credit card to purchase fuel. Prior to the opening of the Thalypo Fuel Station, vehicles were fueled at the Arco AM/PM Market located at 10001 South Harbor Avenue in Mohave Valley. The reason cited for fueling vehicles in Arizona is lower retail fuel costs, which are generally $1.00 to $2.00 per gallon lower than in California.

The mechanic assigned to Needles Transit Services has Automotive Service Excellence (ASE) certification and maintains all vehicles for the Needles and Blythe operations. Vehicle parts are procured on an as-needed basis. Transportation Concepts purchases parts in bulk through the local Napa Auto Parts store. Bulk purchases are based on price and goods delivered. The contract operator does not maintain a parts inventory; however, procured parts are tracked on a purchase order log. The contractor switched tire brands due to the frequency of blowouts.

In addition to routine maintenance, NAT vehicles are subject to the annual CHP Terminal Inspection. NAT vehicles received satisfactory ratings from the CHP inspections during the audit period. Dial-A-Ride vehicles were not subject to CHP inspections per state law because their seating capacity is under 10 passengers.

Planning

Several planning initiatives and studies of the Needles Transit System were undertaken during the audit period. The most notable planning effort was the Needles Transit Services SRTP 2020–2025, which was completed in January 2020 and adopted by the City in February 2020. The prior SRTP, adopted in December 2015, covered FYs 2016 through 2020. The SRTP update began with a series of passenger and community surveys to determine service needs and trends. There were four financially constrained recommendations in the 2020-2025 SRTP:

- Fort Mohave/Bullhead City Limited Stop: Building upon the Shopper Shuttle pilot implemented in July 2019, the SRTP recommended consolidating the Dial-A-Ride Medical Transport and Shopper Shuttle to the Fort Mohave/Bullhead City service area. The pilot route would operate twice weekly on a reservation basis and allow Needles' residents to access essential services and shopping available in Fort Mohave and Bullhead City.

- Bus Stop Improvements: There are 33 bus stops along the NAT deviated route. Given the extreme summer temperatures, the SRTP recommended a series of bus stop improvements and amenities that would include shelters, benches, and trash receptacles.

- Zero Emission Bus (ZEB) Rollout Plan: SBCTA, in collaboration with the Center for Sustainable Energy, released the *San Bernardino County Zero-Emission Vehicle Readiness and Implementation Plan* in August 2019. The ZEV Plan inventories current ZEV infrastructure and usage in San Bernardino County and projects future demand and infrastructure requirements. The City is required to submit a ZEB Rollout Plan to the state by July 1, 2023, which is within the SRTP cycle.

- Vehicle Replacement: The SRTP identified the replacement of two NAT vehicles scheduled for FY 2022-23.

The 2020-2025 SRTP is composed of an introduction and chapters that comprise existing conditions, community outreach efforts, system performance assessment, overview and recommendations, financial plan, and appendices. The three appendices comprise onboard survey data, bus stop improvement list, and a NAT service area map.

Another planning initiative involving Needles Transit Services was the Fort Mohave Indian Reservation Transit Study, developed in conjunction with the Arizona Department of Transportation. The purpose of the study was to examine transit alternatives for the communities between Needles and Bullhead City, Arizona, which would include the possibility of

having the Needles contractor run the service. The City transit manager had expressed interest in working with the Tribe to implement the service recommendations proposed in the study and had reached out to the Fort Mohave Indian Tribe for the possibility of supporting service into Arizona. However, at that time, the Tribe was not moving forward with their study.

Marketing

Needles Transit Services is marketed through various media and collateral, which were updated during the audit period. In collaboration with SBCTA, the City participated in the Transit Marketing and Fare Study Project in 2018 to encourage and promote transit ridership through a targeted marketing campaign. The project was a multi-phase effort that included a market research report and marketing brief. The project was funded through the Low Carbon Transit Operations Program (LCTOP). An essential element of the LCTOP funding was to allow the City to offer free rides on NAT.

Marketing collateral and initiatives that were implemented included enhanced flyers and posters promoting the NAT service; a promotional free ride campaign in August/September 2018 that that was extended to November 3; and a second round of promotional free rides April 22–29, 2019. The promotional free rides were promoted through postcard mailers and ads in the *Needles Desert Star* newspaper. Needles reported 800 boardings during the six-day April 2019 campaign, which was double the number of boardings from the prior two-week period and more than three times the number during the first week of the month.

Other marketing initiatives implemented by the City included a new riders guide, redesigned webpage, bus stop decals, as well as refreshed exterior graphics on the buses. Information displays were placed at City Hall, Palo Verde College, Colorado River Medical Center, school district offices and campuses, San Bernardino County Sheriff's Office, and the Chamber of Commerce.

Transit information is available through the City's website (https://cityofneedles.com/transit/), which was updated to reflect the fare increases and Saturday schedule changes. Information about transit services is accessed under the "Transportation" tab on the "About Needles" page of the website. There is a link to the NAT route map and schedule presented in a PDF document. The schedule was updated to reflect the fare increases that were implemented during the audit period.

A prior audit recommendation concerned the implementation of Google Transit onto the transit webpage. Google Transit's key features include simple and accessible online trip planning, Google user access to Needles' website, trip planning in numerous languages, comparisons with other modes of travel (automotive, cycling and pedestrian), and compatibility with many mobile devices.

The City implemented the Google Transit trip planner on the transit page of the City's website in June/July 2018 as part of the Transit Marketing and Fare Study Project funded through the LCTOP grant. However, with the implementation of the new City website in 2019, the Google

Transit trip planner feature was not transferred. As of this report, the Google Transit trip planner has yet to be restored on the transit page of the City of Needles website. It is recommended that staff work to reestablish the trip planning tools as well as a Google Translate widget feature for non-English-speaking users.

Pursuant to the federal Civil Rights Act of 1964, Needles Transit Services updated its Title VI Program in September 2020. Title VI requires that no person in the United States, on the grounds of race, color, or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. Program compliance includes Title VI notices posted on the City's transit webpage, in all transit vehicles, and in City offices. Complaint forms are also available on the transit webpage in English and Spanish.

General Administration and Management

The City of Needles was incorporated on October 30, 1913 and operates as a charter city. The mayor is elected to serve a two-year term and there are six City Council members who are elected to serve four-year (staggered) terms of office. Following each election, the Council selects a vice mayor from its membership. Regular meetings of the City Council are convened on the second and fourth Tuesday of each month at 6:00 p.m. in the City Council Chambers located at 1111 Bailey Avenue in Needles. The Needles City Council is presented with annual budget numbers and approves the annual TDA claims. It also receives copies of the annual fiscal audit.

The City manager is responsible for the daily administration of City functions and reports on each department monthly: Transit, City Clerk, Finance, Engineering, Utilities, Public Works, Planning, and Community Recreation. Needles Transit Services is administered by the transit services manager (now community services manager). Other City staff including from the Finance Department provide support as needed. SBCTA provides additional support for planning and grants funding for the City.

The transit system is charged an administration/general government cost that represents the allocation of time spent on transit by the transit services manager. This charge represents approximately 10 percent of the transit manager's annual work hours.

Pursuant to TDA, the City receives Local Transportation Fund (LTF) proceeds and State Transportation Assistance Funds (STAF). TDA funding is used primarily for operating expenditures and certain capital projects. Based on annual financial audit data, LTF revenues received under Article 8 during the audit period were $256,489 in FY 2018; $198,961 in FY 2019; and $213,025 in FY 2020. STAF revenues received were $278,004 in FY 2018; $258,131 ($128,121 operations; $130,010 capital) in FY 2019; and $172,220 in FY 2020. In addition, the City received $30,189 in Article 3 funding. The Transit Operators Financial Transactions Reports sent to the State Controller are generally prepared by the City's finance director or the fiscal auditor retained by SBCTA.

Grants Management

In addition to TDA funding, Needles Transit Services relies on a variety of federal and state grants to support its operations and capital procurement efforts. As a transit service serving a rural area, the City received federal funding from the Federal Transit Administration (FTA) Section 5311 grant program for operations. Rural FTA Section 5311 grant funds received were $44,416 in FY 2018; $39,707 in FY 2019; and $41,921 in FY 2020 for transit operations during the audit period. SBCTA submits a Program of Projects that identifies subrecipients and projects to receive FTA Section 5311 funds in its planning area by December 31 of each year.

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law. The CARES Act provides emergency assistance and health care response for individuals, families, and businesses affected by the COVID-19 pandemic and provide emergency appropriations to support Executive Branch agency operations during the COVID-19 pandemic. Under the CARES Act, FTA is allocated $25 billion to recipients of urbanized area and rural area formula funds, with $22.7 billion allocated to large and small urban areas and $2.2 billion allocated to rural areas. Funding is provided at a 100 percent federal share, with no local match required, and is available to support capital, operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19.

For FY 2020, Needles was awarded $43,951 under the CARES Act. The supplemental funding has gone toward the loss in farebox revenues and to cover increased expenses related to the pandemic response.

Local funding support is derived from the county's Measure I program that subsidized the Dial-A-Ride farebox recovery. The City received $11,154 in FY 2018; $10,425 in FY 2019; and $15,559 in FY 2020. Measure I support is reflected in the farebox recovery calculation under Note 4 in the annual TDA financial audit report of the Needles Transit Fund pursuant to PUC Section 99268.19.

Section VI

Findings

The following summarizes the findings obtained from this triennial audit covering fiscal years 2018 through 2020. A set of recommendations is then provided.

Triennial Audit Findings

1. Of the compliance requirements pertaining to Needles Transit Services, the operator complied with eight out of nine requirements. The City was not in compliance regarding the timely submittal of its Transit Operator Financial Transactions Reports. Two additional compliance requirements did not apply to Needles Transit Services (i.e., blended and urban farebox recovery ratios).

2. NAT exceeded its annual fare recovery ratio, although the FY 2020 farebox recovery ratio dipping to 10.17 percent in FY 2020 in large part to the COVID-19 pandemic and state shelter-in-place order during the last quarter of that year. The Dial-A-Ride farebox recovery ratio exceeded 15 percent during the audit period with the contribution of local Measure I support funding. Transit services are funded by TDA Article 8(c). The SBCTA board adopted performance criteria for Needles Transit Services that set the system-wide farebox recovery ratio at 10 percent.[3]

3. Through its contract operator, Needles Transit Services participates in the CHP Transit Operator Compliance Program and received inspections of NAT vehicles within the 13 months prior to each TDA claim. Satisfactory ratings were made for all inspections conducted during the audit period.

4. The operating budget increased each of the three years of the audit period. The FY 2018 operating budget increased 3.1 percent followed by a higher increase of 6 percent in FY 2019. For FY 2020, the operating budget increased 18.3 percent due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020 following departure of the system's prior operator.

5. Needles satisfactorily implemented one out of the two prior audit recommendations. The completed recommendation pertained to the use of local supports to enhance farebox revenues. The second recommendation, pertaining to the implementation of electronic and

[3] It is noted that the audited farebox ratio in FY 2020 was adversely impacted from the COVID-19 pandemic and state shelter-in-place order. Local funds (Measure I) were applied by the operator to supplement farebox revenues to satisfy the 10 percent fare ratio for the deviated fixed route and the 15 percent fare ratio for Dial-A-Ride as permitted by Section 99268.19.

mobile trip planning tools, was partially implemented, and is carried forward in this audit for full implementation.

6. Operating costs system-wide increased by 22.6 percent from the FY 2017 base year through FY 2020 based on audited financial data. Deviated fixed route operating costs increased by 20.5 percent and Dial-A-Ride costs increased by 40.2 percent based on audited financial and internal data. The annualized growth in operating costs for the deviated fixed route was 6.6 percent and 12.6 percent for Dial-A-Ride. The increase in operating costs is due to adjustments in contractor costs and higher vehicle insurance premiums. Contract operations were assumed by Transportation Concepts effective FY 2020.

7. Ridership decreased 3.2 percent system-wide, consisting of a 7.2 percent decrease on deviated fixed route. In contrast, there was 23.4 percent increase in Dial-A-Ride ridership from the FY 2017 base year to FY 2020. Ridership on Dial-A-Ride increased 13 percent in FY 2018 followed by a 6.6 percent increase in FY 2019. The overall declines in ridership are attributed to lower retail fuel prices as well as reduced commercial activity in Needles involving the closure of a major chain store and a restaurant. The increase in ridership on Dial-A-Ride is attributed to the implementation of the Shopper Shuttle. In consideration of the COVID-19 pandemic impacts toward the latter part of FY 2020 and the adverse impacts on transit, system-wide ridership decreased 5.8 percent. Ridership decreased 22.9 percent in the second quarter of FY 2020, followed by a 12.1 percent decrease in the third quarter, and 26.3 percent decrease in the fourth quarter, when the statewide shelter-in-place order was in full effect.

8. Operating cost per passenger, an indicator of cost effectiveness, increased by 26.7 percent system-wide from $12.94 in the FY 2017 base year to $16.39 in FY 2020. Cost per passenger increased by a comparable 29.9 percent on the NAT deviated fixed route service and 15.1 percent on Dial-A-Ride. The trend in this indicator reflects the increase in operating costs in contrast to the decrease in ridership. In consideration of the pandemic toward the latter part of FY 2020 and the adverse impacts on transit, system-wide cost per passenger was $11.23 in the first quarter of FY 2020, $16.43 in the second quarter, $17.84 in the third quarter, and $24.69 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per passenger in FY 2020 was $17.55.

9. Operating cost per hour, an indicator of cost efficiency, increased 6.8 percent system-wide from $89.08 in the FY 2017 base year to $95.12 in FY 2020. Cost per hour on the deviated increased 15.5 percent. Dial-A-Ride exhibited a 0.7 percent increase in this indicator. The trend in this indicator reflects the increase in operating costs in contrast to the modest increase in vehicle service hours. In consideration of the COVID-19 pandemic impacts toward the end of FY 2020, system-wide cost per hour was $89.76 in the first quarter, $100.91 in the second quarter, $93.69 in the third quarter, and $96.12 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average cost per hour in FY 2020 was $95.12.

10. Passengers per vehicle service hour, which measures the effectiveness of the service delivered, decreased 15.7 percent system-wide from 6.9 passengers in the FY 2017 base year to 5.8 passengers per hour in FY 2020. This indicator decreased 11.1 percent for deviated fixed route and by 12.5 percent for Dial-A-Ride. The trends are indicative of the decrease in passenger trips in contrast to the increase in vehicle service hours. During FY 2020, passengers per hour system-wide were 8.0 in the first quarter, 6.1 in the second quarter, 5.3 in the third quarter, and 3.9 in the fourth quarter, when the statewide shelter-in-place order was in full effect. The average number of passengers per hour in FY 2020 was 5.8 passengers.

11. NAT expanded service hours on Saturday from 10:00 a.m. to 5:00 p.m. effective July 2017. Prior to this change, Saturday hours were from 10:00 a.m. to 2:00 p.m. Riders have requested service later in the evenings and on Sundays.

12. A fare increase was implemented during the audit period in July 2017. General public fares increased from $1.25 to $1.30 per trip. The City implemented a second fare increase in July 2018 from $1.30 to $1.35 per trip. Fares were also increased on the Dial-A-Ride and Dial-A-Ride Medical Transport services. The City is considering another fare increase pending the findings of a fare analysis to be conducted by SBCTA.

13. The City implemented the Shopper Shuttle Pilot Program on July 10, 2019. The Shopper Shuttle operates on Wednesday on a prepaid, reservation basis departing Needles at 8:15 a.m. and returning by 12:30 p.m. The prepaid round trip fare is $9.00.

14. In December 2018, the City received a notice of termination of the operating contract from RATP Dev/McDonald Transits Associates Inc. The City released an RFP in March 2019 with no responses received. The RFP was reissued in May 2019 and two proposals were received. In September 2019, the City Council approved contracts with Transportation Concepts to provide operations of local fixed and deviated route transit services and Dial-a-Ride services including senior and disabled demand response and DAR Medical Transport/Shopper Shuttle for the period starting October 1, 2019, to June 30, 2023.

15. The Needles Transit Services Short Range Transit Plan (SRTP) 2020–2025 was completed in January 2020 and adopted by the City in February 2020. The SRTP update began with a series of passenger and community surveys to determine service needs and trends. There were four financially constrained recommendations in the 2020-2025 SRTP.

16. In collaboration with SBCTA, the City participated in the Transit Marketing and Fare Study Project in 2018 to encourage and promote transit ridership through a targeted marketing campaign. The project was a multi-phase effort that included a market research report and marketing brief. The project was funded through the Low Carbon Transit Operations Program. Marketing collateral and initiatives that were implemented included enhanced flyers and posters promoting the NAT service, and free ride campaigns.

Recommendations

1. **Ensure timely completion and submittal of the Transit Operators Financial Transactions Reports to the State Controller.**
   (High Priority)

   In the compliance review section, it was found that the City submitted its Transit Operators Financial Transactions Reports to the State Controller after the statutory deadline during all three years of the audit period. Pursuant to Public Utilities Code Section 99243, the report is due within seven months after the end of the fiscal year, which is on or before January 31. The submission of reports to the State Controller in a timely manner will further demonstrate Needles' proactive approach to compliance with state reporting instructions.

2. **Ensure key performance indicators such as accidents, incidents, road calls, and deadhead service data are reported and monitored in TransTrack Manager.**
   (High Priority)

   Needles has been proficient in its utilization of TransTrack Manager in the reporting of system performance metrics. A review of the quarterly performance scorecard in TransTrack confirmed that most performance indicators and data are being reported, such as farebox recovery ratio, operating costs per revenue hour and mile, passengers per revenue hour and mile, complaints, and on-time performance. However, data for some performance categories such as miles between NTD reportable accidents, number of reportable accidents, system failures, and road calls are not reported in TransTrack. While reportable accident data are reported in the NTD, they did not get transferred into TransTrack. In addition, although the incidents of road calls were negligible during the audit period, they were not reported. Also, because the transit vehicles must be transported to Blythe (almost 100 miles one-way) to a Transportation Concepts facility for major maintenance and repairs, deadhead service hours and miles could build up which impact vehicle life. It is suggested that data for these vehicle performance categories be included in TransTrack.

3. **Reinstate the Google Transit trip planning tool on the Needles Transit Services web page.**
   (Medium Priority)

   This recommendation is being carried forward in this audit for full implementation. The City implemented the Google Transit trip planner on the transit page of the City's website in mid-2018 as part of the transit marketing campaign funded through a LCTOP grant. However, in mid to late 2019, a new City website was created and went live without the Google Transit trip planner feature being transferred. As of this report, the Google Transit trip planner has yet to be restored on the transit page of the City of Needles website. It is recommended that staff work to reinstate the Google Transit trip planner as well as a Google Translate widget feature for non-English-speaking users.

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ SARDA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Unsubsidized WEX and Community Service Training MOU with the County of San Bernardino Transitional Assistance Department.

Background: The San Bernardino County Social Services requires persons receiving government assistance to work towards receiving education and job training. They are looking to place recipients into positions that can provide those benefits at no cost to the agency. The City of Needles is seeking to continue additional labor assistance at Parks, Golf Course maintenance, and the Animal Shelter. The Teamsters has recommended using this program to supplement the work force. This program does not replace any existing staff. Participation in this program requires enactment of a memorandum of understanding, which has been reviewed by the City Attorney.

Fiscal Impact: None

Recommended Action: **Authorize City Manager to approve the Unsubsidized WEX and Community Service Training MOU with the County of San Bernardino Transitional Assistance Department**

Submitted By: Tracy Beck, Human Resource Specialist

City Management Review: Patricia J Nay for Rick Daniels **Date:** 9/23/21

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

Agenda Item: 10

MEMORANDUM OF UNDERSTANDING
between
Transitional Assistance Department
and
City of Needles
for
Unsubsidized
Work Experience/Community Service Training

OCTOBER 15, 2021

WHEREAS, the State of California enacted the 1997 California Work Opportunity and Responsibility to Kids (CalWORKs) Act [Welfare and Institutions Code Section 11200, et seq.] which includes the provision of training services to Temporary Assistance to Needy Families (TANF) applicants/recipients; and

WHEREAS, the County of San Bernardino Transitional Assistance Department, hereinafter referred to as "TAD," administers the CalWORKs Program in accordance with Welfare and Institutions Code Section 11200 and California Department of Social Services (CDSS) Regulations MPP 42-700; and

WHEREAS, in order to comply with the CalWORKs Act and the CDSS regulations implementing said legislation, each County must arrange for or provide training services which include non-salaried (unsubsidized) Work Experience/Community Service, hereinafter referred to as WEX/Community Service training services, for its TANF customers; and

WHEREAS, the City of Needles, hereinafter referred to as "Provider," has experience in providing unsubsidized WEX/Community Service training to individuals through its function as a public or private non-profit entity; and

WHEREAS, TAD desires to enter into a non-financial Memorandum of Understanding (MOU) with the Provider for the provision of non-salaried WEX/Community Service training service assignments to San Bernardino County TANF customers;

NOW THEREFORE, TAD and Provider mutually agree to the following terms and conditions:

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I. DEFINITIONS

A. Assessment – An appraisal of a participant's work history, employment skills, knowledge, abilities, education, current educational competency level, employability given current skills, physical or mental conditions that limit the ability to participate, local labor market conditions, and need for supportive services.

B. CalWORKs – The acronym for California Work Opportunity and Responsibility to Kids, implemented through Assembly Bill 1542.

C. Case Manager – TAD staff member who provides job services and case management services for TAD program participants. Used interchangeably with "ES" or "ESS."

D. Community Service – An unpaid training activity that is performed in the public or private nonprofit sector under close supervision. It is intended to provide participants with basic job skills that can lead to employment while, if possible, providing a service to the community.

E. Employment Services Specialist (ESS or ES) – Welfare-to-Work staff member who provides job services and case management services for Welfare-to-Work program participants. Used interchangeably with the term "Case Manager."

F. HS – The acronym for Human Services. Oversees the nine Human Services Departments and fosters concern for social programs within the County and communities, as a whole.

G. Memorandum of Understanding (MOU) – For the purpose of this document, a MOU is a contractual agreement between TAD and the Work Experience/Community Service provider. MOUs are established with the parent agency. One MOU can generate numerous training sites.

H. Participant – An individual who has been determined eligible to participate in, and who is receiving service under, a program or agreement authorized by TAD. Used interchangeably with "recipient" or "customer."

I. Provider – A public agency or private nonprofit organization that delivers educational, training, employment, or supportive services to TAD participants. Used interchangeably with "Service Provider."

J. Qualitative Measures – An assessment of the degree of a participant's success in a WEX/Community Service training assignment in terms of such attributes as the ability to follow directions, to complete assignments, to dress appropriately, to behave appropriately at the training site, etc.

K. Quantitative Measures – An assessment of the degree of a participant's success in a WEX/Community Service assignment in terms of punctuality, adherence to an assigned schedule, etc.

L. Recipient – An individual receiving TANF benefits and who is registered with TAD. Used interchangeably with "participant" or "customer."

M. Service Provider – A public agency or private nonprofit organization entity that delivers educational, training, employment, or supportive services to TAD participants. Used interchangeably with "Provider."

N. Supportive Services – Services necessary to enable a participant who cannot afford to pay for such services to participate in a training program. Payment may be provided for transportation,

childcare, health care, and other reasonable expenses required for participation in the training program and may be provided directly or through cash assistance.

O. TAD – Transitional Assistance Department. TAD administers public assistance programs such as Temporary Assistance for Needy Families (TANF), Cal-Learn (which serves pregnant/parenting teens on TANF who have not received a high school diploma or equivalent), CalFresh, Medi-Cal, and Welfare-to-Work.

P. TANF – Temporary Assistance for Needy Families. The federal program under which CalWORKs is administered.

Q. Training Site Request (TSR) – Training Site Requests (WTW 733.1 Form) are completed by the Provider staff to notify TAD of WEX/Community Service training positions within their department, agency, or office. The TSR indicates the site supervisor, number of WEX/Community Service trainees the site can accommodate, pertinent information about the site, training activities, and any prerequisites or special requirements of the position(s).

R. Training Site Supervisor – Provider's staff member designated to supervise WEX/Community Service trainees and their activities during their training assignment. The staff member works with the TAD WEX/Community Service Coordinator and/or TAD Case Manager to ensure the participant is meeting Welfare-to-Work requirements.

S. Welfare-to-Work (WTW) – WTW is a mandatory employment-focused program for most adults who are receiving cash aid under CalWORKs.

T. Unsubsidized Employment – Direct employment without a subsidy from TAD or other government agency.

U. WEX (Work Experience) – Refers to a training activity in the public or private sector under the close supervision of the activity service provider. WEX/Community Service training is intended to help provide basic job skills, enhance existing job skills, and possibly provide a needed community service that will lead to unsubsidized employment.

V. WEX/Community Service Training Plan (WTW 733.5 Form) – The WEX/Community Service Training Plan, WTW 733.5 form, is an agreement between the participant and the Provider. It confirms specifics about the participant's WEX/Community Service assignment, such as position, supervisor, daily/weekly schedule and length of assignment. It serves as a reminder about attendance/progress submission, and about continued job search during the WEX/Community Service training assignment. It also serves as an informing notice by letting the participant know the areas he/she will be evaluated on while in WEX/Community Service training, what his/her responsibilities are during the Work Experience/Community Service training activity, and also TAD's responsibilities.

W. Work Experience/Community Service Coordinator or WEX Coordinator – The TAD staff member designated to monitor the WEX/Community Service trainees' participation and progress in the WEX/Community Service training activity. Works with the Training Site Supervisor to ensure the participant is progressing and meeting his/her WTW Plan.

X. Work Experience Trainees – Recipients of TANF who either must participate as a condition of receiving TANF benefits or who volunteer to participate in the program in order to become more financially self-sufficient.

Y. WEX/Community Service Referral Form – The WTW 733.2 Referral Form is used to refer TAD participants to WEX/Community Service providers for enrollment in approved activities. The 733.2 Referral Form supplies the provider(s) with information pertaining to a TAD participant's referral and possible enrollment into the WEX/Community Service activity.

Z. WEX/Community Service Site Supervisor Orientation – Orientation to the TAD WEX/Community Service training program. Conducted when the training site has not been previously used and/or the WEX/Community Service training site supervisor is new to the WEX/Community Service training program and procedure.

II. PROVIDER SERVICE RESPONSIBILITIES

Provider shall:

A. Provide supervised unsubsidized WEX/Community Service training activities for participants assigned to a training site by TAD in the occupation(s) specified in the Training Site Request (TSR) (WTW 733.1 Form).

B. Coordinate with the WEX/Community Service Coordinator in the referring TAD office to ensure that the participant has completed any pre-employment requirements such as a background check, drug test, physical exam, Tuberculosis test, etc., prior to placing the participant in unsubsidized WEX/Community Service training activities.

C. Coordinate with the WEX/Community Service Coordinator in the referring TAD office to ensure that the participant is appropriate for, and will benefit from, the unsubsidized WEX/Community Service training activity.

D. Coordinate the hours of participation in the unsubsidized WEX/Community Service training activity with the TAD ESS.

E. Ensure all unsubsidized WEX/Community Service training positions are not created as a result of, or result in, any of the following:

1. Displacement, or partial displacement, of current employees, including, but not limited to, a reduction in regular work hours and overtime hours, wages, or employment benefits;
2. A strike, lockout, or other bona fide labor dispute, or the violation of any existing collective bargaining agreement between employees and employers;
3. The filling of established, unfilled positions, unless the positions are unfunded in a public agency budget;
4. The filling of positions which would otherwise be promotional opportunities for current employees;
5. The filling of a position prior to compliance with applicable personnel procedures or provisions of collective bargaining agreements;
6. The filling of a position created by termination, layoff, or reduction in workforce caused by the employer's intent to fill the position with a WEX/Community Service training participant;
7. The filling of a work assignment customarily performed by a worker in a job classification within a recognized collective bargaining unit in that specific worksite, or the filling of a work assignment in any bargaining unit in which funded positions are vacant or in which regular employees are on layoffs.

F. Assist and encourage WEX/Community Service training participants to compete for job openings for which they qualify in the Provider's agency. WEX/Community Service training participants assigned to public agencies shall be allowed to participate in classified service examinations equivalent to the positions they occupy as a trainee and participate in all open and promotional examinations for which experience in the position or other relevant experience may be qualifying.

G. During the WEX/Community Service training activity, provide each participant with:

1. Reasonable and proper supervision and instruction regarding training activities.
2. Safety instructions and equipment necessary to protect the participant and others from injury and to protect equipment and property from damage, in accordance with OSHA guidelines.
3. The same working conditions as provided for Provider employees. Examples of which include, but are not limited to, coffee breaks and lunch breaks.

H. Supply TAD with a monthly record of the participant's attendance and progress by the tenth of each month following the month of service or as requested. Provider shall evaluate participant progress using the Work Experience/Community Service Training Site Supervisor's Handbook and the work site's job standards which shall be discussed at the time of placement. Progress shall be stated in both quantitative measures and qualitative measures.

I. Comply with the terms and conditions outlined in the Work Experience/Community Services Training Site Supervisor's Handbook. Examples of these terms and conditions include, but are not limited to, communication with TAD WEX/Community Service Coordinators and/or Case Managers, reporting participant progress and instances of participant injury, and adhering to Training Site Supervisor responsibilities.

J. **Not** authorize or permit a TAD WEX/Community Service training participant to operate any privately owned or County owned vehicle in connection with a work experience or community service assignment under any circumstances.

III. PROVIDER GENERAL RESPONSIBILITIES

A. In the performance of this MOU, Provider, its agents and employees, shall act in an independent capacity and not as officers, employees, or agents of the County of San Bernardino. Provider certifies that neither it nor its principals is presently disbarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a federal department or agency as required by Executive Order 12549 and implemented as 45 CFR, Part 76.

B. Without the prior written consent of TAD, this MOU is not assignable by Provider either in whole or in part.

C. Provider agrees not to enter into any subcontracting agreements for work contemplated under the MOU without first obtaining written approval from the TAD Director. Any subcontractor shall be subject to the same provisions as Provider in addition to all MOU provisions as required by County. Provider shall be fully responsible for the performance of any subcontractor.

D. Provider shall protect from unauthorized use or disclosure names and other identifying information concerning persons receiving services pursuant to this MOU, except for statistical information not identifying any participant. Provider shall not use or disclose any identifying information for any other purpose than carrying out the Provider's obligations under this MOU, except as may be otherwise required by law. This provision will remain in force even after the termination of the MOU.

E. Contractor shall ensure that all staff, volunteers and/or subcontractors performing services under this Contract comply with the terms and conditions as set forth in the Human Services Information Privacy and Security Requirements prior to providing any services. Contractor shall immediately notify the County of any suspected or actual breach of confidential information as further detailed in the requirements. These requirements specified at http://hss.sbcounty.gov/Privacy are hereby incorporated by this reference.

F. Provider shall ensure that all known or suspected instances of child abuse or neglect are reported to the appropriate law enforcement agency or to the appropriate Child Protective Services agency. This responsibility shall include:

1. Assurance that all employees, agents, consultants or volunteers who perform services under this Agreement and are mandated by Penal Code Sections 11164 et seq. to report child abuse or neglect, sign a statement, upon the commencement of their employment, acknowledging their reporting requirements and their compliance with them.

2. Development and implementation of procedures for employees, agents, consultants, or volunteers who are not subject to the mandatory reporting laws for child abuse to report any observed or suspected incidents of child abuse to a mandated reporting party, within the program, who will ensure that the incident is reported to the appropriate agency.

   Provision of or arrangement of training in child abuse reporting laws (Penal Code, Sections 11164 et seq.) for all employees, agents, consultants, and volunteers, or verification that such persons have received training in the law within thirty (30) days of employment/volunteer activity.

G. Provider shall obtain from the Department of Justice (DOJ) records of all convictions involving any sex crimes, drug crimes, or crimes of violence of a person who is offered employment or volunteers for any position in which he or she would have contact with a minor, the aged, the blind, the disabled or a domestic violence client, as provided for in Penal Code Section 11105.3. This includes licensed personnel who are not able to provide documentation of prior Department of Justice clearance. A copy of a license from the State of California, which requires a DOJ clearance, is sufficient proof.

H. Contractor agrees to and shall comply with the following indemnification and insurance requirements:

1. Indemnification – The Contractor agrees to indemnify, defend (with counsel reasonably approved by County) and hold harmless the County and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the County on account of any claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The Contractor's indemnification obligation applies to the County's "active" as well as "passive" negligence but does not apply to the County's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

2. Additional Insured – All policies, except for the Workers' Compensation, Errors and Omissions and Professional Liability policies, shall contain endorsements naming the County and its officers, employees, agents and volunteers as additional insureds with respect to liabilities arising out of the performance of services hereunder. The additional insured endorsements shall not limit the scope of coverage for the County to vicarious liability but shall allow coverage for the County to the full extent provided by the policy. Such additional insured coverage shall be at least as broad as Additional Insured (Form B) endorsement form ISO, CG 2010.11 85.

3. Waiver of Subrogation Rights – The Contractor shall require the carriers of required coverages to waive all rights of subrogation against the County, its officers, employees, agents, volunteers, contractors and subcontractors. All general or auto liability insurance coverage provided shall not prohibit the Contractor and Contractor's employees or agents from waiving the right of subrogation prior to a loss or claim. The Contractor hereby waives all rights of subrogation against the County.

4. Policies Primary and Non-Contributory – All policies required herein are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County.

5. Severability of Interests – The Contractor agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and there will be no cross liability exclusions that preclude coverage for suits between the Contractor and the County or between the County and any other insured or additional insured under the policy.

6. Proof of Coverage – The Contractor shall furnish Certificates of Insurance to the County Department administering the contract evidencing the insurance coverage, including endorsements, as required, prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and Contractor shall maintain such insurance from the time Contractor commences performance of services hereunder until the completion of such services. Within fifteen (15) days of the commencement of this contract, the Contractor shall furnish a copy of the Declaration page for all applicable policies and will provide complete certified copies of the policies and endorsements immediately upon request.

7. Acceptability of Insurance Carrier – Unless otherwise approved by Risk Management, insurance shall be written by insurers authorized to do business in the State of California and with a minimum "Best" Insurance Guide rating of "A- VII".

8. Deductibles and Self-Insured Retention – Any and all deductibles or self-insured retentions in excess of $10,000 shall be declared to and approved by Risk Management.

9. Failure to Procure Coverage – In the event that any policy of insurance required under this contract does not comply with the requirements, is not procured, or is canceled and not replaced, the County has the right but not the obligation or duty to cancel the contract or obtain insurance if it deems necessary and any premiums paid by the County will be promptly reimbursed by the Contractor or County payments to the Contractor will be reduced to pay for County purchased insurance.

10. Insurance Review – Insurance requirements are subject to periodic review by the County. The Director of Risk Management or designee is authorized, but not required, to reduce, waive or suspend any insurance requirements whenever Risk Management determines that any of the required insurance is not available, is unreasonably priced, or is not needed to protect the interests of the County. In addition, if the Department of Risk Management determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Director of Risk Management or designee is authorized, but not required, to change the above insurance requirements to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonably related to the County's risk.

    Any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this contract. Contractor agrees to execute any such amendment within thirty (30) days of receipt.

    Any failure, actual or alleged, on the part of the County to monitor or enforce compliance with any of the insurance and indemnification requirements will not be deemed as a waiver of any rights on the part of the County.

11. The Contractor agrees to provide insurance set forth in accordance with the requirements herein. If the Contractor uses existing coverage to comply with these requirements and that coverage does not meet the specified requirements, the Contractor agrees to amend, supplement or endorse the existing coverage to do so. The type(s) of insurance required is determined by the scope of the contract services.

Without in anyway affecting the indemnity herein provided and in addition thereto, the Contractor shall secure and maintain throughout the contract term the following types of insurance with limits as shown:

a. Workers' Compensation/Employers Liability – A program of Workers' Compensation insurance or a state-approved, self-insurance program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with $250,000 limits covering all persons including volunteers providing services on behalf of the Contractor and all risks to such persons under this contract.

If Contractor has no employees, it may certify or warrant to the County that it does not currently have any employees or individuals who are defined as "employees" under the Labor Code and the requirement for Workers' Compensation coverage will be waived by the County's Director of Risk Management.

With respect to Contractors that are non-profit corporations organized under California or Federal law, volunteers for such entities are required to be covered by Workers' Compensation insurance.

b. Commercial/General Liability Insurance – The Contractor shall carry General Liability Insurance covering all operations performed by or on behalf of the Contractor providing coverage for bodily injury and property damage with a combined single limit of not less than one million dollars ($1,000,000), per occurrence. The policy coverage shall include:

1) Premises operations and mobile equipment.

2) Products and completed operations.

3) Broad form property damage (including completed operations).

4) Explosion, collapse and underground hazards.

5) Personal injury.

6) Contractual liability.

7) $2,000,000 general aggregate limit.

c. Automobile Liability Insurance – Primary insurance coverage shall be written on ISO Business Auto coverage form for all owned, hired and non-owned automobiles or symbol 1 (any auto). The policy shall have a combined single limit of not less than one million dollars ($1,000,000) for bodily injury and property damage, per occurrence.

If the Contractor is transporting one or more non-employee passengers in performance of contract services, the automobile liability policy shall have a combined single limit of two million dollars ($2,000,000) for bodily injury and property damage per occurrence.

If the Contractor owns no autos, a non-owned auto endorsement to the General Liability policy described above is acceptable.

d. Umbrella Liability Insurance – An umbrella (over primary) or excess policy may be used to comply with limits or other primary coverage requirements. When used, the umbrella policy shall apply to bodily injury/property damage, personal injury/advertising injury and shall include a "dropdown" provision providing primary coverage for any liability not covered by the primary policy. The coverage shall also apply to automobile liability.

e. For Cyber (internet) and Electronic Data Processing (EDP) contracts – Cyber Liability Insurance with limits of no less than $1,000,000 for each occurrence or event with an annual aggregate of $2,000,000 covering claims involving privacy violations, information theft, damage to or destruction of electronic information, intentional and/or unintentional release of private information, alteration of electronic information, extortion and network security. The policy shall protect the involved County entities and cover breach response cost as well as regulatory fines and penalties.

I. Provider shall comply with all applicable laws, statutes, ordinances, administrative orders, rules or regulations relating to its duties, obligations and performance under the terms of the MOU and shall procure all licenses and pay all fees and other charges required thereby. Provider shall maintain all required licenses during the term of this MOU. Failure to comply with the provisions of this section may result in immediate termination of this MOU.

J. Provider shall comply with all applicable local health and safety clearances, including fire clearances, for each site where services are provided under the terms of this MOU.

K. Contractor agrees to and shall comply with the County's Equal Employment Opportunity Program, Employment Discrimination, and Civil Rights Compliance requirements:

1. Equal Employment Opportunity Program: The Contractor agrees to comply with the provisions of the Equal Employment Opportunity Program of the County of San Bernardino and all rules and regulations adopted pursuant thereto: Executive Orders 11246, as amended by Executive Order 11375, 11625, 12138, 12432, 12250; Title VII of the Civil Rights Act of 1964; Division 21 of the California Department of Social Services Manual of Policies and Procedures; California Welfare and Institutions Code section 10000), the California Fair Employment and Housing Act; and other applicable federal, state, and county laws, regulations and policies relating to equal employment or social services to welfare recipients, including laws and regulations hereafter enacted.

2. Employment Discrimination: During the term of the Contract, Contractor shall not discriminate against any employee or applicant for employment or service recipient because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status. Contractor shall comply with Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, 13672, Title VII of the Civil Rights Act of 1964, the California Fair Housing and Employment Act and other applicable Federal, State and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

3. Civil Rights Compliance: The Contractor shall develop and maintain internal policies and procedures to assure compliance with each factor outlined by state regulation. These policies must be developed into a Civil Rights Plan, which is to be on file with the County Human Services Contracts Unit within 30 days of awarding of the Contract. The

Plan must address prohibition of discriminatory practices, accessibility, language services, staff development and training, dissemination of information, complaints of discrimination, compliance review, and duties of the Civil Rights Liaison. Upon request, the County shall supply a sample of the Plan format. The Contractor shall be monitored by the County for compliance with provisions of its Civil Rights Plan. Additionally, the Contractor shall submit to County an Assurance of Compliance with the California Department of Social Services Nondiscrimination in State and Federally Assisted Programs Statement annually.

L. Provider agrees to comply with all applicable provisions of the Americans with Disabilities Act (ADA).

M. Provider shall obtain and complete required documents as well as maintain satisfactory performance as outlined in this MOU.

IV. TAD RESPONSIBILITIES

TAD shall:

A. Supply Provider with a copy of the Work Experience/Community Service Training Site Supervisor's Handbook.

B. Retain the right to deny a participant's enrollment at the WEX/Community Service training site if the enrollment is not consistent with the participant's Action Plan or does not conform to regulations governing WEX/Community Service training activities.

C. Pay for any pre-placement requirements such as a background check, drug test, physical exam, Tuberculosis test, etc., prior to placing the participant in unsubsidized WEX/Community Service training activities.

D. Determine the number of hours a person may participate in an unsubsidized WEX/Community Service training activity and coordinate with Provider's schedule and need.

E. Have the right to observe and monitor all activities involved in the performance of this MOU.

V. MUTUAL RESPONSIBILITIES

A. TAD and Provider agree they will establish mutually satisfactory methods for the exchange of such information as may be necessary in order that each party may perform its duties and functions under this agreement and appropriate procedures to ensure all information is safeguarded from improper disclosure in accordance with applicable State and Federal laws and regulations.

B. TAD and Provider agree they will establish mutually satisfactory methods for problem resolution at the lowest possible level as the optimum, with a procedure to mobilize problem resolution up through TAD's and Provider's mutual chain of command, as deemed necessary.

C. TAD and Provider agree to develop and implement procedures and forms necessary to administer and document program referral, participation, compliance and effectiveness.

VI. FISCAL PROVISIONS

A. Provider is prohibited from making any payments to the participant for training activities performed under this MOU. It is further stipulated that financial remuneration shall not be paid by TAD for WEX/Community Service training provided by the County and/or TAD to TAD participants.

B. Unsubsidized WEX/Community Service training participants are covered for Workers' Compensation benefits through the California Department of Social Services under a contract with the State Compensation Insurance Fund (SCIF). All benefits are administered and authorized through the SCIF.

VII. RIGHT TO MONITOR AND AUDIT

A. HS administrative support staff for TAD or any subdivision or appointee thereof, and the State of California or any subdivision or appointee thereof, including the Inspector General, shall have absolute right to review and audit all records, books, papers, documents, corporate minutes, and other pertinent items as requested, and shall have absolute right to monitor the performance of Provider in the delivery of services provided under this MOU. Full cooperation shall be given by Provider in any auditing or monitoring conducted.

B. Provider shall cooperate with TAD in the implementation, monitoring and evaluation of this MOU and comply with any and all reporting requirements established by this MOU.

C. All records pertaining to service delivery and all fiscal, statistical and management books and records shall be available for examination and audit by HS administrative support staff for TAD, Federal and State representatives for a period of three years after termination of the MOU or until all pending County, State and Federal audits are completed, whichever is later. Records of Provider which do not pertain to the services under this MOU shall not be subject to review or audit unless provided in this or another Contract. Technical program data shall be retained locally and made available upon TAD's reasonable advance written notice or turned over to TAD.

D. Provider shall provide all reasonable facilities and assistance for the safety and convenience of TAD's representative in the performance of their duties. All inspections and evaluations shall be performed in such a manner as will not unduly delay the work of Provider.

E. TAD/WTW may hold an on-site visit (OSV) within the forty-five (45) day period following the participant's start date at the WEX site, and at any other time deemed necessary. The purpose of the OSV is to ensure that both TAD/WTW and the Provider have a clear, comprehensive, and mutual understanding of the terms and conditions of this MOU.

VIII. TERM

This Memorandum of Understanding (MOU) is effective as of October 15, 2021 and expires October 14, 2024, but may be terminated earlier in accordance with provisions of Section IX of this MOU.

IX. EARLY TERMINATION

A. This MOU may be terminated without cause upon thirty (30) days written notice by either party. The TAD's Director is authorized to exercise TAD's rights with respect to any termination of this MOU. The Provider's authorized representative has authority to terminate this MOU on behalf of Provider.

B. If, during the term of this MOU, State and/or Federal funds appropriated for the purposes of this MOU are reduced or eliminated, TAD may immediately terminate this MOU upon written notice to Provider.

X. GENERAL PROVISIONS

A. No waiver of any of the provisions of the MOU documents shall be effective unless it is made in a writing which refers to provisions so waived and which is executed by the Parties. No course of dealing and no delay or failure of a Party in exercising any right under any MOU document shall affect any other or future exercise of that right or any exercise of any other right. A Party shall not be precluded from exercising a right by its having partially exercised that right or its having previously abandoned or discontinued steps to enforce that right.

B. Any alterations, variations, modifications, or waivers of provisions of the MOU, unless specifically allowed in the MOU, shall be valid only when they have been reduced to writing, duly signed and approved by the Authorized Representatives of both parties as an amendment to this MOU. No oral understanding or agreement not incorporated herein shall be binding on any of the Parties hereto.

XI. CONCLUSION

A. This MOU, consisting of thirteen (13) pages is the full and complete document describing services to be rendered by Provider to TAD including all covenants, conditions and benefits.

B. The signatures of the Parties affixed to this MOU affirm that they are duly authorized to commit and bind their respective agencies to the terms and conditions set forth in this document.

COUNTY OF SAN BERNARDINO
HUMAN SERVICES
TRANSITIONAL ASSISTANCE DEPARTMENT

_____
Name: Gilbert Ramos
Title: Director
Address: 860 E. Brier Drive
San Bernardino, CA 92415

Date: _____

CITY OF NEEDLES

_____
Name: Rick Daniels
Title: City Manager
Address: 817 Third Street
Needles, CA 92363

Date: _____

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☒ Regular ☐ Special

Meeting Date: September 28, 2021

Title: City Council Resolution No. 2021-58
A Resolution of the City Council of the City of Needles approving the repair and replacement of the bridge deck and existing guardrails of the SR-95 Needles Bridge, also known as California Bridge No. 54C03949, Arizona Structure No. 2435, State Route 95 (SR-95).

Background: The SR-95 Needles Bridge (California Bridge No. 54C03949, Arizona Structure No. 2435) is approximately 0.105 miles (or about 554 feet) in length and is located partially within the City of Needles and partially within the Town of Mojave (See Attachment A, *Project Location Map*). The Bridge is experiencing a deterioration of the deck, joints, and bearing pads and includes outdated bridge approach guardrails. The primary rehabilitation activity anticipated for the Project is for the milling and replacement of the bridge deck and replacement of the existing guardrails to meet current federal standards.

The Project would include the following design elements:

- Replacing conduit within retrofitted concrete barrier and connecting to existing underground conduit
- Overlaying bridge deck
- Replacing abutment bearing pads
- Replacing guardrails and constructing embankment curbs
- Milling and paving approach roadway on either side of the bridge
- Constructing approach slabs
- Replacing bridge expansion joints
- Repairing damaged chain-link fence on bridge, as needed.
- Striping pavement markings and installing raised pavement markers on the bridge
- Reseeding disturbed areas, as needed.

The proposed rehabilitation activities would be conducted within City of Needles, State of California Department of Transportation (Caltrans) and the Arizona Department of Transportation (ADOT) public right-of-ways (ROW). The Project's area of construction would include temporary staging at the northwest corner of Mojave Valley Highway and Smokestack Avenue (See Attachment A).

Fiscal Impact: No Fiscal Impact

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared to analyze the potential environmental effects of

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the Project. Based on the findings contained in that Initial Study, City Staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared and posted on the City's website. A Draft Initial Study/Mitigated Negative Declaration was circulated to responsible agencies for a 20-day public review and comment period starting on August 18, 2021 and ending on September 8, 2021. The public review period for comments on the proposed adoption of the MND closed on September 8, 2021. The Fort Mojave Indian Tribe (FMIT) submitted a comment letter recommending a mitigation measure be added to ensure that the City, Caltrans and ADOT coordinate between each other in the appointing of a tribal monitor from FMIT to be present during all ground disturbing activities. The letter from FMIT is attached with this Staff Report. Because the added mitigation measure is not required by CEQA, it does not create new significant environmental effect and is not necessary to mitigate an avoidable significant impact, no recirculation of the IS/MND is warranted per section 15073.5(c)(3) of the CEQA Guidelines.

Recommended Action: Approve City Council Resolution 2021-58 approving the repair and replacement of the bridge deck and existing guardrails to Needles Bridge, also known as California Bridge No. 54C03949, Arizona Structure No. 2435, State Route 95 (SR-95).

Submitted By: **Patrick Martinez, Development Services Director**

City Management Review: Patrick Martinez for Rick Daniels **Date:** 9/23/21

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

Agenda Item: 11

RESOLUTION 2021-58

A RESOLUTION OF THE CITY COUNIL OF THE CITY OF NEEDLES APPROVING THE REPAIR AND REPLACEMENT OF THE BRIDGE DECK AND EXISTING GUARDRAILS OF THE SR-95 NEEDLES BRIDGE, ALSO KNOWN AS CALIFORNIA BRIDGE NO. 54C03949, ARIZONA STRUCTURE NO. 2435, STATE ROUTE 95 (SR-95).

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star 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 for the Project; and

WHEREAS, the matter was scheduled for a public hearing on September 28, 2021 City Council meeting; and

WHEREAS, on September 28, 2021, the Needles City Council held a duly noticed and advertised public hearing to receive any oral and written testimony for 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 RESOLVED by the City Council of the City of Needles as follows:

SECTION 1. Pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared to analyze the potential environmental effects of the project. Based on the findings contained in that Initial Study, City Staff determined that, with the imposition of mitigation measures, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Mitigated Negative Declaration was prepared and posted on the City's website. A Draft Initial Study/Mitigated Negative Declaration was circulated to responsible agencies for a 20-day public review and comment period starting on August 18, 2021 and ending on September 8, 2021. A Mitigation Monitoring Program (MMP) has also been prepared to ensure implementation of the mitigation measures for the project (Condition 21). The public review period for comments on the proposed adoption of the IS/MND closed on September 8, 2021. One mitigation measure, under Tribal Cultural Resources, was added in response to public comment. Because the added mitigation measure is not required by CEQA, does not create new significant environmental effect and is not necessary to mitigate an avoidable significant impact, no recirculation of the IS/MND is warranted per section 15073.5(c)(3) of the CEQA Guidelines.

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

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

FINDING: The Project is located in a developed area of the City. The proposed repair and replacement of bridge deck and existing guardrails to the Needles Bridge will improve the roadway safety for motorists in crossing the bridge. Conditions of approval have been placed on the project to ensure that the project construction activities protect the surrounding environment, cultural resources, water resources, air quality and public safety.

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

FINDING: The Project area of construction is zoned Commercial Residential Resort (CRR). The manner of these improvements to the bridge will not create an impact on aesthetic integrity of the area and will not degrade the value of adjoining properties.

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

FINDING: The proposed improvements are to an existing bridge in providing accessibility between California and Arizona. The proposed improvements will not visually change the structural appearance of the bridge. This type of a project (bridge repair) is consistent with its existing use.

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

FINDING: The Project is consistent with the General Plan Circulation Element to allow for the implementation of roadway, street and bridge crossing repairs to occur to ensure the safety and protection of motorists.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve **RESOLUTION 2021-58.**

SECTION 4. The City Council HEREBY APPROVES Resolution **2021-58**, approving the repair and replacement of the bridge deck and existing guardrails to the SR-95 Needles Bridge, Also known as California Bridge No. 54C03949, Arizona Structure No. 2435, State Route 95 (SR-95) with the following conditions:

1. The Project Applicant shall adhere to all mitigation outlined in the Public Draft Initial Study and for all mitigation specifically applicable to CEQA guidelines and protocol.

2. The Project Applicant shall coordinate with the City of Needles in the implementation and of a Construction Management Plan for the designating of a staging area, detouring of traffic, flag person s, and the use of appropriate signage during construction activities.

3. During grading activities and in the event of an inadvertent discovery or recognition of any human remains during project construction activities, Public Resources Code (PRC) Section 5097.98 shall be followed by the Project Applicant. 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.

4. The Project Applicant shall comply with the National Pollutant Discharge Elimination System (NPDES) requirements per the California Regional Water Quality Control Board (RWQCB), Colorado Region.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 28th day of September, 2021, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(Seal) **Attest**: _____
City Clerk

Approved as to form:

_____
City Attorney

CITY OF NEEDLES
NOTICE OF AVAILABILITY (NOA)/NOTICE OF INTENT (NOI) TO ADOPT
A MITIGATED NEGATIVE DECLARATION for the *State Route 95 (SR-95) Needles Bridge Replacement Project*

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City of Needles, as Lead Agency under California Environmental Quality Act (CEQA), has prepared a Mitigated Negative Declaration (MND) and supporting Initial Study for the SR-95 Needles Bridge Replacement Project, and is providing public notice in compliance with Title 14, Chapter 3, Sections 15072 and 15073 of the California Code of Regulations, as amended.

The City has prepared this Notice of Intent to Adopt an MND to provide an opportunity for input from public agencies, organizations, and interested parties on the environmental analysis addressing the potential effects of the proposed Project

Project Title: SR-95 Needles Bridge Replacement Project (California Bridge #54C0349; Arizona Structure No. 2435)

Project Location: The SR-95 Needles Bridge (California Bridge #54C0349; Arizona Structure No. 2435) is approximately .105 miles in length and is located partially within the City of Needles, San Bernardino County, California and partially within the Town of Mohave Valley, Mohave County, Arizona. The Project site is located in Township 8 North, Range 23 East, Sections 5 and 6, Township 9 North, Range 22 East, Sections 24 and 25, and Township 9 North, Range 23 East, Sections 19, 28, 29, 30, 31, 32, and 33, as depicted on the United States Geological Survey (USGS) 7.5-minute Needles, Needles SW, and Needles NE topographic quadrangles. The regional location of the Project site is provided in Figure 1, *Regional Location.*

Project Description: The SR 95 Needles Bridge is experiencing a deteriorating deck, joints, and bearing pads and includes outdated bridge approach guardrail. The primary rehabilitation activity anticipated for the Project is the milling and replacement of the bridge deck and replacement of the existing guardrail to meet current federal standards.

The proposed bridge rehabilitation activities would be conducted within existing City of Needles, State of CA, and ADOT public ROWs. The Project limits also include proposed permanent and temporary (i.e., staging) impacts, which are anticipated to occur within the City of Needles. Figure 2, Project Location Map illustrates the proposed Project.

The Project would also include the following design elements:

- Replacing conduit within retrofitted concrete barrier and connecting to existing underground conduit
- Overlaying bridge deck
- Replacing abutment bearing pads
- Replacing guardrails and constructing embankment curbs
- Milling and paving approach roadway on either side of the bridge
- Constructing approach slabs
- Replacing bridge expansion joints
- Repairing damaged chain-link fence on the bridge, as needed

- Striping pavement markings and installing raised pavement markers on the bridge
- Reseeding disturbed areas, as needed

In addition, the Project proposes to update the approach guardrail to meet Manual for Assessing Safety Hardware (MASH) standards, which would also include modifications to existing bridge wingwalls, as well as repair existing chain link fencing, as necessary. Any additional fences and guardrails within the Project limits that are damaged or removed due to construction activities would be replaced.

Environmental Review and Public Comment: The IS/MND is being made available for public review for a period of 20 days beginning August 18, 2021 and ending September 8, 2021. Following the close of the public review period, the City will consider this IS/MND and comments thereto in determining whether to approve the Project.

Interested persons can review the IS/MND at the following physical location:

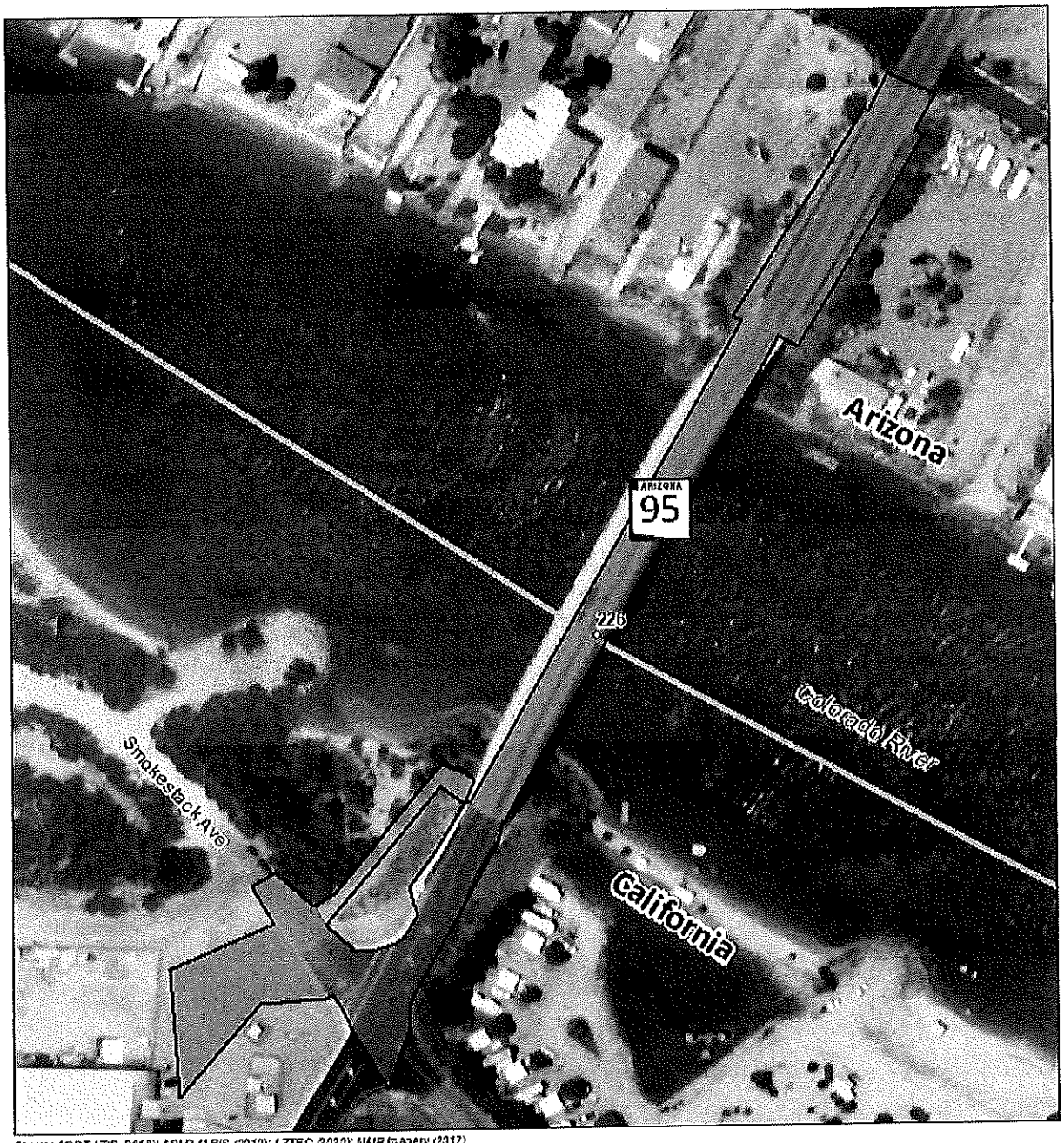
City of Needles
Land Use Development, Planning Division
817 Third Street
Needles, CA 92363

You may obtain the document in electronic format at the City Clerk's Office or the City website, or by emailing the Planner Cindy Semione at csemione@cityofneedles.com. To request a PDF version of the document from the Planning Division, please reference the SR-95 Needles Bridge Replacement Project.

The comment period closes on **September 8, 2021 at 5:00 PM.** Please submit comments to csemione@cityofneedles.com or to:

Cindy Semione
City of Needles
Land Use Development, Planning Division
817 Third Street
Needles, CA 92363
760.326.2115

Figure 2: Project Location Map



City of Needles, California

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

Meeting Date: September 28, 2021

Title: Cooperative Agreement with City of Needles for Needles Highway Improvements

Background: San Bernardino County (COUNTY) and the City of Needles desire to cooperate and jointly participate in a pavement reconstruction project on Needles Highway, from 500 feet south of Park Road north to David Drive, in the Needles area known as Segment 1B which boundaries are within the City Limits and the federal Bureau of Land Management lands.

The Parties entered a Contract April 10, 2001, and Amendment No.1 on August 9, 2016, authorizing the County to implement and construct improvements on Needles Highway, from "N" Street northerly to the California/Nevada state line.

The AGREEMENT included three segments on Needles Highway: (1) from "N" Street to 600 feet north of Balboa Place (Segment "N"); (2) from 600 feet north of Balboa Place to 500 feet south of Park Road (Segment 1A); and (3) SEGMENT 1B, 600 feet south of Park Road north to David Dr.

The Project was awarded federal Public Lands Highways (PLH) Program funds to design and construct the Project and Segments N and 1A construction were completed under the AGREEMENT and the remaining federal Public Lands Highways (PLH) Program funds of $2,192,587 will be used to construct SEGMENT 1B.

The AGREEMENT expired on December 30, 2020; and Streets and Highways Code sections 1685 and 1803 authorize CITY to contract with COUNTY for the maintenance, construction or repair of CITY streets and roads, if the legislative body of CITY determines that it is necessary for the more efficient maintenance, construction, or repair of its streets and roads; and the legislative body of CITY determines that it is necessary for the more efficient maintenance, construction, or repair of its streets and roads to contract with COUNTY for SEGMENT 1B.

The COUNTY and CITY desire to enter into this Cooperative Agreement for the construction of SEGMENT 1B utilizing the remaining $2,192,587 of PLH funds, and the maintenance responsibilities for Segment 1A and SEGMENT 1B. This

Agreement will be effective on the date it is signed by both Parties and shall conclude on December 31, 2025.

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

AGENDA ITEM: 12

Fiscal Impact: The total amount of the project is estimated to be a remaining $2,192,587 of PLH funds

Recommendation: I MOVE to have the mayor execute the Cooperate Agreement between the City of Needles and the County of San Bernardino for the Needles Hwy Improvements 1B.

Submitted By: Tammy Ellmore, Engineer Tech II

City Management Review: _____ **Date:** 9/21/21

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

SAN BERNARDINO COUNTY

Contract Number

_____

SAP Number

_____

Public Works

Department Contract Representative	Harold Zamora, P.E., Engineering Manager
Telephone Number	(909) 387-8166

Project	Needles Highway Segment 1B
Contractor	City of Needles
Contractor Representative	Tammy Ellmore, Engineering Technician II
Telephone Number	(760) 326-5740 Ext. 150
Contract Term	Expiration 12/31/2025
Original Contract Amount	$0
Amendment Amount	$0
Total Contract Amount	$0
Cost Center	6650002000 34H14876

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, San Bernardino County (COUNTY) and the City of Needles (CITY) (COUNTY and CITY are also each referred to herein as "Party" and collectively as "Parties"), desire to cooperate and jointly participate in a pavement reconstruction project on Needles Highway, from 500 feet south of Park Road north to David Drive, in the Needles area (hereinafter referred to as "SEGMENT 1B"); and,

WHEREAS, SEGMENT 1B is within the boundaries of the CITY and the federal Bureau of Land Management (BLM); and,

WHEREAS, the Parties entered into County Contract No. 01-257 ("AGREEMENT") on April 10, 2001 and Amendment No.1 on August 9, 2016, authorizing the County to implement and construct improvements on Needles Highway, from "N" Street northerly to the California/Nevada state line ("Project"); and,

WHEREAS, the AGREEMENT included three segments on Needles Highway: (1) from "N" Street to 600 feet north of Balboa Place (Segment "N"); (2) from 600 feet north of Balboa Place to 500 feet south of Park Road (Segment 1A); and (3) SEGMENT 1B, and permit requirement from the federal Bureau of Reclamation (BOR); and,

WHEREAS, the Project was awarded federal Public Lands Highways (PLH) Program funds to design and construct the Project; and,

WHEREAS, Segments N and 1A construction were completed under the AGREEMENT and the remaining federal Public Lands Highways (PLH) Program funds of $2,192,587 will be used to construct SEGMENT 1B; and,

WHEREAS, the AGREEMENT expired on December 30, 2020; and,

WHEREAS, California Streets and Highways Code sections 1685 and 1803 authorize CITY to contract with COUNTY for the maintenance, construction or repair of CITY streets and roads, if the legislative body of CITY determines that it is necessary for the more efficient maintenance, construction, or repair of its streets and roads; and,

WHEREAS, the legislative body of CITY determines that it is necessary for the more efficient maintenance, construction, or repair of its streets and roads to contract with COUNTY for SEGMENT 1B; and,

WHEREAS, COUNTY and CITY desire to enter into this Cooperative Agreement for the construction of SEGMENT 1B utilizing the remaining $2,192,587 of PLH funds, and the maintenance responsibilities for Segment 1A and SEGMENT 1B.

NOW, THEREFORE, IT IS MUTUALLY AGREED as follows:

1.0 COUNTY AGREES TO:

1.1 Act as the Lead Agency in the finalization of design plans, construction engineering and inspection of SEGMENT 1B. Right-of-way acquisitions are not required. Design, California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliances were completed under the AGREEMENT, and therefore are not part of this Agreement.

1.2 Construct SEGMENT 1B by contract in accordance with the plans and specifications of COUNTY, which have been reviewed and approved by CITY.

1.3 Arrange for relocation of all utilities which interfere with construction of SEGMENT 1B within the entire SEGMENT 1B limits, pursuant to paragraph 3.8 below.

1.4 Obtain a no-cost permit from CITY for work within the CITY's right-of-way.

1.5 Advertise, award, administer, and fund the construction of SEGMENT 1B, in accordance with the provisions of California Public Contract Code applicable to counties.

1.6 Require its contractors and subcontractors to maintain and to comply throughout the term of any contract awarded by COUNTY with the insurance requirements described in COUNTY policy Numbers 11-07 and 11-07SP.

1.7 Provide adequate inspection of all items of work performed under the construction contract(s) with COUNTY's contractors or subcontractors for SEGMENT 1B and maintain adequate records of inspection and materials testing for review by CITY. COUNTY shall provide copies of any records of inspection and materials testing to CITY within ten (10) days of COUNTY's receipt of written demand from CITY for such records. This shall be included as a PROJECT cost.

1.8 Expend the PLH funds assigned to the PROJECT for SEGMENT 1B for the construction, construction engineering, inspection, and eligible administrative costs. SEGMENT 1B estimated total cost is $2,192,587, and will be financed with the PLH funds assigned to COUNTY.

2.0 CITY AGREES TO:

2.1 Provide a no-cost permit to the COUNTY for its work in the CITY's right-of-way.

2.2 Provide a representative who shall have the authority to discuss and attempt to resolve issues concerning SEGMENT 1B with the COUNTY.

2.3 Except for activities that are impossible to perform during the construction phase of SEGMENT 1B, before, during, and after CITY's and COUNTY's acceptance of completed SEGMENT 1B, the CITY shall be responsible for performing any and all work (including, but not limited to, maintenance) for City streets in the SEGMENT 1B limits that are in the CITY incorporated area.

2.4 Obtain a Right-of-Way Grant/Temporary Use Permit through the BLM for the operation and maintenance of public land on Segment 1A and SEGMENT 1B within the City's jurisdiction; and pay the related fees/costs, if such fees are required.

3.0 IT IS MUTUALLY AGREED:

3.1 CITY agrees to indemnify, defend (with counsel approved by COUNTY) and hold harmless the COUNTY, its officers, employees, agents, and volunteers from any and all claims, actions, or losses, damages, and/or liability arising out of CITY's negligent acts or omissions which arise from City's performance of its obligations under this Agreement.

3.2 COUNTY agrees to indemnify, defend (with counsel approved by COUNTY) and hold harmless the CITY, its officers, employees, agents, and volunteers from any and all claims, actions, or losses, damages, and/or liability arising out of COUNTY's negligent acts or omissions which arise from COUNTY's performance of its obligations under this Agreement.

3.3 In the event the CITY and/or the COUNTY is found to be comparatively at fault for any claim, action, loss or damage which results from their respective obligations under the Agreement, the CITY and/or COUNTY shall indemnify the other to the extent of its comparative fault.

3.4 In the event of litigation arising from this Agreement, each Party to the Agreement shall bear its own costs, including attorney(s) fees. This paragraph shall not apply to the costs or attorney(s) fees relative to paragraphs 3.1, 3.2 and 3.3.

3.5 CITY and COUNTY are authorized self-insured public entities for purposes of Professional Liability, Automobile Liability, General Liability, and Workers' Compensation and warrant that through their programs of self-insurance, they have adequate coverage or resources to protect against liabilities arising out of the performance of the terms, conditions or obligations of this Agreement.

3.6 If either CITY or COUNTY requests additional work that is beyond the scope of the original SEGMENT 1B, and not considered by all parties to be a necessary part of SEGMENT 1B, said work, if approved by all parties, will be paid solely by the agency requesting the work.

3.7 In the event that change orders are required during the course of the SEGMENT 1B construction, COUNTY will be the responsible agency to authorize and approve the change order with consultation of the CITY's representative.

3.8 In the case wherein one of the Parties owns a utility that needs to be relocated for a project and that Party does not have prior rights for that utility, it will be the sole responsibility of that Party to relocate the utility at that Party's cost. This shall not be included as a SEGMENT 1B cost. In the case that a utility relocation is determined to be a SEGMENT 1B cost based on that utility having prior rights, the relocation of the utility will be included as a SEGMENT 1B cost for which the COUNTY and CITY will be responsible for funding within their jurisdictional boundaries.

3.9 This Agreement may be cancelled upon thirty (30) calendar days advance written notice by COUNTY to CITY in the event that COUNTY determines, in its sole discretion, that it is unable to secure sufficient funds to complete SEGMENT 1B.

3.10 Except as provided in Paragraph 3.9, and except for the Parties' operation, maintenance and indemnification obligations contained herein which shall survive Agreement termination, this Agreement shall terminate upon completion of SEGMENT 1B.

3.11 This Agreement contains the entire agreement of the Parties with respect to subject matter hereof, and supersedes all prior negotiations, understandings, or agreements. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.12 This Agreement shall be governed by the laws of the State of California. Any action or proceeding between CITY and COUNTY concerning the interpretation or enforcement of this Agreement, or which arises out of or is in any way connected with this Agreement or the PROJECT, shall be instituted and tried in the appropriate state court, located in the County of San Bernardino, California.

3.13 Time is of the essence for each and every provision of this Agreement.

3.14 Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for any or against any party. Any term referencing business days shall be deemed COUNTY business days. The captions of the various articles and paragraphs are for convenience and ease or reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

3.15 No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

3.16 If a court of competent jurisdiction declares any portion of this Agreement invalid, illegal, or otherwise unenforceable, the remaining provisions shall continue in full force and effect, unless the purpose of this agreement is frustrated.

3.17 This Agreement may be signed in counterparts, each of which shall constitute an original.

3.18 This Agreement will be effective on the date it is signed by both Parties and shall conclude on December 31, 2025.

3.19 The Recitals are incorporated into the body of this Agreement.

SIGNATURES ON THE FOLLOWING PAGE

SAN BERNARDINO COUNTY

►

Curt Hagman, Chairman, Board of Supervisors

Dated: _____

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County

By _____
Deputy

CITY OF NEEDLES

By ► _____
(Authorized signature - sign in blue ink)

Name _____
(Print or type name of person signing contract)

Title _____
(Print or Type)

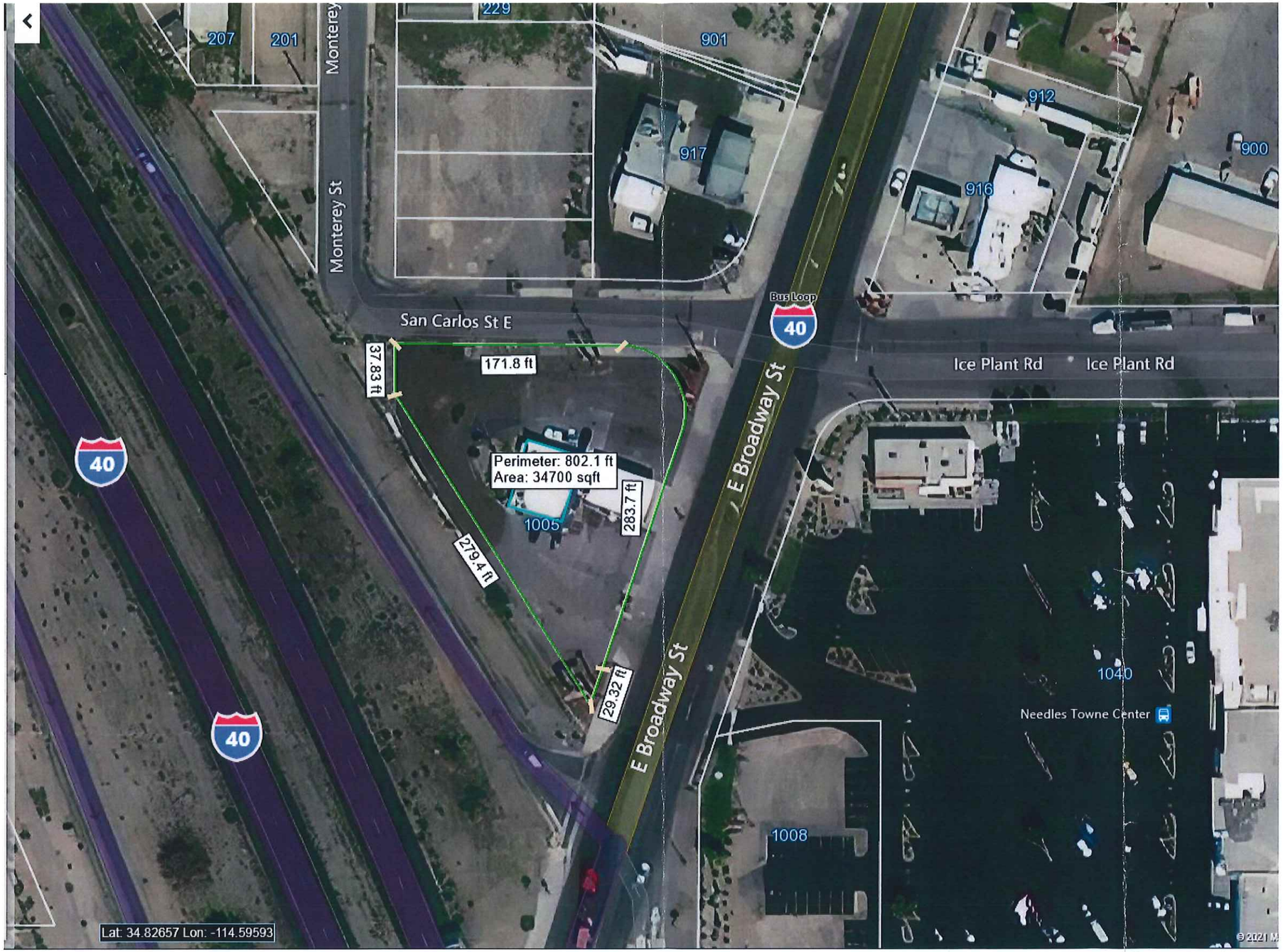
Dated: _____

Address _____

_____

FOR COUNTY USE ONLY

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
►	►	►
Suzanne Bryant, Deputy County Counsel	Andy Silao, P.E., Engineering Manager	Brendon Biggs, Director
Date _____	Date _____	Date _____



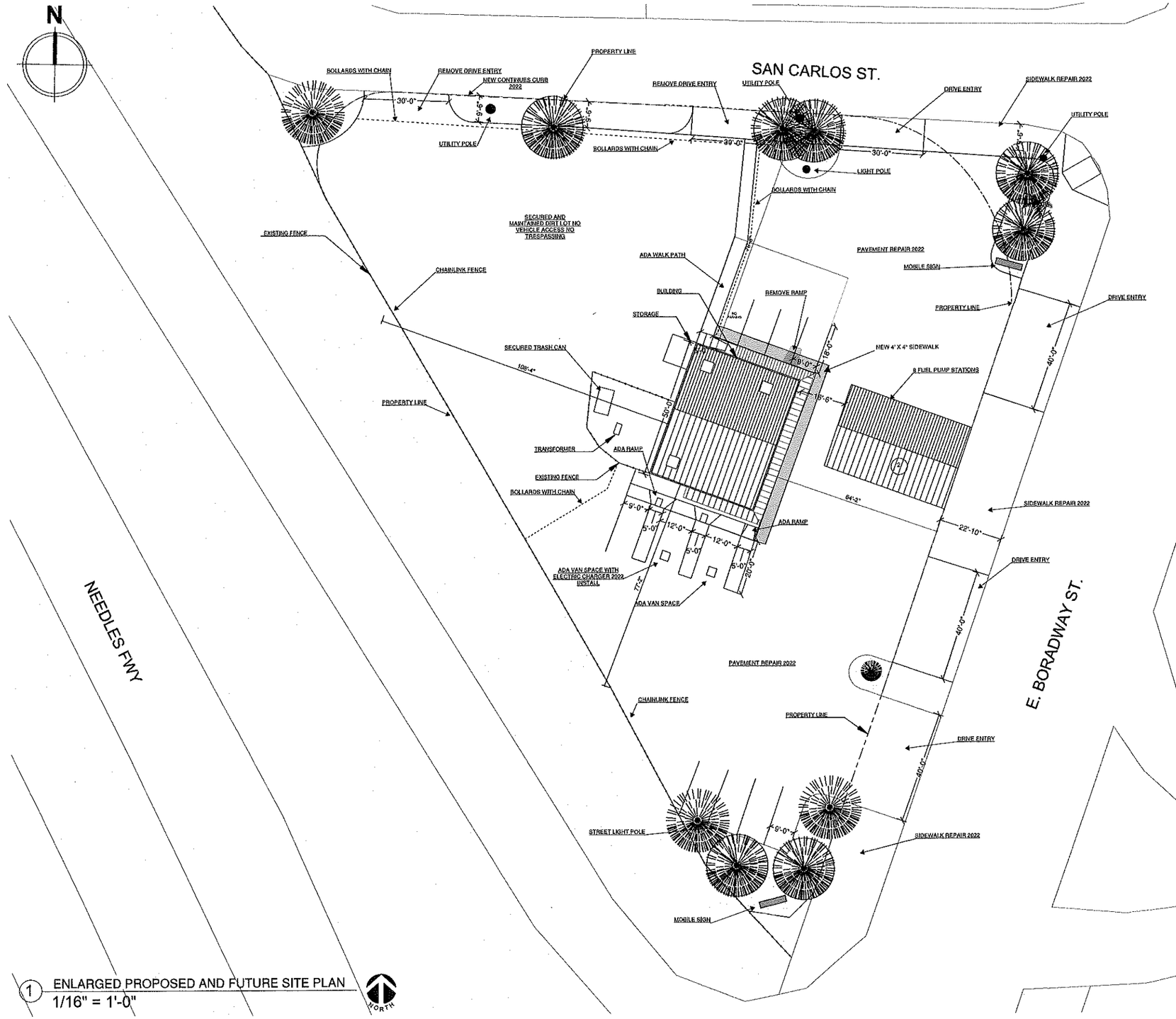
ATTACHMENT A **LOCATION MAP**

APPLICANT: **JASON BOATNER—"THE GAS STATION"**

ADDRESS: **1005 E. BROADWAY**



ATTACHMENT B VICINITY MAP
APPLICANT: JASON BOATNER—THE GAS STATION
ADDRESS: 1409 AND 113 NEEDLES HIGHWAY



1 ENLARGED PROPOSED AND FUTURE SITE PLAN
1/16" = 1'-0"

SITE PLAN GENERAL NOTES

1. GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON DRAWINGS FOR CONFLICTS PRIOR TO CONSTRUCTION. SCHEDULE BLUE STAKE INSPECTION. THE CONTRACTOR SHALL NOTIFY THE OWNER, ARCHITECT AND APPROPRIATE ENGINEER OF ANY DISCREPANCIES.
2. GENERAL CONTRACTOR TO COMPLY WITH ALL REQUIREMENTS OF THE SOILS REPORT.
3. REFER TO CIVIL DRAWINGS FOR PAVING THICKNESS, CURB TYPES AND LONGITUDINAL AND HORI20NTAL CONTROL.
4. FOR BUILDING LOCATION, DIMENSIONS AND SETBACKS, REFER TO CIVIL AND ARCHITECTURAL DRAWINGS.
5. NO STRUCTURAL OF ANY KIND IS TO BE CONSTRUCTED ON OR PLACED WITHIN THE PUBLIC UTILITY EASEMENTS, EXCEPT WOOD, WIRE, OR REMOVABLE SECTION TYPE FENCING, PAVING, GRASS AND ROCK LANDSCAPING. THE GENERAL CONTRACTOR SHALL BE REQUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION OF THE PUBLIC UTILITIES. VERIFY WITH THE LOCAL AGENCIES.
6. COORDINATE WITH WATER METERS AND WATER LINES (DOMESTIC, LANDSCAPE, AND FIRE LINE), GAS METERS AND GAS LINES, SEWER LINES AND CONNECTIONS, COMMUNICATIONS LINES, ELECTRICAL LINES, METERS AND CONNECTIONS WITH CIVIL, ELECTRICAL, FIRE SUPPRESSION AND PLUMBING PLANS.
7. COORDINATE TRANSFORMER PAD LOCATIONS AND ELECTRICAL CONDUITS AND LINES WITH CIVIL AND ELECTRICAL PLANS.
8. ANY DAMAGE BY THE GENERAL CONTRACTOR OR SUB-CONTRACTOR.TO EXISTING ASPHALTIC PAVEMENT AND /OR LANDSCAPING SHALL BE REPAIRED AT NO COST TO THE OWNER.
9. GENERAL CONTRACTOR TO PROVIDE ALL GOVERNMENTAL REQUIRED SIGNAGE NECESSARY FOR CERTIFICATE OF OCCUPANCY; FIRE LANE SIGNAGE, "DO NOT BLOCK DOOR, ADA SIGNAGE, ETC .

PARKING

NO CHANGING TO BUILDING FOOTPRINT

SITE DATA

APN:	0186-214-07
ADDRESS: ST..,	1005 EAST BROADWAY NEEDLES, CA 92590
LEGAL DESCRIPTION:	TRACK NO 2735 COLONIA ZAMORA LOTS 1 2 3 4 5 AND 6 BLK 9 AND PTN W 1/2 ALLEY VAC ADJ ON E AND PTN SE 1/4 SEC 32 TP 9N R 23E BEG AT PT ON E LI TR NO 2735 AT ITS INTERSECTION WITH WLY LI CALIF STATE HGWY R/W 100 FT WIDE TH N 0 DEG 19 MIN E ALG ELY LI SO
SITE AREA:	0.9038 ACRES
LOT AREA:	1,977 S.F.
TYPE OF CONSTRUCTION	III-B NON SPRINKLERED
BUILDING HEIGHT	16 FT (1 STORY)
ZONING	C-2
PREVIOUS USE	RETAIL FACILITY

ARDEBILI Engineering
Project Manager
Project Number
3100 E Indian School Rd, Suite 201, Scottsdale, AZ 85251
P: 480.397.2000 | F: 480.397.2001 | ardebilicom

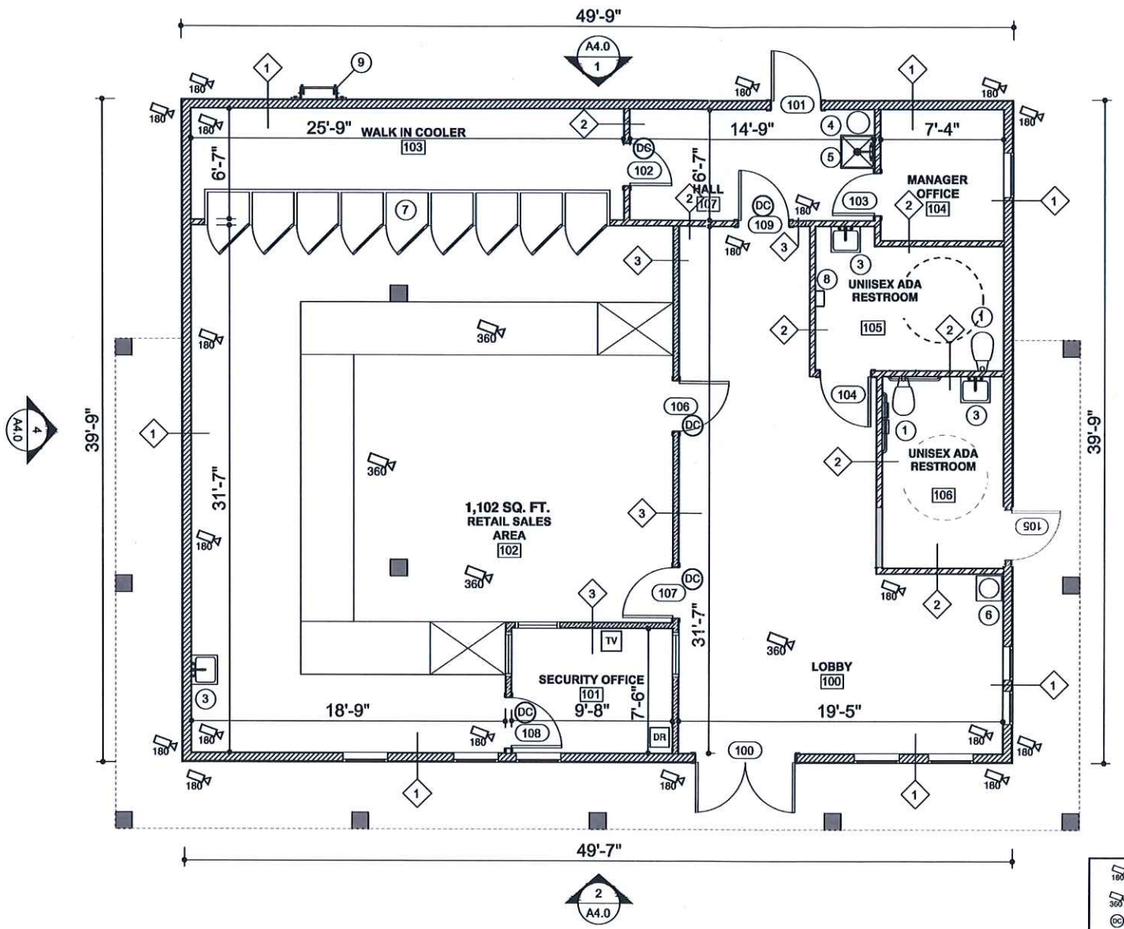
RECREATIONAL DISPENSARY TI
1005 EAST BROADWAY ST., NEEDLES, CA 92363

Project No: 20597
Date:
Drawn By:
Reviewed By:

No.	Revision	Date
	BUILDING REVISION	7.11.2021

Sheet Title:
ENLARGED PROPOSED SITE PLAN

Sheet No.:
S 4.0



1 SECURITY PLAN
3/8" = 1'-0"

FLOOR PLAN NOTES

1. THE GENERAL CONTRACTOR OR SUB-CONTRACTOR SHALL VERIFY ALL CONDITIONS OR DIMENSIONS ON THESE PLANS IN THE FIELD WITH ACTUAL SITE CONDITIONS.
2. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND SHALL BE VERIFIED ON THE JOB SITE. ON-SITE VERIFICATION OF ALL DIMENSIONS AND CONDITIONS SHALL BE THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND SUB CONTRACTORS.
3. THE CONTRACTOR OR SUB-CONTRACTOR SHALL NOTIFY CONSULTANT IF ANY CONFLICTS OR DISCREPANCY OCCURS BETWEEN THIS INFORMATION ON THIS PLAN AND ACTUAL FIELD CONDITIONS.
4. ANY DISCREPANCIES WITH THIS DRAWING AFFECTING PROJECT LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF CONSULTANT. DO NOT PROCEED WITH WORK UNTIL WRITTEN OR VERBAL INSTRUCTIONS ARE ISSUED BY CONSULTANT.

FLOOR PLAN KEYNOTES

1. TOILET
3. LAVATORY
4. WATER HEATER
5. SERVICE SINK
6. WATER DISPANSER
7. BEVERAGE COOLER
8. EXISTING HAND DRYER
9. EXISTING ROOF LADDER

WALL TYPES

1. EXISTING EXTERIOR WALL CMU
2. EXISTING FULL HEIGHT INTERIOR WALL
3. NEW FULL HEIGHT INTERIOR WALL 3 ½" 20 GA. METAL STUDS @ 16" O.C. GYPSUM BD. EACH SIDE

SECURITY LEGEND

- 180 180 DEGREE 1080P 25FPS CCTV CAMERA
- 360 360 DEGREE 1080P 25 FPS CCTV CAMERA
- DC LIMITED ACCESS ELECTRONIC DOOR CONTROLLER
- DR DIGITAL VIDEO RECORDER WITH BATTERY BACK UP
- TV TV VIEWING MONITOR

ARDENIJ

RECREATIONAL DISPENSARY TI
1005 EAST BROADWAY ST; NEEDLES, CA 92363

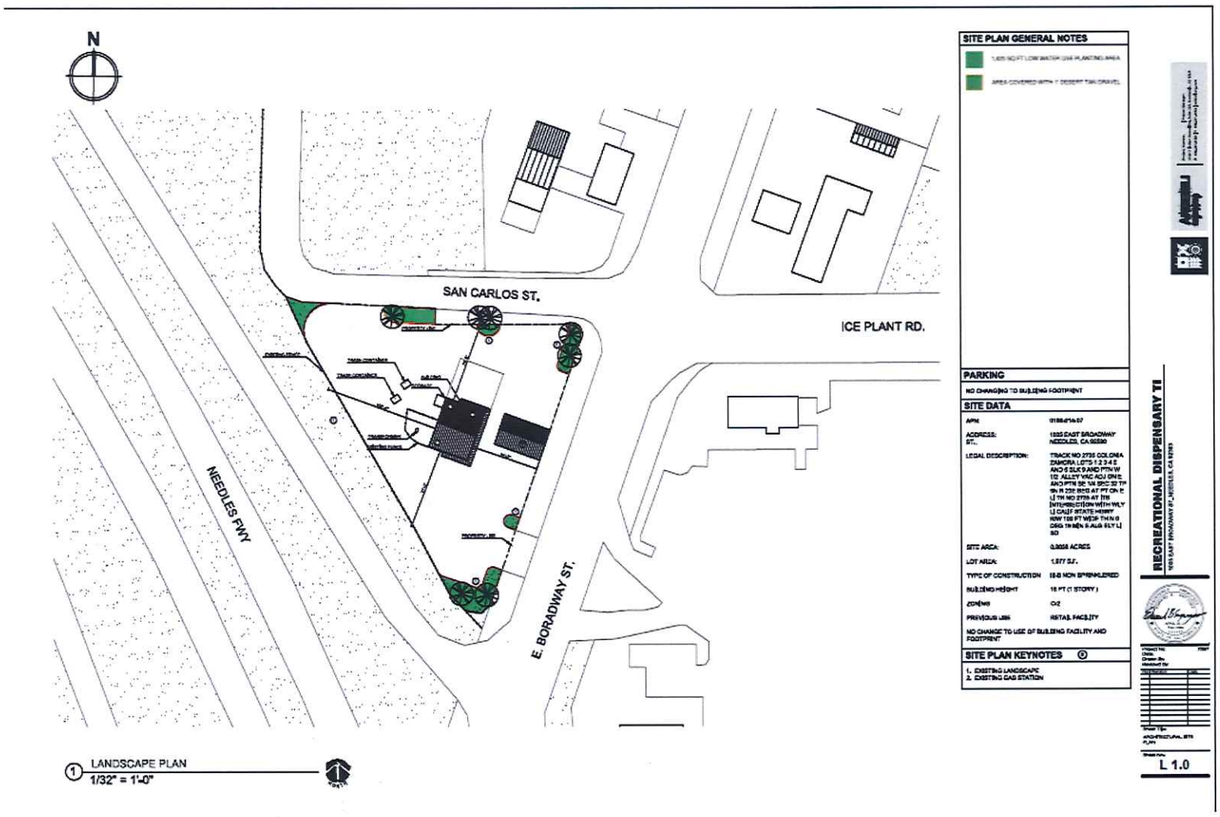
Project No: 20397
Date:
Drawn By:
Reviewed By:

No	Revision	Date

Sheet Title:
FLOOR PLAN

Sheet No.:
A1.0

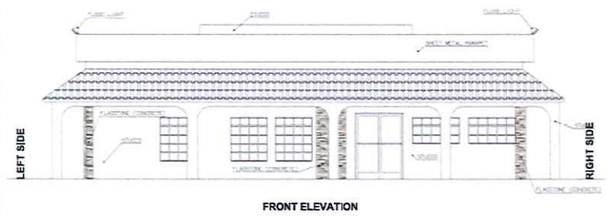
ATTACHMENT D: FLOOR PLAN
APPLICANT: JASON BOATNER-THE GAS STATION
SITE ADDRESS: 1005 E. BROADWAY



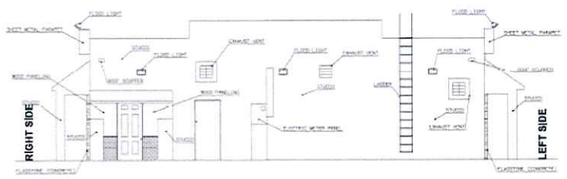
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ATTACHMENT E	**LANDSCAPE PLAN DRAWING**
APPLICANT:	**JASON BOATNER—THE GAS STATION**
ADDRESS:	**1005 EAST BROADWAY**

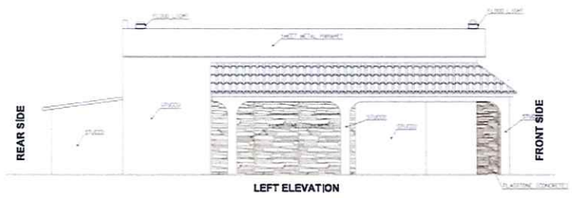
EXISTING BUILDING TO REMAIN AS IS WITH NEW FRESH PAINT, TYPICAL FRAME CONSTRUCTION WITH STUCCO FINISH AND STONE



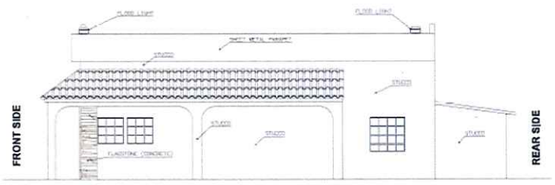
FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

ARDELI ENGINEERING

BUILDING ELEVATIONS

MEYER LAND SURVEYING

8x11

ATTACHMENT F	**ELEVATION DRAWINGS**
APPLICANT:	**JASON BOATNER—THE GAS STATION**
ADDRESS:	**1005 EAST BROADWAY**

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Request to Reconsider Resolution No. 2021-53 – Conditional Use Permit for a retail cannabis business at the existing Mobil Gas Station located at 1005 E. Broadway

Background:
At the last Council meeting the Council voted 3-1 to adopt Resolution No. 2021-53, Vice Mayor Paget and Councilmembers Campbell and Merritt voted in favor and Councilmember Evans voted against the motion which requires a minimum of four affirmative votes to pass. Councilmembers Belt and Longacre were not in the room due to a conflict of interest.

The City Attorneys' office previously determined that the councilmember on the prevailing side of the motion can move for reconsideration if done no later than the next meeting. The following email was received from Councilmember Evans:

"After careful thought, and receiving additional information related to the truck parking. I am requesting agenda item # 3, Public Hearing for Resolution No. 2021-53 from the September 14, 2021 Council meeting to be brought back and placed on the next Council's agenda (September 28, 2021) for reconsideration."

Fiscal Impact: None

Recommendation: Council action to reconsider Resolution No. 2021-53 and if approved motion to adopt Resolution No. 2021-53 approving a Conditional Use Permit for a 1,102 square foot cannabis retail business to be housed within the existing Mobil Gas Station building, located at 1005 E. Broadway, APN 0186-214-07, in the C-2 "General Commercial Zone"

Submitted By:

City Management Review: Rick **Date:** 9/20/21

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

Agenda Item: 13

RESOLUTION 2021-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES APPROVING A CONDITIONAL USE PERMIT FOR A 1,102 SQ. FT. RETAIL CANNABIS BUSINESS TO BE HOUSED WITHIN THE EXISTING MOBIL GAS STATION BUILDING, LOCATED AT 1005 E. BROADWAY, ALSO KNOWN AS APN 0186-214-07-0000, IN THE GENERAL COMMERCIAL (C-2) 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, City of Needles Municipal Code Section 12A provides requirements for all Retail Cannabis Businesses within the city; and

WHEREAS, on May 26, 2020 City Council Ordinance No. 629-AC was approved allowing Retail Cannabis Businesses in zones C1, C2, C3, M1 and M2, with a Conditional Use Permit and Regulatory License; and

WHEREAS, the parcel being considered for a Retail Cannabis Business is located within the Highway Commercial General Plan land use designation and zoned C-2 "General Commercial" whereby Retail Cannabis Businesses are permitted with a Conditional Use Permit and a Regulatory License; and

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on Wednesday, July 21, 2021 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 August 4, 2021, the Needles Planning Commission held a duly noticed and advertised public hearing to receive oral and written testimony relative to **RESOLUTION 08-04-2021-3 PC**; and unanimously recommended approval of a Conditional Use Permit for a retail cannabis business within the existing Mobil Gas Station building, located at 1005 E. Broadway, also known as APN 0186-214-07-0000, in the General Commercial (C-2) Zone; and

WHEREAS, a public hearing notice for the Needles City Council meeting was published in the Needles Desert Star 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 September 14, 2021 the Needles City Council held a duly noticed and advertised public hearing to receive oral and written testimony for a Conditional Use Permit for a Retail Cannabis Business at 1005 E. Broadway, Needles, CA, and

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 California Environmental Quality Act, CEQA guidelines Class 3: New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

SECTION 2 The City Council HEREBY FINDS AND DETERMINES, with reports and findings, that facts do exist to approve a Conditional Use Permit for a Retail Cannabis Business, 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 Retail Cannabis Business 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, Landscape and Elevation plan drawings for the proposed 1,102 square foot retail cannabis business proposed to be located inside the existing building, and shared with the existing gas station's interior support area, approximately 741 square feet..

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

FINDING: The proposed project, a Retail Cannabis Business, is consistent with uses identified in the General Plan General Commercial designation through the adoption of Ordinance No. 629-AC, which allows for a Retail Cannabis Business to operate within the General Commercial designated zone, thereby providing consistency with the General Plan.

C. 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, situated on a .9 acre parcel currently utilized as a gas station, with an existing 1843 square ft interior space currently used to support the gas station. The proposed 1102 sq. ft. retail cannabis business will remove existing sales areas inside of the building and make tenant improvements to the area for the retail cannabis business, creating an additional use

permitted in the C-2 General Commercial Zone. The new business will be managed with stringent security requirements to ensure access is limited to those that meet the access requirements; thus, the business should have no impact to the residential areas in the surrounding communities. The sales of alcohol will cease once the new cannabis facility becomes operational. To the north of the existing gas station are other retail businesses including a vehicle storage facility, a vehicle repair facility, additional gas stations and residential housing. To the east are miscellaneous businesses within an outside mall. To the south and across the interstate is residential housing and a municipal cemetery, fire station, and cannabis cultivation facility. The proposed facility will be shielded from public view and will be secured with staffing to ensure only age-appropriate individuals can access the facility. Traffic from the Retail Cannabis Business is expected to generate approximately 100 vehicle trips per day within a 16-hour operating window. On-site parking includes 8 parking spaces, meeting the city's standards for the building size. The project site is located within 700 ft. of two transit pickup points and allows a reduction in required parking spaces. Therefore, this type of project is consistent with the uses occurring in the vicinity of the project site.

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

FINDING: The project site is in a commercially developed area of the City. Conditions of approval have been placed on the project to ensure appropriate staffing is available at entry points into the retail cannabis business during operating hours, and that the facility is secured during non-operating hours so as not to allow any entry when closed. Additional conditions include exterior lighting, security systems, and ventilation systems are in place for health and safety purposes.

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

FINDING: The project site is zoned General Commercial (C-2). The retail cannabis facility is within the interior of the building, and surrounded by commercial uses as well as residential uses. The project has been conditioned for installation of water-appropriate landscaping, improvements to sidewalks, driveways, etc. The project has been conditioned to block the rear of the parcel, and delay the improvements for 18 months, which will prohibit large trucks from utilizing the area for parking.

F. *The project overall is consistent with the preceding findings.*

FINDING: The project, with findings discussed in detail regarding compatibility with other similar uses in the area, conditions of approval applied to the project for enhancements to the building and site to ensure the surrounding area's adjoining or abutting property values are not substantially injured, places the overall project in consistency with the preceding findings.

SECTION 3. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve **RESOLUTION 2021-53**.

SECTION 4. The City Council HEREBY APPROVES Resolution **2021-53**, approving a Conditional Use Permit for a Retail Cannabis Business located at 1005 E. Broadway, in the interior of the existing building, also known as APN 0186-214-07-according to the criteria specified in Section 94.07(d) of the Needles City Code with the following Conditions of Approval:

1. Conditional Use Permit ("CUP") No. 08-04-2021-3 PC conditionally authorizes one 1,102 sq. ft. Retail Cannabis Business to operate at 1005 E. Broadway, also known as APN 0186-214-07, inside of an existing 1,843 square foot building. This CUP does not authorize cultivation, manufacturing, distribution or a testing laboratory at this site within the building. These Conditions of Approval shall apply to the Retail Cannabis 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 Retail Cannabis Business 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 Retail Cannabis Business License, prior to the issuance of a Certificate of Occupancy pursuant to this CUP.

5. The approval for CUP No. 08-04-2021-3 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 **02-04-2022.**

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 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 Applicant's project. The City shall promptly notify the Applicant of any claim, action; or proceeding to which this condition is applicable and shall reasonably cooperate 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 Retail Cannabis Business; 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 Retail Cannabis Business.

8. Enter into a Labor Peace Agreement with employees if/when the cannabis facility has 20 or more employees.

9. 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.

10. 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.

11. 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.

12. 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.

13. A scanned copy of the signed Conditions of Approval shall be included in the Building Construction Plans submitted for plan check.

14. The Applicant shall pay all established service, permit, impact, environmental, and other applicable fees required by the City as a condition of this CUP.

15. 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.

16. The Applicant shall apply for and obtain a Cannabis Retail License prior to operating the Retail Cannabis 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.

17. The 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.

18. No Retail Cannabis Business shall dispense Cannabis from more than one (1) location within the city.

19. 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.

19. The Retail Cannabis Business shall develop a security plan including the following measures:

    a. The Retail Cannabis Business shall prevent individuals from remaining on the premises of the Retail Cannabis Business if they are loitering or otherwise not engaging in activity expressly related to the operations of the Retail Cannabis Business;

    b. The Retail Cannabis Business shall establish limited access areas accessible only to authorized personnel;

    c. The Retail Cannabis Business shall store all finished Cannabis and Cannabis products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of Cannabis used for display purposes, samples, or immediate sale, or as otherwise used in compliance with Section 12A-31 of the Municipal Code;

    d. 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 video surveillance system shall at all times be able to effectively and clearly record images of the area under surveillance.

Each camera shall be permanently mounted and in a fixed location. Each camera shall be placed in a location that allows the camera to clearly record activity occurring within 20 feet of all points of entry and exit on the licensed premises, and allows for the clear and certain identification of any person and activities in all areas required to be filmed under this section.

Areas that shall be recorded on the video surveillance system include the following:

(1) Areas where Cannabis goods are weighed, packed, stored, loaded, and unloaded for transportation, prepared, or moved within the licensed premises;
(2) Limited-access Areas;
(3) Security rooms;
(4) Areas storing a surveillance-system storage device with at least one camera recording the access points to the secured surveillance recording area; and
(5) Entrances and exits to the licensed premises, which shall be recorded from both indoor and outdoor vantage points.

A Retail Cannabis Business authorized to engage in retail sales shall also record point-of-sale areas and areas where Cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling Cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.

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 Retail Cannabis Business or require the City to voluntarily disclose or deliver said recording to any Federal government entity or agency absent a court order or subpoena;

e. Retail Cannabis Business premises shall be alarmed with an alarm system that is operated and monitored by a properly licensed security company.

f. All retail activity shall occur within a separate Cannabis dispensing area. No customers, Qualified Patients and/or Primary Caregivers shall be permitted to enter the dispensing area until proper identification is presented to the Retail Cannabis Business staff. The entrance to the Cannabis dispensing area and any storage areas shall be secured at all times, and under the control of Retail Cannabis Business staff.

g. The Cannabis Business shall hire or contract for security personnel who are at least 21 years of age to provide on-site security services during hours of operation. Security personnel must be in uniform and readily identifiable. No security personnel shall 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 as well as acquire a City of Needles Live Scan Identification

h. The business entrance(s) and all window areas shall be illuminated during evening hours. The Retail Cannabis Business 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;

i. All windows on the building that houses the Retail Cannabis Business shall be appropriately secured and all Cannabis securely stored.

j. Tending scales shall be used for the sale or trade of any and all Cannabis. All tending scales are to be in a digital (LED) display, character size a minimum of 1 inch. A separate surveillance camera shall monitor each LED scale display so that the LED scale readout can be read remotely.

20. The Retail Cannabis Business 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 retail sale 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;

21. The Retail Cannabis Business shall pay all legally required taxes and fees, including but not limited to, any Cannabis Business Tax, and sales tax pursuant to state and local law, as well as all other City and state-imposed taxes and fees

22. The Retail Cannabis Business does not have any unpaid financial, fee, or tax obligation to the City that is not paid in full when due, including any assessed fines, penalties, taxes, business tax, fee, interest or other costs (collectively "unpaid tax obligations"). A Retail Cannabis Business shall not be in breach of this subsection if it enters into and fully performs per the terms of a written offer and compromise or other written settlement agreement with the City that satisfies any unpaid tax obligations. This subsection shall not deprive any Retail Cannabis Business of rights, if any, to appeal or seek judicial determination of the propriety of any amounts alleged by the City as unpaid tax obligations, and a Retail Cannabis Business shall not lose its Cannabis Retail License hereunder due to the pendency of any such appeal or judicial determination;

23. The Retail Cannabis Business shall only be open between the hours of 6:00 a.m. and 10:00 p.m., including delivery service.

24. Receipt of shipments of Cannabis products will only occur between the hours of 9:00 a.m. and 9:00 p.m.

25. 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.

26. Permittee must install "No loitering or soliciting" signs delineating state penal codes and city ordinances in and around the premises, including parking lots

27. All doors within the business must be self-closing and not propped open during business hours

28. 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.

29. 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.

30. 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.

31. Permittee must ensure literature is available to all customers/clients explaining the dangers of driving under the influence of Cannabis.

32. Permittee must ensure literature will be available regarding the dangers of not properly storing and making Cannabis accessible to small children and pets.

33. 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.

34. Prior to occupancy, Permittee must install exit signs, which shall be readily visible from any location. A backup power source must be provided.

35. 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.

36. The Retail Cannabis Business shall maintain sales, inventory and patient records in a secure location within the City of Needles, available to the City Manager or Designee to review upon request; in the event said records are provided to the City Manager or Designee, it shall be the Retail Cannabis Business' responsibility to ensure patient identities are redacted sufficiently to meet any requirements of HIPPA and any other applicable State or federal laws or regulations. Such records shall include, without limitation, records of all inventory received and/or sold, revenue and monies received, cost of inventory, patient records, physician's referral and, if using a Primary Caregiver, a notarized written authorization from the Qualified Patient to be represented by such Primary Caregiver;

37. Cannabis shall be kept in a secured manner during business and non-business hours;

38. 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;

39. The Retail Cannabis Business shall prohibit on-site smoking, ingestion, of Cannabis on the Premises of the Retail Cannabis Business, the building entrance to a Retail Cannabis Business shall clearly and legibly be posted with a notice indicating that smoking, ingesting, or consuming Cannabis or Cannabis products on the premises or within 500 feet of the Retail Cannabis Business is prohibited.

40. Signage for the Retail Cannabis Business shall comply with the City sign ordinance and any amendments thereto;

41. Alcoholic beverages shall not be provided, sold, stored, kept, located, dispensed, distributed, or consumed on the Premises. The Retail Cannabis Business 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;

42. Windows and/or entrances of Retail Cannabis Businesses shall not be obstructed and shall maintain a clear view into the Premises during business hours;

43. Access to the Premises of a Retail Cannabis Business engaged in adult-use shall be limited to individuals who are at least 21 years of age. Access to the Premises of a Retail Cannabis Business engaged solely in medical use shall be limited to individuals who are at least 18 years of age and have a valid physician's recommendation.

44. 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.

"Physician services" does not include social services, including counseling, help with housing and meals, hospice and other care referrals which may be provided on site with additional permitting;

45. The Premises and building in which the Retail Cannabis Business 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;

46. The Retail Cannabis Business shall keep adequate records of any Cannabis related activity, including conducting an inventory on the first business day of each week and recording the total quantity of each form of Cannabis on the Premises. Records expressly include, but are not limited to, video recordings maintained pursuant to municipal code security requirements. All records shall be maintained for seven (7) years from the date created or longer if required by State or Federal law;

47. On the fifth day of each month, the Retail Cannabis Business shall provide the City Manager with a written report containing the following information:

    a. Bills of lading and a description of all inventory shipments received (including those received by the Retail Cannabis Business, weight of any Cannabis flowers, edibles and concentrates) since prior report;

    b. The description and weight of inventory in the possession or control of the Retail Cannabis Business;

    c. The total gross revenue received from prior month's sales; and

    d. A copy of any sales tax reports provided to the State Board of Equalization and any other taxing agencies;

48. The Retail Cannabis Business 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 Retail Cannabis Business is located.

49. Operations of the Retail Cannabis Business shall not cease for more than ninety (90) calendar days.

50. The Retail Cannabis Business 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;

51. The Retail Cannabis Business shall comply with the State's track and trace system and other requirements, as may be amended from time to time.

52. The Applicant shall provide adequate lighting above all entrances and exits to the cannabis buildings, as well as all parking areas and walkways that are under the control of the Applicant.

53. 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.

54. 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.

55. 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.

56. 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.

57. 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.

58. No physical change, alteration, or modification of the premises of the Retail Cannabis Business 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 Retail Cannabis Business, or the addition, sealing of, or relocation of a wall, common entryway, doorway, or other means of ingress and/or egress to the Retail Cannabis Business.

59. The Applicant shall identify the on-site manager(s) of the Retail Cannabis Business to whom notice of operational issues may be provided. The Retail Cannabis Business shall make every good faith effort to encourage residents, businesses, or members of the public to call the Retail Cannabis Business Manager as a first step to resolving operating problems, if any, before calls or complaints are lodged with the Sheriff's or Planning Department.

60. 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 Retail Cannabis Business and/or operation thereof.

61. The City Manager, or the City Manager's designee, shall have the right to enter the Retail Cannabis Business 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.

62. Operation of the Retail Cannabis Business 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.

63. 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.

64. Any violation of these conditions of approval shall constitute grounds for revocation of the CUP. The project shall be developed in conformance to the site plan drawing. Any deviation from the approved plan shall require Planning Commission approval.

65. The project is required to be handicap accessible, with ADA compliant restrooms.

66. 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.

67. The Retail Cannabis Business 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 Retail Cannabis Business are not a nuisance.

68. A Material Safety Data Sheets (MSDS) shall be provided to the City of Needles for all potentially hazardous materials used in the operation in the event that emergency occurs.

69. 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.

71. No nuisance water shall escape the Project Site onto public streets or adjacent properties.

72. The Retail Business 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. The buildings shall incorporate, operate and maintain sufficient odor absorbing ventilation through the use of charcoal lined filtration and exhaust systems.

73. Completion of repair of parking area shown in Exhibit E shall be delayed by 18 months; during this time the area shall be blocked from vehicle access; applicant will prepare cost estimate plus 10% for repair work and submit to city engineer for approval prior to receiving building permits. If work is not completed within 18 months bond funds will be used to complete the work

74. Drawing Set Coversheet Corrections

a) Provide a descriptive scope of work identifying all items of the work that you will be requesting a permit for.

b) Identify occupancy for the existing building.

75. Site Plan/Floor Plan Drawing Corrections

a). Show the new and existing utility lines.

b) show floors or landings on each side of doors to have the same elevation. Landing shall be level except for the exterior landing that could slope 2%. Section 1010.1.5.

c) The door at main entrance of the store does not comply with egress. Compliance may be achieved by changing the door swing

d) The plans submitted has the incorrect scale.

e) All restrooms shall comply with the current code for accessibility as per chapter 11-B.

f) On-site arrival points to be identified on drawing(s). Per California Building Code Section 11B-206.2.1, at least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible.

g) Within a site. Per California Building Code Section 11B -206.2.2, at least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.

h) show accessibility to the trash enclosure, etc.

i) Repair the existing concrete that is part of the walk area around the building, and ensure the slope complies with accessibility requirements.

j) Provide a legend for existing and new partitions. Identify the new partition height from wall to ceiling, from ceiling to roof or structure above. Show all connection details, partition to concrete, and partition to structure above.

k) Provide the energy title 24 calculations in compliance with 2019 California Energy Code and add to plans all the mandatory measures. Green Code

76. Provide complete plans, compliant with the 2019 California Electrical Code, for all electrical systems, single line diagram of the existing and proposed electrical system. Electrical services which are 400 amps or grater must be designed by licensed electrical engineer registered in the State of California, if less than 400 amps a licensed electrical contractor could design the plans if the contractor will be performing the actual installation.

77. Remove and replace existing sidewalk, pedestrian ramp, curb and gutter per city standards. If sidewalk work requires Caltrans permits, applicant shall submit bond for cost of improvement plus 10% for city engineer approval, and shall have up to 18-months from date of CUP approval, to perform sidewalk work.

78. Applicant to block vehicle access to rear area of property until required work is performed required repair/replace work. Applicant has requested up to an 18 month delay in completing the work. Applicant shall submit bond for cost of improvement plus 10% for city engineer approval, and shall have up to 18-months from date of CUP approval to complete the work

Grading Plan

79. Grading plans need to comply with chapter 18 and appendix J of the 2019CBC, and also chapter 5 of the 2019 California Green Code.

Misc.

80. Provide the hydrology study indicating the following:
- Location of existing detention basin.
- Existing runoff peak and where it currently flows.

- Post development runoff peak with detention basin sizing to prevent an increase in runoff from the site.
- Show how runoff from roof drains is channeled into the detention basin.
- Show how the runoff around the building and parking lot is channeled into the detention basins.

SECTION 5. This action shall become final and effective fifteen (15) days after this decision by the Planning Commission, 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 at a regular meeting held the 14th day of September, 2021 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor

(Seal)

Attest: _____
City Clerk

Approved as to form:

_____
City Attorney

CITY OF NEEDLES, CALIFORNIA

Application For Cannabis Business — Conditional Use Permit

Name of Applicant Jason Boatner Phone 520-991-7100 (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, Jason Boatner (Owner/Lessee/Agent) of the property listed below, hereby request that the following stated use be permitted to be constructed and/or operated

Project name and address The Gas Station
1005 East Broadway ST Needles, CA 92363

2 Legal Description of Parcel (attach if necessary) 0186-214-07

3 Briefly Describe a Purpose and Intent of proposed project (include acres, square feet, units, etc.)

Interior improvement of pre existing structure to retail dispensary use no exterior modifications outside of paint and updated landscape

b Population projection (project residents).

c Number of persons employed during operation: full time 8 part time 2

d Will the Project require new utility services? ___ yes X 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 X
Attachment to existing electric facilities, load calculations pre existing

e Estimated daily vehicular traffic generated by the operation 100 Comment ___

f List major machines — give horsepower and noise rating in decibels no major machines

g Will the project require a permit from the Air Pollution Control District and if so, describe
no it will not discharge any conveyed exhaust

h What will be the hours of operation 6am - 10pm

i Describe materials or machinery that will be stored or parked outside
fuel pumps under the self service fuel service area Coin operated tire inflator air service spot

5 Identify any other licenses you hold for cannabis in California

Type of License	California City Issuing License
Dispensary	X
Cultivation	
Manufacturing	
Testing/Lab	
Distribution/Transportation	
Other	

6 Attached (X) Site Plan (X), Elevations (X), Filing Fee (), Legal (), (site plans folded 8 ½" 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, agent)
Jason Boatner	372 S Sonoran Heights Dr Tucson AZ 85748	

Signature

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 25th day of May 2021

08/07/2021
My Commission Expires

Notary Public (or City Staff)

LEVI FIGHT
COMMISSION # 532786
NOTARY PUBLIC – ARIZONA
MOHAVE COUNTY
My Commission Expires
August 7, 2021

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) Matt Rettig Signature _____

Address 1784 East park Ave Gilbert AZ 85234 Telephone 480-580-9742

Capacity _____ owner _____ lessee X agent of _____

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

Jason Boatner Address 1005 east Broadway ST Needles CA 92363

_____ Address _____

****

(STAFF USE ONLY)

Date filed _____ Rec'd by _____ Receipt No _____

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Create a new Electric Rate Stabilization Fund with Monies from the Marijuana Tax (at the request of Councilor Evans)

Background: Councilor Evans' request, "I understand that our staff does a great job keeping our electric rates to a minimum, especially during these times and the unforeseen issues that we have had to deal with concerning our purchase of power. I also understand our rates are lower than most. That being said, we are fortunate to have a unique situation in the City of Needles with the collection of cannabis excise tax. When the citizens of Needles welcomed this industry to town they were told that this would help lower our electric rates. Due to the recent unforeseen issues our rate payers just received more than a 50% increase on their electric rates smack dab in the middle of the hottest summer on record.

I believe we owe it to our rate payers to explore any and every alternative to meet their expectations. This is why I am bringing this proposal to council. I would like to propose that we move half of the Economic Development Fund and create a new Rate Stabilization Fund. We continue to feed 1% of the 10% cannabis tax into the Economic Development Fund and also start putting another 1% of the 10% cannabis tax to the new Rate Stabilization Fund. This Rate Stabilization Fund will be used to offset our power purchase and hopefully bring the rates down gradually and get them stabilized not only for the citizens but also all businesses. 8% of the cannabis tax will still be going to the general fund. And I also understand we have other funds to help offset the purchase of power, this will only help."

Analysis: On September 14 Council received a report that since the Economic Development Fund inception on March 12, 2019 approximately $830,985 has been deposited into the Economic Development fund from the 10% of gross receipts Marijuana Tax revenue and $343,567 has been allocated to help new non-cannabis businesses leaving a balance of $487,418. Councilor Evans' proposal would create a new Rate Stabilization Fund in the General Fund and transfer $243,709 into the new fund. Additionally the proposal would allocate on an ongoing basis 1% of the Marijuana Tax to the new Rate Stabilization Fund. Last year there was a grand total of $4,573,688 received from the Marijuana Tax. If future years stay the same that would mean $457,368 to the new fund. That amount will vary depending upon the Marijuana Tax income.

There are multiple programs to assist low and moderate homes with electric subsidies. This funding is dependent upon continued state authorization to levy this tax, and/or the effects of any federal legislation.

#14

City of Needles, California
Request for City Council Action

Argument in Favor of this action: It would to provide an immediate infusion of $243,709 in electric rate subsidies to lower the electric rates to all residents and businesses based upon their electric usage in addition to the $1,450,000 already in the NPUA-Electrics It would also provide an ongoing funding source for subsidies in the future.to guard against future rate spikes.

Argument Against: By dedicating general fund reserves now for an unlimited time to a specific program limits the discretion of future Councils to direct money to projects or programs which may seem to be more important at that time.

This action to reallocate General Fund Reserves is within the authority of the City Council.

Fiscal Impact: Immediate transfer of $243,709 of Economic Development funds to a new Rate Stabilization Fund and a long term commitment to transfer funding to subsidize electric rates If this year is any indication (no guarantee), the subsidy could be $457,368 annually depending upon the Marijuana Tax revenue.

Recommendation: Determine if this matter should be scheduled for Council consideration at an upcoming agenda.

Submitted By:

City Management Review: Patrick J Mary for Rick Daniels **Date:** 9/24/21

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

Agenda Item: 14

City of Needles, California
Request for City Council Action

☒ CITY COUNCIL ☐ NPUA ☐ Regular ☐ Special

Meeting Date: September 28, 2021

Title: Employee Appreciation Event

Background: Last year the Mayor and City Council distributed gift cards to the employees at Christmas. In 2019 there was a Christmas Dinner held at the El Garces. Councilmember Belt requested this item be placed on the agenda for discussion.

Fiscal Impact: Funds in the amount of $7,900 are available in the 2021-2022 budget for special events.

Recommendation Discretionary

Submitted By: Councilmember Belt

City Management Review: Patsy Mog for Rick Daniels **Date:** 9/23/21

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

Agenda Item: 15