



(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, OCTOBER 26, 2021
COUNCIL EXECUTIVE SESSION – **5:00 P.M.**
CITY COUNCIL MEETING – **6:00 P.M.**
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

AUTHORIZED BY AB 361

**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: 577 203 200#
OR listen in and participate by calling Teams: 1-323-488-2227 - Meeting ID: 577 203 200#
The meetings are being recorded.**

THE PUBLIC MAY ATTEND – MASKS ARE ENCOURAGED AND DESIGNATED SEATING

CALL TO ORDER
ROLL CALL

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

RECESS TO EXECUTIVE SESSION

- a) Public Employee Performance Evaluation pursuant to Government Code Section 54957
-Title of position: City Clerk
- b) Conference With Legal Counsel Regarding Pending Litigation Pursuant to Government Code 54956.9(d)(1). One Case: Imperial Irrigation District v. The Metropolitan Water District of Southern California, et. al, Second Appellate District, Court of Appeal No. B311674

EXECUTIVE SESSION – Report by City Attorney

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

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.

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

PRESENTATION

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

- 1) Chamber of Commerce El Garces update (INF)

PUBLIC HEARINGS

- 2) Public hearing noticed to consider all evidence and testimony for or against adoption of the City of Needles 6th Cycle Housing Element Update **has been continued to allow for an eighty day public review period; a new public hearing notice will be advertised for January 11, 2022**
- 3) 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 the November 9, 2021 council meeting**

RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING

CALL TO ORDER (Roll Call previously taken)

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

- 4) NPUA / COUNCIL: Ratify the acting city manager's authorization of the purchase of 10,004 greenhouse gas (GHG) allowances from Act Commodities to be placed into the City of Needles Compliance Instrument Tracking System Service (CITSS) Limited Use Holding Account at the California Air Resources Board to meet compliance regulations at a cost not to exceed \$240,000 to be funded from fiscal year 2022 electric operating fund budget (ACT)

ADJOURN THE JOINT COUNCIL / NPUA MEETING AND RECONVENE THE CITY COUNCIL MEETING

CALL TO ORDER (Roll Call previously taken)

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

- 5) Approve the warrants register through October 26, 2021
- 6) Waive the reading and adopt Resolution No. 2021-63 authorizing the city's application for per capita recreation capital grant funds and authorize a Fiscal Year 2022 revenue and budget adjustment in the amount of \$181,116
- 7) Waive the reading and adopt Ordinance No. 643-AC amending Chapter 6 of the Needles Municipal Code adding Article X entitled "Violation Penalty for Work Without Permits" (2nd reading – adopt)
- 8) Waive the reading and adopt Ordinance No. 644-AC amending Part III, Article VI, Section 96.03 of the Needles Municipal Code banning the cultivation of industrial hemp and terminating Urgency Ordinance No. 641-AC imposing a temporary moratorium on the cultivation of industrial hemp pursuant to Government Code Section 65858 as extended by urgency Ordinance No. 642-AC (2nd reading - adopt)
- 9) Award Pacific Play Systems the bid to purchase new playground equipment, ground covering and shade structure not to exceed \$110,000 funded by the BHHS Legacy Foundation Grant

End of Consent

REGULAR ITEMS

- 10) Provide direction on establishing a numerical limitation on the number of cannabis dispensaries (ACT)
- 11) Discussion regarding designation of a downtown area and direct staff to develop the methodology to do so (ACT)
- 12) Review of the Economic Development Program funded by 10% of tax revenues received from cannabis businesses and provide direction (ACT)
- 13) Establishing an Assistant City Manager / Development Services position, setting a base salary of \$149,427.20 - \$190,715.20 and approving an Employment. Agreement with Patrick Martinez, in compliance with SB1436 and incorporate into the salary schedule for FY 2022 budget (ACT)
- 14) Establish a budget for the Employee Appreciation Holiday Event to be held on Friday, December 10 at the El Garces (ACT)
- 15) Council consideration of canceling the regular City Council / NPUA meetings on November 23 and December 28, 2021, due to a potential lack of quorum due to Thanksgiving and Christmas Holidays (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: October 22, 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 22nd day of October 2021

Dale Jones, CMC, City Clerk