



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

A G E N D A

ADJOURNED REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY
CITY OF NEEDLES, CALIFORNIA
WEDNESDAY, NOVEMBER 12, 2014
COUNCIL EXECUTIVE SESSION – None
CITY COUNCIL MEETING – 6:00 P.M.
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES

CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
CONFLICT OF INTEREST
CORRESPONDENCE
INTRODUCTIONS

As a courtesy to those in attendance, we would ask that cell phones and pagers 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 addressing the Council, please come to the podium and give 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

Mr. Michael Bracken, Managing Partner, Development Management Group, Inc., will present an economic development status report (INF)

PUBLIC HEARINGS

- 1) Public hearing noticed to consider all evidence and testimony for or against adoption of Resolutions of Necessity and authorizing the commencement of eminent domain proceedings for the acquisition of real property interest in portions of properties for the I-40 Connector Project
 - Staff Report
 - Mayor to open the public hearing
 - Public Comments
 - Mayor to close the public hearing
 - Resolution No. 2014-58 – A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located on or near J Street, West Broadway, Needles Highway and North K Street to

- the south abutment of the Colorado River Bridge, Assessor Parcel No. 0185-047-06 for the construction of the I-40 Connector Project, in the City of Needles, CA
- Resolution No. 2014-59 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 1701 Needles Highway, Assessor Parcel No. 0185-048-12 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-60 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement and temporary construction easement interests in portions of real property located at 1400 Race Street, Assessor Parcel No. 0185-057-03 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-61 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 429 N K Street, Assessor Parcel No. 0185-067-08 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-62 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 517 N K Street, Assessor Parcel No. 0185-067-22 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-63 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 1621 N Street, Assessor Parcel No. 0185-085-31 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-64 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at or near J Street, West Broadway, Needles Highway and North K Street to the south abutment of the Colorado River Bridge, Assessor Parcel No.0185-101-17 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-65 – A Resolution of Necessity for the Acquisition by Eminent Domain of a temporary construction easement interest in a portion of real property located at 1624 N Street, Assessor Parcel No. 0185-101-19 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-66 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 321 Chestnut Street, Assessor Parcel No. 0185-102-01 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-67 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 120 J Street, Assessor Parcel No. 0185-157-09 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - -Resolution No. 2014-68 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement and temporary construction easement interests in portions of real property located at 216 J Street, Assessor Parcel No. 0185-158-08 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-69 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement and temporary construction easement interests in portions of real property located on or near J Street, West Broadway, Needles Highway and North K Street to the south abutment of the Colorado River Bridge, Assessor Parcel No. 0185-158-23 for the construction of the I-40 Connector Project, in the City of Needles, CA
 - Resolution No. 2014-70 - A Resolution of Necessity for the Acquisition by Eminent Domain of a permanent road dedication easement interest in a portion of real property located at 1218 West Broadway Street, Assessor Parcel No. 0186-091-17 for the construction of the I-40 Connector Project, in the City of Needles, CA

- Resolution No. 2014-71 - A Resolution of Necessity for the Acquisition by Eminent Domain of permanent road dedication easement and temporary construction easement interests in portions of real property located at 1219 West Broadway Street, Assessor Parcel No. 0186-092-24 for the construction of the I-40 Connector Project, in the City of Needles, CA (ACT)

2) Public hearing noticed to consider all evidence and testimony for or against enacting new City legislation that (a) prohibits Medical Cannabis Cooperatives or Collectives (“Cooperatives / Collectives”), but (b) grants limited immunity from said prohibition to those Cooperatives / Collectives that are in existence and operating within the City at the time this Article is adopted and which comply with the requirements set forth herein was **opened and continued open to November 12, 2014**

- Staff Report
- Mayor to open the public hearing
- Public Comments
- Mayor to close the public hearing
- Ordinance 564-AC repealing Ordinance No. 528-AC (amending Sections 96.20, 96.30 and 92.00 of the Needles Zoning Code) and adding Chapter 12A “Medical Cannabis Cooperative or Collective” to the Needles Municipal Code (1st reading – publish summary) (ACT)

RECESS THE COUNCIL MEETING AND CONVENE A JOINT NPUA / COUNCIL MEETING
(roll call previously taken)

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

- 3) NPUA ACTION: Approve the minutes of July 8, 2014 (ACT)
- 4) NPUA / COUNCIL ACTION: Formally acknowledge that on December 1, 2014 the second of five-each two-year terms will commence as called out in that certain Agreement for Wastewater System Operation between the City of Needles and EUSI (ACT)

ADJOURN THE JOINT COUNCIL / NPUA MEETING AND CONVENE THE COUNCIL MEETING
(roll call previously taken)

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)

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

- 5) Approve the warrants register through November 12, 2014 and a hospital related bill for \$11,063 to the EDD
- 6) Approve the minutes of July 8, 2014
- 7) Waive the reading and adopt Ordinance 566-AC amending the Needles Municipal Code Section 104.17.6 by adding Section “P” Outdoor Advertising Displays with a Development Agreement (2nd reading – adopt)

- 8) Waive the reading and adopt Ordinance 567-AC rescinding Ordinance No's 244-AC and 300-AC, Section 6A "Cultural Resources Preservation" of the Needles Municipal Code in its entirety (2nd reading – adopt)
- 9) Waive the reading and adopt Resolution No. 2014-75 confirming and adopting an itemized statement of costs for abatement of property located at 415 D Street (APN 0186-142-03) and file said resolution with the County Recorder placing a lien on the property

End of Consent Calendar

REGULAR ITEMS

- 10) Resolution No. 2014-72 approving a Disposition and Development Agreement (DDA) between the City of Needles and the Needles Chamber of Commerce and authorizing the city manager to execute said agreement (a portion of APN 0186-095-01 bound on all four (4) sides by Front, G, H and Broadway (Second) Streets) (ACT)
- 11) Resolution No. 2014-73 establishing short-term user fees for the El Garces Transportation Depot and authorizing the City Manager to implement (ACT)
- 12) Resolution No. 2014-74 approving a listing agreement between the City of Needles and The Ivy Group / Heidi Smith in connection with securing short and long term users for the El Garces Transportation Depot and authorize the city manager to execute said agreement (ACT)

CITY ATTORNEYS REPORT

CITY MANAGERS REPORT

COUNCIL REQUESTS

- Councilmember Lopez
- Councilmember Kidd
- Councilmember Frazier
- Vice Mayor Campbell
- Councilmember Darcy
- Councilmember Gudmundson
- Mayor Paget

ADJOURNMENT

INTERNET ACCESS TO CITY COUNCIL AGENDAS AND STAFF REPORT MATERIAL IS AVAILABLE PRIOR TO CITY COUNCIL MEETINGS AT

<http://www.cityofneedles.com>

Posted: November 7, 2014

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 345. 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).