



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

## AGENDA

REGULAR MEETING OF THE CITY COUNCIL,  
NEEDLES PUBLIC UTILITY AUTHORITY  
CITY OF NEEDLES, CALIFORNIA  
**TUESDAY, MAY 10, 2016**  
COUNCIL EXECUTIVE SESSION – **5:30 P.M.**  
CITY COUNCIL MEETING – **6:00 P.M.**  
CITY COUNCIL CHAMBERS  
1111 BAILEY AVENUE, NEEDLES

Councilmember Richardson will be participating in this meeting via teleconference call from 14485 Seneca Road, Unit 183, Victorville, CA 92392.

The public shall be given an opportunity to address the legislative body directly from this teleconference location.

**THE 5:00 P.M. PORTION OF THE CITY COUNCIL MEETING WILL BE RECESSED BY THE CITY CLERK TO 5:30 P.M.**

CALL TO ORDER  
ROLL CALL

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

### **RECESS TO EXECUTIVE SESSION**

- a) Conference with Legal Counsel – Anticipated Litigation: Consideration of initiating litigation pursuant to Government Code Section 54956.9(d)(4) (three potential Cases: City of Needles v. Andrea Smith; City of Needles v. Cat Smith; City of Needles v. Andrea Smith)

### **EXECUTIVE SESSION – Report by City Attorney**

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.

**PUBLIC HEARINGS**

- 1) A public hearing is called to consider all evidence and testimony for or against a Zone Change of APNs 0660-081-01 through 04; 0660-081-08 through 15; 0660-081-28; 0660-091-04 from Commercial Resort Residential (CRR) to C-3 Highway Commercial (located in the vicinity of Needles Highway and Balboa Street) has been **continued to the regular meeting of the City Council to be held on June 14, 2016.** (ACT)
  
- 2) A public hearing is called to consider all evidence and testimony for or against a Zone Change of APNs 0650-391-23 through 0650-391-25, from Open Space to M-1, Light Manufacturing (located east of East Broadway and south of the Towne Center Shopping Center has been **continued to the regular meeting of the City Council to be held on June 14, 2016.** (ACT)

A public hearing is called to consider all evidence and testimony for or against a Conditional Use Permit for a medical marijuana cultivation facility in the M-1 Light Manufacturing zone, located at 1 Ice House Road, including 3 parcels, APN 0650-391-23 through 25 has been **continued to the regular meeting of the City Council to be held on June 14, 2016.** (ACT)

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

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

**NPUA / COUNCIL CONSENT CALENDAR:** All matters listed on the Consent Calendar are considered to be routine and will be enacted by one motion in the form listed. The President/Mayor or any member of the NPUA/City Council may pull an item from the Consent Calendar for discussion. Prior to NPUA/City Council action, a member of the public may address the NPUA/City Council on matters scheduled on the Consent Calendar. A three-minute time limit per person applies. **Recommended Action:** Approve Items 3 through 7 on the Consent Calendar by affirmative roll call vote. (ACT)

- 3) Approve the NPUA minutes of April 28, May 26, June 9, June 23, July 14, September 8, October 13, November 10 and December 8, 2015
  
- 4) NPUA: Waive the reading and approve Resolution Number 05-10-2016-NPUA authorizing the transfers of money to and from the NPUA account at Wells Fargo Bank to the State of California's Local Agency Investment Fund (LAIF) and add the new Human Resources Specialist to the LAIF authorized staff list  
COUNCIL: Waive the reading and approve Resolution Number 2016-25 authorizing the transfers of money to and from the NPUA account at Wells Fargo Bank to the State of California's Local Agency Investment Fund (LAIF) and add the new Human Resources Specialist to the LAIF authorized staff list
  
- 5) NPUA / COUNCIL: Approve the NPUA Water and Wastewater loans from Asset Replacement Funds to Operating Funds for Fiscal Year 2016 budget deficits

- 6) NPUA / COUNCIL: Approve the selection of Lincus Inc, an Air Resource Board (ARB) accredited verification body, to perform AB32 greenhouse gas verification services for calendar year 2015
- 7) NPUA / COUNCIL: Authorize retaining the accounting firm of Vasquez & Company, LLP for the audit of the Needles Public Utility Authority for fiscal year ending June 30, 2016 and for fiscal year 2016-2017

**End of Consent**

- 8) NPUA ACTION: Resolution Number 05-10-2016-NPUA approving the Model for General Fund Reimbursement from the Utility Enterprise Funds for costs incurred and benefits provided by the General Fund as prepared by Urban Futures, Inc. and discontinue the franchise fee (ACT)  
 COUNCIL ACTION: Resolution Number 2016-26 approving the Model for General Fund Reimbursement from the Utility Enterprise Funds for costs incurred and benefits provided by the General Fund as prepared by Urban Futures, Inc. and discontinue the franchise fee (ACT)

**ADJOURN THE JOINT MEETING AND RECONVENE THE CITY COUNCIL MEETING**

**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 9 through 11 on the Consent Calendar by affirmative roll call vote. (ACT)

- 9) Approve the warrants register through May 10, 2016
- 10) Waive the reading and approve for introduction Ordinance Number 581-AC amending Article VI of the Needles Municipal Code adding Section 6-18.1 relating to the posted notice relative to code violations (1<sup>st</sup> reading-post)
- 11) Ratify the letter sent by Mayor Paget objecting to the U.S. Fish and Wildlife Service efforts to severely restrict recreational boating 17 miles north of Lake Havasu

**End of Consent**

**REGULAR ITEMS - Public appearance (A three minute time limit per person has been established.)**

- 12) Discussion regarding placing measures on the General Municipal Election to be held on Tuesday, November 8, 2016 (DIS)

**CITY ATTORNEYS REPORT**

**CITY MANAGERS REPORT**

**COUNCIL REQUESTS**

Councilmember Gudmundson  
Councilmember Evans  
Councilmember Frazier  
Councilmember Williams  
Councilmember Darcy  
Councilmember Richardson  
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: May 6, 2016

**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).**