



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

AGENDA

REGULAR MEETING OF THE CITY COUNCIL,
NEEDLES PUBLIC UTILITY AUTHORITY,
SUCCESSOR AGENCY to the REDEVELOPMENT AGENCY
CITY OF NEEDLES, CALIFORNIA
TUESDAY, JUNE 14, 2016
COUNCIL EXECUTIVE SESSION – None
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 6:00 P.M.

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.

RECESS CITY COUNCIL MEETING AND CONVENE A SARDA MEETING
CALL TO ORDER (Roll Call previously taken)

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

- 1) Approve the minutes of September 24 and October 8, 2013; September 23 and October 14, 2014; February 26, May 26, June 9, September 8 and October 13, 2015 (ACT)

- 2) Resolution No. 06-14-2016-SARDA accepting the appraisal prepared for APN 0186-222-07 (approximately 27.61 acres located in the vicinity of Ice Plant Road, east Broadway and I-40); approving the sale to Mr. Kevin Bacon in the amount of \$1,000,066; determine the use of the land sale proceeds received from the sale; approving certain related actions and authorize the Chairman to execute the Purchase Agreement and Joint Escrow Instructions and all related documents (ACT)

ADJOURN THE SARDA MEETING AND CONVENE A JOINT MEETING BETWEEN THE CITY COUNCIL AND THE NPUA

CALL TO ORDER (Roll Call previously taken)

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

PRESENTATION

- 3) NPUA / COUNCIL: PowerPoint Presentation to review and discuss the WestPower Report prepared on Mohave Valley Energy's (MVE) (formerly known as Renewable Energy Partners aka Riverview Energy Ventures) proposal to build a 1,500MW scalable renewable energy project consisting of solar photovoltaic energy during the day and hydrogen fuel cell energy generation during the night and NPUA / City Council direction on further City/Utility involvement and consideration
NPUA / COUNCIL: Accept the WestPower report, authorize the proposed work scope and authorize the Mayor to execute the First Amendment to the Deposit Agreement between the City of Needles and Renewable Energy Ventures, Inc. a California Corporation and Mohave Valley Energy, LLC (ACT)

PUBLIC HEARING

- 4) Public hearing noticed to consider all evidence and testimony for or against adopting the proposed NPUA and City General Fund budgets for fiscal year ending June 30, 2017
- Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Council Questions of Staff
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - NPUA / City Council provide policy direction and continue the public hearing to June 28, 2016 for adoption (ACT)

ADJOURN THE JOINT MEETING AND RECONVENE THE CITY COUNCIL MEETING

PUBLIC HEARINGS

- 5) Public hearing noticed 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) continued from May 10, 2016 has been cancelled and will be re-noticed when complete: Applicant Mr. Ron Kemper (INF)

- 6) Public hearing noticed to consider all evidence and testimony for or against a Zone Change of APN 0650-391-23 from Open Space to M-1, Light Manufacturing (located east of East Broadway and south of the Towne Center Shopping Center continued from May 10, 2016: Applicant Mr. Curtis Devine
- Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Council Questions of Staff
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Ordinance No. 582-AC approving a zone change from "OS" Open Space to "M-1" Light Manufacturing for the property APN 0650-391-23 located east of East Broadway and south of the Towne Center Shopping Center (1st reading – post) (ACT)
- 7) Public hearing noticed to consider all evidence and testimony for or against a Conditional Use Permit (CUP) for a medical marijuana cultivation facility in the M-1 Light Manufacturing zone, located at 1 Ice House Road, APN 0650-391-23 continued from May 10, 2016: Applicant Mr. Curtis Devine
- Staff Report
 - Council Questions of Staff
 - Mayor to open the public hearing
 - Public Comment
 - Council Questions of Staff
 - Mayor to close the public hearing
 - Council Discussion / Deliberation
 - Resolution No. 2016-37 approving a Conditional Use Permit for a medical marijuana cultivation facility, located at 1 Ice House Road, APON 650-391-23 (ACT)

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 8 through 16 on the Consent Calendar by affirmative roll call vote. (ACT)

- 8) Approve the warrants register through June 14, 2016
- 9) Approve the minutes of January 12, January 26, February 9 and February 23, 2016
- 10) Waive the reading and adopt Resolution No. 2016-32 approving an Eighth Amendment to and Extension of the License between the City of Needles and Bonnie Baker Senior Center for use of the kitchen and a portion of the dining area in the Needles Senior Citizens Center during the 2016-2017 fiscal year
- 11) Ratify the City Manager's waiver of fees for the use of the El Garces on June 22, 2016 for the protest hearing regarding a reorganization to include the City of Needles' annexation into the San Bernardino County Fire Protection District
- 12) Declare miscellaneous equipment and vehicles as surplus, authorize staff to advertise for bids and award the bid to the highest bidder

- 13) Authorize the Mayor to enter into a Memorandum of Understanding with the Needles Regional Museum to loan the Fire Station 31 dedication plaque to the museum for use in their fire services display
- 14) Waive the reading and adopt Resolution No. 2016-39 approving the selection of Carl A. ("TC") Russell as the City of Needles Hearing Officer and direct the Mayor to execute the "Professional Services Agreement"
- 15) Waive the reading and adopt Resolution No. 2016-38 approving an agreement between the City of Needles and McDonald Transit Associates, Inc. for Dial-a-Ride and Dial-a-Ride Medical Services for the 2016-2017 fiscal year
- 16) Appoint City Manager Rick Daniels as an additional alternate to the California Joint Powers Insurance Authority (CJPIA)

End of Consent

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

- 17) Resolution No. 2016-34 approving a Fourth Amendment to the Asset Purchase Agreement by and between Community Healthcare Partner Inc (CHP), a California Nonprofit Corporation and the City of Needles extending the real property closing OR Deny CHP's request for an extension and exercise the Interim Lease provision for 28 years or as long as legally permissible at a rental rate of \$1.00 per year provided that CHP has paid the City the full Purchase Price of \$2,577,000 on or before (date to be determined) (ACT)
- 18) Accept the \$5,000 youth summer camp grant from Supervisor Lovingood, amend the FY 2015-16 budget and authorize the expenditure (ACT)
- 19) Resolution No. 2016-35 calling for and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the Charter **AND** Resolution No. 2016-36 requesting the Board of Supervisors of the County of San Bernardino to consolidate a General Municipal Election to be held on Tuesday, November 8, 2016, with the Statewide General Election to be held on the date Pursuant to §10403 of the Elections Code **(no measure)**
OR adding a measure - Resolution No. 2016-35 calling for the holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the Charter and for the submission to the voters a question relating to adding an annual square foot tax on marijuana businesses and amending "Marijuana" and "Marijuana Businesses" to include additional marijuana product and activities **AND** Resolution No. 2016-36 requesting the Board of Supervisors of the County of San Bernardino to consolidate a General Municipal Election to be held on Tuesday, November 8, 2016, with the Statewide General Election to be held on the date Pursuant to §10403 of the Elections Code (adding a measure) **AND** Approve for introduction Ordinance No. 583-AC, an ordinance of the people of the City of Needles, California, amending Needles Municipal Code Chapter 20, Article VIII "Marijuana Business Tax" to add an annual square foot tax to apply to marijuana businesses operating within the city; amending the definitions of "Marijuana" and "Marijuana Business"; and amending miscellaneous provisions of Article VIII **AND** Resolution No. 2016-40 setting priorities for filing written argument(s) regarding a city measure and directing the city attorney to prepare an impartial analysis (ACT)

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: June 10, 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).