

MINUTES

**REGULAR MEETING OF THE CITY COUNCIL
NEEDLES PUBLIC UTILITY AUTHORITY
HOUSING AUTHORITY CITY OF NEEDLES
CITY OF NEEDLES, CALIFORNIA
CITY COUNCIL CHAMBERS
1111 BAILEY AVENUE, NEEDLES**

**TUESDAY, FEBRUARY 13, 2024
COUNCIL EXECUTIVE SESSION – 5:00 PM
CITY COUNCIL MEETING – 6:00 PM**

CALL TO ORDER - Mayor Jernigan called the meeting to order at 5:01 pm
ROLL CALL

PRESENT

Council Member Ellen Campbell
Council Member Jamie McCorkle
Vice Mayor Kirsten Merritt

Mayor Janet Jernigan

Council Member JoAnne Pogue via Teams from 5049 Corporate Woods Drive, Pensacola, FL 32504

Council Member Tona Belt

Council Member Henry Longbrake

Also present were City Manager Patrick Martinez, City Attorney John Pinkney, City Clerk Dale Jones, and Assistant City Clerk Candace Clark.

City Attorney Pinkney reported that Council Members Campbell and Pogue have a conflict of interest on Executive Session item d because their sons work for MIH.

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

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS - None

RECESS TO EXECUTIVE SESSION at 5:02 pm

EXECUTIVE SESSION - Council Members Campbell and Pogue recused themselves from Item d as stated above and joined Executive Session at 5:18 pm

- d. NPUA/Council: Conference with legal counsel – anticipated litigation pursuant to Government Code Section 54956.9(d) 2, 3 and/or 4 (regarding potential litigation with Medical Investor Holdings LLC, NCA Management, 3247 AM LLC and 2103 D, LLC related to Cannabis taxes).

No Reportable Action.

- b. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): City of Needles v. Minasian, et. al., SB County Case Number CIVSB2328931

No Reportable Action

- c. Conference with legal counsel regarding potential initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case adverse to Otana Planet Green “OPG”)

Council Member Campbell moved , second by Vice Mayor Merritt, to approve a settlement agreement. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue and Belt

Noes: Council Member Longbrake

Absent: None

Abstain: None

- a. Public Employee Discipline/Dismissal/Release Pursuant to Government Code Section 54957.

No Reportable Action

EXECUTIVE SESSION REPORT - City Attorney Pinkney reported on Items a through d as noted above.

CALL TO ORDER - Mayor Jernigan called the meeting to order at 6:36 pm

Mayor Jernigan announced that Item number 18 would be moved to right after the Presentation by the Chamber of Commerce, item 3 pulled and continued to the next meeting.

ROLL CALL (previously taken)

PLEDGE OF ALLEGIANCE - Led by Mayor Jernigan

INVOCATION - Given by Council Member Campbell

APPROVAL OF AGENDA

Council Member Campbell moved, second by Council Member McCorkle, to approve the agenda, item 3 has been pulled and scheduled for the next meeting. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt and Longbrake

Noes: None

Absent: None

Abstain: None

CONFLICT OF INTEREST - As previously stated by City Attorney Pinkney, Council Members Campbell and Pogue have a conflict of interest on Executive Session item d because their sons work for MIH.

CORRESPONDENCE - None

INTRODUCTIONS - Mayor Jernigan acknowledged Commissioner Larry Ford and former Council Member Shawn Gudmundson in attendance.

CITY ATTORNEY – Parliamentary Procedures given by City Attorney Pinkney

PRESENTATION

1. Presentation given by Wayne Colburn from the Chamber of Commerce / Visitor Center.

PUBLIC APPEARANCE

Jared Johnston reported several potholes on San Clemente and urged the City to fix them.

Officer Jake Gault from the San Bernardino County Sheriffs Department recognized Cheryl Sallis and Paulette Green for their successful efforts with the Giving Tree for Seniors at Christmas this past year.

18. Authorize repairs to the Needles Aquatic Center not to exceed \$5,933 to be funded by General Fund Reserves

City Manager Martinez reported and Mayor Jernigan also reported.

Mayor Jernigan reported on work being done and her visit to the pool and that the pool vacuum is not working. She urged Council to approve increased repairs up to \$15,000, which would include the purchase of a new pool vacuum system.

Various members of the swim team voiced their opinions on how important the pool is to the community.

Ashley DeLeon, Needles Unified School District's swim coach, thanked Council and staff for their help with repairs to the Aquatic center. She spoke on behalf of the swim team and the importance of the pool. Several student members of the swim team spoke on the value of the pool and its importance in bringing the community together as a family.

Jared Johnston spoke about the possibility of working with local companies for assistance with the pool improvements in exchange for advertising.

Brad Harris spoke about the value of the pool for children in the community.

Council members thanked members in attendance for showing support and spoke on the benefits of the pool and its history in the community of Needles.

City Manager Patrick Martinez spoke on communication and working together.

Council Member Merritt moved, second by Council Member Campbell to authorize repairs to the Needles Aquatic Center not to exceed \$15,000 to be funded by General Fund Reserves.

Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENTS PERTAINING TO THE NPUA/COUNCIL ITEMS

NPUA / COUNCIL CONSENT CALENDAR

Member / Vice Mayor Merritt moved, second by Member / Council Member Pogue, to approve NPUA/Council Consent Calendar Items 2, 4, 5, and 6. Motion carried by the following roll call vote:

Ayes: Members / Council Members Campbell, McCorkle, Member / Vice Mayor Merritt, Member / Mayor Jernigan, Members / Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

2. Waived the reading and adopted Resolution 2024-8 authorizing an increase in the purchase/set-up fee for electrical onsite materials from \$50,000 to \$90,000
3. Authorize the City Manager to execute the agreement dated August 10, 2020 with 3Degrees Group, Inc. through March 15, 2032 for the purchase of Renewable Energy Certificates "RECs"
Item pulled and continued to the next Council Meeting, on February 27, 2024.
4. Approved New Exhibit to 2007 Lower Colorado Basin ICS Forbearance Agreement
5. Waived the reading and adopted Resolution No. 2024- 9 Certifying the Sewer System Management Plan dated January 2024
6. Accepted Atlas Planning Solutions Proposal to Provide Consultant Professional Services for the Local Hazard Mitigation Plan Update for \$60,80 plus 10% contingency for a total not to exceed amount of \$66,198 and authorized staff to execute a Consultant Professional Services Agreement with Atlas Planning Solutions.

END OF NPUA CONSENT CALENDAR

ADJOURNED THE JOINT NPUA/COUNCIL MEETING AND RECONVENED THE COUNCIL MEETING at 7:16 pm

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS - None

COUNCIL CONSENT CALENDAR

Vice Mayor Merritt moved, second by Council Member Campbell, to approve Council Consent Calendar Items 7 through 10. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None

Abstain: None

7. Approved the Warrants Register through February 13, 2024
8. Approved the Regular Minutes of January 23, 2024 and the Special Meeting Minutes of January 30, 2024
9. Accepted Change Order #3 to the Public Works Agreement with Cora Constructors, Inc. for the Lily Hill Water Booster Pump Station project resulting in an increase to the contract in the amount of \$64,658.91 for a new total contract amount of \$2,183,953.66; and authorized staff to execute said Change Order.
10. Hearing on Appeal of City's Notice of Revocation of Cannabis Business License/Permit for the following Cannabis Businesses:
3247 Needles Highway, Suite E, Needles, CA (2103 D, LLC);
3247 Needles Highway, Suite A, Needles CA (3247 AM, LLC)
3241 Needles Highway, Needles, CA (NCA Management Co., LLC)
3253 Needles Highway, Needles CA (Medical Investor Holdings, LLC)
HEARING CONTINUED UNTIL March 12, 2024.

END OF COUNCIL CONSENT CALENDAR

REGULAR COUNCIL ITEMS

11. Award the 2024 Edible Food Recovery Grant

Utility Manager Rainie Torrance reported. Mayor Jernigan spoke and suggested the money be split evenly between all three entities.

Council Member Campbell moved, second by Council Member Pogue, to split the \$5,000 grant evenly between St. Vincent De Paul, Firehouse Ministries, and Set Free. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Pogue, and Belt
Noes: Council Members Merritt and Longbrake
Absent: None
Abstain: None

12. Waive the reading and adopt Resolution 2024-10 Naming the New Walking Trail at Jack to the Marilyn Hohstadt Mathews Trail

City Manager Martinez reported.

Council Member Campbell moved, second by Council Member McCorkle, to waive the reading and adopt Resolution 2024-10 naming the New Walking Trail at Jack to the Marilyn Hohstadt Mathews Trail . Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

13. Authorize those interested to attend the League of California Cities (LCC) City Leaders Summit in Sacramento April 17-19, 2024.

Mayor Jernigan expressed interest in attending.

City Manager Martinez reported.

Council Member McCorkle moved, second by Council Member Campbell, to authorize Mayor Jernigan, Council Member Campbell, and Council Member Pogue to attend the League of

California Cities (LCC) City Leaders Summit in Sacramento April 17-19, 2024 Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Pogue, Belt, and Longbrake
Noes: Vice Mayor Merritt
Absent: None
Abstain: None

Council Member Campbell later withdrew her request to attend this event and chose to attend the Inland Empire Tourism event.

14. Authorize those interested to attend the 2024 City / County Conference on May 16-17, 2024 in Lake Arrowhead

City Manager Martinez reported.

Council Member Campbell moved, second by Vice Mayor Merritt, to authorize Mayor Jernigan and Council Member Campbell, to attend the 2024 City / County Conference on May 16-17, 2024 in Lake Arrowhead Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

15. Authorize those interested to attend the ICSC Event at the Las Vegas Convention Center on May 19-21, 2024

City Manager Martinez reported.

Council members asked about the number of people attending events.

Council Member Campbell moved, second by Council Member Longbrake, to authorize Council Members McCorkle, Longbrake, and Pogue to attend the ICSC Event at the Las Vegas Convention Center on May 19-21, 2024. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Pogue, Belt, and Longbrake
Noes: Vice Mayor Merritt
Absent: None
Abstain: None

16. Authorize those interested to attend the Inland Empire Tourism Regional Summit in Riverside at the Marriott Riverside Convention Center, 3400 Market Street on Thursday, April 18 from 9am-5:30pm.

City Manager Martinez reported.

Mayor Jernigan is cancelling her reservation in order to attend the City Leaders Summit; Council Member Campbell announced she will attend instead of the City Leaders Summit.

Vice Mayor Merritt moved, second by Council Member Pogue, to authorize Council Members Campbell and Belt to attend the Inland Empire Tourism Regional Summit in Riverside at the Marriott Riverside Convention Center, 3400 Market Street on Thursday, April 18 from 9am-5:30pm. Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

17. Consider cancelling the second regular City Council / NPUA / HACN meetings in June, July, and August 2024

City Manager Martinez reported.

Council Member Belt moved, second by Vice Mayor Merritt , to cancel the second regular City Council / NPUA / HACN meetings in June, July, and August Motion carried by the following roll call vote:

Ayes: Council Members Campbell, McCorkle, Vice Mayor Merritt, Council Members Pogue, Belt, and Longbrake
Noes: None
Absent: None
Abstain: None

CITY ATTORNEY REPORT

Given by City Attorney John Pinkney

CITY MANAGER REPORT

Given by City Manager Patrick Martinez

19. MANAGERS REPORT

COUNCIL REQUESTS

Councilmember Campbell thanked city staff for quick response and solutions to the emergency created by the Rite Aid closure; reported she uses Walmart delivery; thanked local food banks and commended the community for pulling together in a crisis.

Councilmember McCorkle thanked the Chamber of Commerce for increased efforts on events and communication; thanked the smaller pharmacies who responded to the Rite Aid closure crisis (Riverside Pharmacy and DeeFlat Pharmacy); requested updates on Home Suites, the large building next to Needles Point, UTV progress; requested that River Lux clean up the sign location; expressed concern over the condition of the road leading to Jack Smith Park and urged the City to make the necessary repairs.

Vice Mayor Merritt requested a meeting on the Visitor Center status.

Council Member Pogue thanked the City Manager and city staff for quick response to the Rite Aid closure crisis.

Councilmember Belt thanked city staff for quick response to the emergency created by the Rite Aid closure; wished everyone a Happy Valentine's Day

Councilmember Longbrake thanked the Chamber of Commerce for their increased efforts; expressed concern over the Center for Change closure and Alano Club losing their current location; reported that Billet Health, Firehouse Ministries, and the Hospital are possible locations for the Alano Club; urged the City to help; reported their is a family living in El Garces who has a key and claims they have approval to be there and voiced his opinion that the El Garces needs new keys.

Mayor Jernigan thanked City Manager Martinez and Utility Manager Torrance for their rapid response and solutions to the Rite Aid closure crisis; congratulated the Needles High School Boys and Girls Basketball teams; reported on the upcoming Resource Fair and encouraged everyone to attend.

ADJOURNMENT

Mayor Jernigan adjourned the meeting at 7:54 pm

ATTEST: _____

Mayor Janet Jernigan

City Clerk Dale Jones, CMC