

## MINUTES

**SPECIAL MEETING OF THE NEEDLES CITY COUNCIL  
NEEDLES PUBLIC UTILITY AUTHORITY  
TUESDAY, DECEMBER 12, 2023 - 9:00 A.M.  
CITY COUNCIL CHAMBERS, 1111 BAILEY AVENUE, NEEDLES**

CALL TO ORDER – Mayor Jernigan called the meeting to order at 9:02 am

ROLL CALL

PRESENT: Council Members Campbell, McCorkle, Merritt, Pogue, Belt, Longbrake, and Mayor Jernigan, City Manager Patrick Martinez, City Attorney Pinkney and City Clerk Dale Jones.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS - None

RECESS TO EXECUTIVE SESSION at 9:04 am

Councilmembers Campbell and Pogue announced they have a conflict of interest because their sons work for MIH and left the meeting.

a) 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).

Council meeting reconvened at 11:08 am.

EXECUTIVE SESSION – Report given by City Attorney John Pinkney

City Attorney Pinkney announced that both parties have agreed to resolve the matters and reviewed the terms and council concurred by the following roll call vote:

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

Noes: None

Absent: None

MIH Attorney addressed council and thanked them for reaching a mutual resolution.

City Attorney Pinkney announced that a formal settlement agreement will be prepared and to continue to January 9, 2024 for approval of the formal settlement agreement.

Council Member Longbrake moved, second by Council Member Belt to continue to January 9, 2024 Council meeting. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

### REGULAR ITEM

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)

Item continued to January 9, 2024 Council meeting for final agreement.

ADJOURNMENT – Meeting was adjourned at 11:18 am

ATTEST

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Mayor Janet Jernigan

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Dale Jones, CMC, City Clerk

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## 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

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TUESDAY, DECEMBER 12, 2023  
COUNCIL EXECUTIVE SESSION – 5:00 PM  
CITY COUNCIL MEETING – 6:00 PM

### CALL TO ORDER

ROLL CALL – Present Mayor Janet Jernigan, Council Members Ellen Campbell, Jamie McCorkle, Kirsten Merritt, JoAnne Pogue, Tona Belt and Henry Longbrake

Also present were City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones

RECESS THE CITY COUNCIL MEETING AND CONVENE A JOINT COUNCIL / NPUA MEETING at 5:02 p.m.

PUBLIC COMMENTS PERTAINING TO THE EXECUTIVE SESSION ITEMS - None

RECESS TO EXECUTIVE SESSION at 5:02 p.m.

### EXECUTIVE SESSION

- a. 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).
  - (a) This item was discussed at the special meeting earlier today.
  - (b) Councilmember McCorkle recused herself due to a conflict because she lives in close proximity to Rio Buena Vista.
- b. NPUA/Council: Conference with legal counsel regarding potential litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3) and/or (4) (one potential case adverse to Rio Buena Vista HOA)
- c. Council: Conference with real property negotiator pursuant to Government Code §54956.8: Agency negotiator City Manager Patrick Martinez or his designee. Negotiating Parties are the City of Needles as the potential seller and Columbus Drive LLC as the potential buyer of the property described as an area 1353.42 Square Feet which includes an 8" sewer easement, located on 2701 Columbus Drive, APN 0660-081-40-0000. Under negotiations are the price and terms.

EXECUTIVE SESSION - Report by City Attorney – No reportable action taken

CALL TO ORDER at 6 p.m.

ROLL CALL

Present Mayor Janet Jernigan, Council Members Ellen Campbell, Jamie McCorkle, Kirsten Merritt, JoAnne Pogue, Tona Belt and Henry Longbrake

Also present were City Manager Patrick Martinez, City Attorney John Pinkney and City Clerk Dale Jones

PLEDGE OF ALLEGIANCE led by Mayor Jernigan  
INVOCATION given by Councilmember Campbell  
APPROVAL OF AGENDA

Vice Mayor Merritt moved, second by Council Member McCorkle to approve the agenda. Motion carried by the following roll call vote:

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

CONFLICT OF INTEREST None

CORRESPONDENCE None

INTRODUCTIONS Former Councilmembers Longacre and Terrall, Board of Public Utilities Schneider and Campbell

CITY ATTORNEY – Parliamentary Procedures presented

PUBLIC APPEARANCE – Zachery Longacre announced that his company has 45 free turkeys and is looking for those in need. Tina McGee Scott, Needles Community Partners, thanked the city for their support for the Community Christmas Party and they will be giving away 120 turkey baskets.

#### PRESENTATIONS

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

1. Update on the Chamber of Commerce / Visitor Center, Wayne Colburn gave a update.

#### INTERVIEWS

2. Interviews to fill the vacancies on various Boards and Commissions due to the expiration of terms and resignations

Interviews held and appointments made as follows.

Vice Mayor Merritt moved, second by Council Member Pogue, to reappoint Michael Schneider to the Board of Public Utilities with a term to expire December 31, 2027. Motion carried by the following roll call vote:

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

Council Member Pogue moved, second by Council Member Campbell, to reappoint Kevin Ostby to the Planning Commission with a term to expire December 31, 2027. Motion carried by the following roll call vote:

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

Vice Mayor Merritt moved, second by Council Member Longbrake to appoint to the Cemetery Commission Larry Ford with a term to expire December 31, 2026 and Kathleen Rockwood with a term to expire December 31, 2027. Motion carried by the following roll call vote:

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

Absent: None

Council Member Longbrake moved, second by Council Member Pogue, to reappoint Shawn O'Brien to the Park and Recreation Commission. Motion **failed** by the following roll call vote:

Ayes: Council Members Pogue, Belt, and Longbrake

Noes: Council Members Campbell, McCorkle, Merritt and Mayor Jernigan

Absent: None

Council Member Campbell moved, second by Vice Mayor Merritt, to appoint Zachery Longacre to the Park and Recreation Commission with a term to expire December 31, 2027. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

Council Member Campbell moved, second by Council Member Pogue to appoint Ashley Renfro to the Park and Recreation Commission with a term to expire December 31, 2027. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

Council Member Campbell moved, second by Council Member Longbrake to appoint Larry Ford to the Housing Commission At Large with a term to expire December 31, 2026. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

PUBLIC COMMENTS PERTAINING TO THE NPUA/COUNCIL ITEMS None

#### NPUA / COUNCIL CONSENT CALENDAR

Member / Vice Mayor Merritt moved, second by Member / Council Member Campbell to approve the following Consent Calendar items. Motion carried by the following roll call vote:

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

Noes: None

Absent: None

3. Adopted the City of Needles Sewer Overflow Prevention and Response Plan dated December 5, 2023
4. Approved Western Area Power Administration Agreement No. 10-DSR-12165, Exhibit B.NWD, Revision No. 4 relating to updated costs for the Nora McDowell Switchyard for fiscal years 2024 through 2026

END OF NPUA CONSENT CALENDAR

#### REGULAR NPUA / COUNCIL ITEMS

5. Appointment to a Downtown Decorative Lighting/Holiday Wreaths Ad Hoc Committee

Mayor Jernigan and Council Members Campbell and McCorkle volunteered to be on the Ad Hoc Committee.

ADJORN THE JOINT NPUA / COUNCIL MEETING AND CONVENE A JOINT HACN / COUNCIL MEETING at 6:34 p.m.

CALL TO ORDER (Roll Call Previously Taken)

PUBLIC COMMENTS PERTAINING TO THE HACN/COUNCIL ITEMS None

#### PUBLIC HEARING

6. Public Hearing Held - noticed to consider HACN Resolution No. 2023-59 - A Resolution of the Housing Authority of the City of Needles Removing and Replacing the Admissions and Continued Occupancy Plan (ACOP) and Adopting HUD Veterans Affairs Supportive Housing (VASH) and Housing Opportunity Through Modernization Act Sections 102 and 104.  
City Manager Martinez and Angelica Deerner, Housing Authority Manager, reported and discussion ensued.  
Mayor to open the public hearing at 6:46 p.m.  
Public Comment None  
Mayor to close the public hearing at 6:46 p.m.

Council Member McCorkle moved, second by Council Member Campbell to waive the reading and adopt Resolution No. 2023-59 - A Resolution of the Housing Authority of the City of Needles Removing and Replacing the Admissions and Continued Occupancy Plan (ACOP) and Adopting HUD Veterans Affairs Supportive Housing (VASH) and Housing Opportunity Through Modernization Act Sections 102 and 104. Motion carried by the following roll call vote:

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

ADJOURN THE JOINT HACN / COUNCIL MEETING AND RECONVENE THE CITY COUNCIL MEETING (Roll Call previously taken) at 6:47 p.m.

PUBLIC COMMENTS PERTAINING TO THE COUNCIL ITEMS None

#### COUNCIL CONSENT CALENDAR

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

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

7. Approved the Warrants Registers through November 28 and December 12, 2023
8. Approved the Minutes of November 14, 2023
9. Approved the Sixth Amendment to the Professional Services Agreement for Building Support Services with Willdan increasing the Contract Compensation for Building Official and Inspector Services for an amount not to exceed \$50,325.

END OF COUNCIL CONSENT CALENDAR

REGULAR COUNCIL ITEMS - None

CITY ATTORNEY REPORT None

CITY CLERK REPORTED

CITY MANAGER REPORTED which is included in the agenda packet

10. Manager's Report

## **COUNCIL REQUESTS**

Councilmember Campbell – Christmas Event Party was wonderful, the fence at Pioneer Cemetery needs to be replaced, have local artists paint our electrical boxes, paint a mural in the underpass on California Ave and Merry Christmas.

Councilmember McCorkle – the recent parade and day of festivities was wonderful and requested an update on the off road vehicles.

Vice Mayor Merritt – the downtown Christmas Event and the employee party were wonderful – Merry Christmas.

Councilmember Pogue – enjoyed the recent events, requested an update on the old Dennys location, the County has their sprinklers on all day sometimes and Merry Christmas.

Councilmember Belt – should schedule a Visitor Center meeting, requested a cannabis tax spreadsheet, Caltrans will be taking pictures of the Bear on the I40, requested a certificate be prepared for Shawn O'Brian's participation and enjoyed the parade and holiday parties.

Councilmember Longbrake – parade and employee event was great, thank the Sheriffs Department for Shop with a Cop and announced that this Saturday KTOX is having a listener appreciation event and there will be refreshments.

Mayor Jernigan – spoke at the Womens Club luncheon, attended SBCTA workshop, requested we should place ground breaking events in the paper, thanked Ellen, JoAnne and Tona for coordinating the employee event, enjoyed the parade and attended SCAG.

## **ADJOURNMENT**

Mayor Jernigan adjourned the meeting at 7:05 pm

ATTEST: \_\_\_\_\_  
Mayor Janet Jernigan

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City Clerk Dale Jones, CMC