

## **Minutes of the Blythe City Council January 22, 2019**

The January 22, 2019 Meeting of the Blythe City Council was called to order at 6:00pm in the Council Chambers by Mayor Reynolds. Also in attendance were Vice Mayor Egan and Council Members DeConinck, Rodriguez and Halby. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer Elms, Police Chief Wade, Public Works Director Baldizzone and City Attorney Bettenhausen.

The Pledge of Allegiance was led by Mayor Reynolds. The invocation was offered by Vice Mayor Egan.

### **REPORT FROM CLOSED SESSION:**

City Attorney Bettenhausen stated the City Council entered into Closed Session at 5:45pm to discuss three items: Labor Negotiations and two cases of Existing Litigation. The items were discussed and no final action was taken.

**CONSENT CALENDAR:** *Items on the Consent Calendar are considered routine and will be enacted with one motion of the Council. If any item requires individual consideration, it will be removed from the consent calendar and acted upon separately.*

**1. Posting of the Agenda.**

The summary of agenda items were posted on the bulletin boards on the outside of the public entrance to the Council Chamber and near the inside entrance of the Council Chamber on Friday, January 18, 2019.

**2. Approval of the Warrant Register.**

Recommendation: Approve **1/22/19**, warrants numbered 69174 through 69193 and Utility Billing Refund Warrants numbered 69194 through 69276 in the amount of \$602,329.60; **1/22/18**, warrants numbered 69277 through 69317 in the amount of \$170,018.33 and **1/22/18**, warrants numbered 69318 through 69378 and Utility Billing Refund Warrants numbered 69379 through 69392 in the amount of \$338,210.28.

**3. Approval of the Payroll Register.**

Recommendation: Approve **1/22/19**, warrants numbered 50735 through 50753 and Direct Deposits numbered 43606 through 43665 in the amount of \$239,068.34; **1/22/19**, warrants numbered 50754 through 50777 in the amount of \$109,735.29; **1/22/19**, warrants numbered 50778 through 50816 in the amount of \$13,164.66; **1/22/19**, warrants numbered 50817 through 50833 and Direct Deposits numbered 43666 through 43726 in the amount of \$235,046.11; **1/22/2019**, warrants numbered 50834 through 50838 and Direct Deposits numbered 43727 through 43828 in the amount of \$71,406.88; **1/22/2019**, warrants numbered 50839 through 50855 and Direct Deposits numbered 43829 through 43889 in the amount of \$241,238.45 and **1/22/2019**, warrants numbered 50856 through 50857 in the amount of \$193.50.

**4. Minutes of the December 11, 2018 City Council Meeting.**

Recommendation: Approve the Minutes of the December 11, 2018 meeting.

**5. City of Blythe Permits issued for the Month of December 2018.**

Recommendation: Receive and file this monthly report.

**6. City of Blythe Fire Department Monthly Activity Report for December 2018.**

Recommendation: Receive and file this monthly report.

**7. City of Blythe Police Department Monthly Activity Report for December 2018.**

Recommendation: Receive and file this monthly report.

**8. Surplus Items.**

Recommendation: Deem the listed items as surplus and excess and authorize staff to dispose of them at the next City auction.

**9. Request of Blythe Volunteer Fire Department for Overnight Camping in Todd Park.**

Recommendation: Authorize participants of Blythe Fire Department's Annual BBQ Cook-off to stay overnight in the parking lot at Todd Park on February 8<sup>th</sup> and 9<sup>th</sup>.

**10. Investment Report for First Quarter of FY 2018/19.**

Recommendation: Receive and File this quarterly report.

**11. Adoption of an MOU between the City and Sworn Unit.**

Recommendation: Adopt Resolution No. 2019-001, adopting the Sworn Unit's MOU.

*RESOLUTION NO. 2019-001. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING AN ADDENDUM TO THE SWORN UNIT'S MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2019.*

No public comment. Councilman DeConinck moved approval of the Consent Calendar. The motion was seconded by Vice Mayor Egan with a unanimous aye vote.

**NEW BUSINESS:**

**Establishing Penalty and Interest Charges Related to Delinquent Commercial Cannabis Tax Payments.** Finance Director Elms stated the City adopted and voters approved an Ordinance which added commercial cannabis business tax to local commercial cannabis businesses. Pursuant to the Ordinance, Council is authorized to establish rules, regulations and procedures to insure the efficient and timely collection of the tax. This includes formulating penalties and interest to be assessed for failure to pay the tax. Over the past year Council has approved numerous cannabis business permits to local businesses subject to this tax. As businesses begin opening their doors they will be required to report all commercial cannabis activity in compliance with the Ordinance. It is recognized that businesses subject to the tax may fail or refuse to pay the tax by the due date which can result in delayed revenue to the City. In an effort to divert the delinquency of these tax payments staff is recommending the adoption of Resolution No. 2019-003 establishing penalty and interest charges that will be imposed in the event a business does not pay the tax by the due date. To maintain consistency staff has prepared the attached Resolution using the same penalty and interest structure currently applicable to other locally imposed taxes.

No public comment. Vice Mayor Egan moved approval of staff's recommendation. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

*RESOLUTION NO. 2019-003. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CALIFORNIA ESTABLISHING PENALTY AND INTEREST CHARGES RELATED TO FAILURE TO PAY THE COMMERCIAL CANNABIS BUSINESS TAX.*

**Requests for Proposals for AVA Towing Services.** CSO Thomas stated the City is part of the AVA program through Riverside County. As a participating jurisdiction there are several requirements, one of which is having a towing agreement in place. In December of 2016 Council approved a towing agreement with Statewide Recovery and Towing. The company is based out of Corona, CA. The Council was forced to do that because we had no local respondents to our request for proposal. There may have been some confusion around that which has hopefully been corrected. I have spoken with several local agencies who now wish to participate. Staff is requesting Council authorize

staff to receive request for proposals for towing services for AVA vehicles. This will allow local as well as Statewide agencies to submit proposals if they wish.

Councilman DeConinck asked if we have a contract in place now. CSO Thomas reported the contract started with a mandatory year with another 5 years with the option of getting out of the contract each year. We have satisfied the first year and can now go with someone else. The contract can be cancelled with a 30 day notice.

Councilman Halby asked if it was 30 days to cancel outright, or thirty days prior to the next year to cancel. It was reported it was 30 days outright. Councilman Halby would like to keep that language in the new contract and for every local towing company notified of this bid process.

No public comment. Councilman DeConinck moved approval of staff's recommendation. The motion was seconded by Vice Mayor Egan with a unanimous aye vote.

**Amendment 1 to an Agreement between County and City for 3<sup>rd</sup> Place Street Improvement Project.** Councilman DeConinck excused himself due to a potential conflict of interest. Public Works Director Baldizzone stated since 2013 staff has been working with Riverside County on this project. In the beginning it included asphalt, curb and gutter. After review by the State Architect, the curb and gutter will require the replacement of the sidewalk. Riverside County submitted the estimated budget which is more than we had initially planned and budgeted for. The total is \$104,000 with \$65,000 allocated for this project. The City has the opportunity to say yes or no to the bid numbers. This year we have funds allocated to joint slurry seal projects with the County that could be used towards this project. The County intends to advertise the project in March with the project being awarded in May. There will be a 65 day construction period. It is recommended Council authorize the City Manager to sign the Amendment to the Agreement between the City and County for construction of the 3<sup>rd</sup> Place Project and perform budget adjustments as required.

No public comment. Councilman Halby moved approval of staff's recommendation. The motion was seconded by Councilman Rodriguez with aye votes from Reynolds, Egan, Rodriguez and Halby.

Councilman DeConinck rejoined the meeting.

**ORAL REPORTS:** None

**PUBLIC COMMENT:** None

**ADJOURN:** The City Council meeting was adjourned at 6:22pm.

---

Dale Reynolds, Mayor

**ATTEST:**

---

Mallory Crecelius, City Clerk