

## **Minutes of the Blythe City Council April 24, 2018**

The April 24, 2018 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 and Halby. Councilman Rodriguez was excused from the meeting. Staff in attendance included: Interim City Manager and City Clerk Crecelius, City Treasurer and Finance Director Elms, Police Chief Wade, Public Works Director Baldizzone, Chief Building Official Garnica and City Attorney Bettenhausen.

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

**REPORT OUT FROM CLOSED SESSION:** City Attorney Bettenhausen reported the Council entered closed session at 4:45pm to discuss four items: Conference with Legal Counsel, Anticipate Litigation, Threat to Public Services or Facilities, Conference with Blythe Police Department, Conference with Legal Counsel, Anticipated Litigation and Labor Negotiations. Direction was given, no final action was taken.

### **PROCLAMATION:**

**May is Mental Health Month.** Mayor Reynolds presented the Proclamation to Carol Shout, a Behavioral Health Commissioner.

### **PRESENTATION:**

**Sandra Anaya, CEO of Palo Verde Hospital.** Sandra made a brief presentation regarding the financial situation of the hospital. She reported rumors the hospital is closing and not paying their employees are not true. We are here to serve the community the best way we can and improve service where we can. We are working with the County to establish an affiliate to get specialist to the hospital as it's difficult to recruit to Blythe. Keep us in mind if and where there is money to help the hospital. The building needs attention and we need new equipment. It's not realistic to think we can address these issues when census is low and there is not a lot of operating income. You need the hospital and we need you to ensure long term viability.

**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.*

**3. 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, April 20, 2018.

**4. Approval of the Warrant Register.**

Recommendation: Approve **4/24/18**, warrants numbered 67780 through 67857 in the amount of \$356,734.80 and **4/24/18**, warrants numbered 67858 through 67915 and Utility Billing Warrants numbered 67916 through 67930 in the amount of \$123,576.38.

**5. Approval of the Payroll Register.**

Recommendation: Approve **4/24/18**, warrants numbered 50173 through 50176 in the amount of \$10,083.25; **4/24/18**, warrants numbered 50177 through 50202 and Direct Deposits numbered 41578 through 41631 in the amount of \$240,231.57; **4/24/18**,

warrants numbered 50203 through 50213 in the amount of \$219.36; **4/24/18**, warrants numbered 50214 through 50215 in the amount of \$319.54; **4/24/18**, warrants numbered 50216 through 50219 in the amount of \$25,881.87; **4/24/18**, warrants numbered 50220 through 50237 and Direct Deposits numbered 41632 through 41685 in the amount of \$210,466.92; **4/24/18**, warrants numbered 50238 through 50243 and Direct Deposits numbered 41686 through 41787 in the amount of \$66,323.55 and **4/24/18**, warrants numbered 50244 through 50268 and Direct Deposits numbered 41788 through 41842 in the amount of \$238,998.65.

6. **Minutes of the March 13, 2018 City Council Meeting.**  
Recommendation: Approve the Minutes of the March 13, 2018 meeting.
7. **Minutes of the March 21, 2018 Special City Council Meeting.**  
Recommendation: Approve the Minutes of the March 21, 2018 special meeting.
8. **City of Blythe Permits Issued for the Month of March 2018.**  
Recommendation: Receive and file this monthly report.
9. **City of Blythe Fire Department Monthly Activity Reports for March 2018.**  
Recommendation: Receive and file this monthly report.
10. **Blythe Police Department Monthly Incident and Activity Report for February and March 2018.**  
Recommendation: Receive and file these monthly reports.
11. **Surplus Firearms.**  
Recommendation: Declare the firearms listed as surplus property and authorize staff to sell the firearms to Inland Supply of Blythe at the current market value. The value of the firearms will be paid in ammunition and other firearm related training materials and equipment.
12. **Donation of Concrete from Crawford and Associates for the Todd Park Dugout Project.**  
Recommendation: Accept the donation of concrete valued at \$1,420.04 from Crawford and Associates for the Todd Park Dugout Project.
13. **Continued Participation in Riverside County's Mortgage Credit Certificate (MCC) Program.**  
Recommendation: Adopt Resolution No. 2018-010 and authorize the Mayor to Execute Attachment "K", the Housing Element Certification Form for the MCC Program to allow the City's continued participation in the program for the 2019 and 2020 calendar years.

*RESOLUTION NO. 2018-010. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, PARTICIPATING WITH THE COUNTY OF RIVERSIDE MORTGAGE CREDIT CERTIFICATE (MCC) PROGRAM.*

14. **Second Phase of the Manhole Rehabilitation Project.**  
Recommendation: Authorize a purchase order not to exceed \$40,975 to Zebron for manhole rehabilitation.
15. **Two Way Radio System for the Blythe Police Department.**  
Recommendation: Authorize staff to enter into a five year bundled communication services Agreement with Fisher Wireless in the amount of \$1,522.10 per month for the duration of the contract and purchase the needed accessories in the amount of \$12,390.
16. **Commercial Cannabis Tax Ordinance.**  
Recommendation: Conduct the second reading by title only, waiving further reading of Ordinance No. 888-18.

*ORDINANCE NO. 888-18. AN ORDINANCE OF THE PEOPLE OF THE CITY OF BLYTHE, CALIFORNIA APPROVING A TAX ON CANNABIS RELATED BUSINESS ACTIVITIES BY ADDING CHAPTER 3.36 (COMMERCIAL CANNABIS BUSINESS TAX) TO TITLE 3 (REVENUE AND FINANCE) OF THE BLYTHE MUNICIPAL CODE.*

No public comment. Councilman DeConinck moved approval of the Consent Calendar. The motion was seconded by Vice Mayor Egan with a unanimous aye vote. City Clerk Crecelius read the title of the Ordinance into the record.

**PUBLIC HEARING:**

**2015 Urban Water Management Plan.** Public Works Director Baldizzone stated in November 2017 Council authorized staff to proceed with preparing the 2015 Urban Water Management Plan with West and Associates. The plan is required of water supplies that serve more than 3,000 connections. It is recommended subsequent to the Public Hearing, Council Resolution No. 2018/011.

Phillip West of West & Associates presented the 2015 Urban Water Management Plan.

Councilman DeConinck stated I fought with the State on this. We have a unique water supply system here and the State has no idea how it works. We have to pay this money to do this report when we don't have a problem here. That is what is wrong with our State.

Mayor Reynolds opened the Public Hearing. No public comment was received and the hearing was closed.

Councilman DeConinck moved approval of staff's recommendation. The motion was seconded by Vice Mayor Egan with a unanimous aye vote.

***RESOLUTION NO. 2018-011. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE TO ADOPT THE 2015 URBAN WATER MANAGEMENT PLAN.***

**NEW BUSINESS:**

**Issuance of Commercial Cannabis Business Permits:** Interim City Manager Crecelius stated Blythe Partners Investment, LLC submitted three applications for manufacturing and cultivation at two locations. They have submitted the information required to pass the first three phases of the application process along with completing owner background investigations. The applications propose a large cultivation on E. Hobsonway around the Dutt Relax Inn and a medium sized cultivation operation with a manufacturing facility at 401 S. Main St. It should be noted that three of their 7 parcels on E. Hobsonway currently have a residential zoning and will need a zone change. This request will be processed and brought before Council after they have completed the PRC Process. Staff can however support this request due to the vicinity to other commercial properties. It is recommended Council issue Commercial Cannabis Business permits to Blythe Partners Investment for cultivation on E. Hobsonway and Cultivation and manufacturing on S. Main St. Blythe Network Group, LLC submitted three applications for cultivation, manufacturing and distribution on Neighbors Blvd. between Interstate 10 and the Old State Highway. They have submitted the information required to pass the first three phases of the application process along with completing owner background investigations. The applications propose a large cultivation operation with manufacturing and Distribution. This is the second and final distribution license being recommended. Other distribution applications were received, but did not complete the first three phases of the application process for various reasons. It should be noted that one of their parcels

is zoned for both General Commercial and Service Industrial. Service Industrial is not an allowed cannabis zone which will require the applicant to submit a zone change request to Council after they have completed the PRC process. Staff can fully support this zone change request as this would help to clean up the zoning map by removing properties with multiple zones. It is recommended Council issue commercial cannabis business permits to Blythe Network Group, LLC for Cultivation, Manufacturing and Distribution on Neighbors blvd.

Public Comment. Eric Dena of Blythe Partners Investment, LLC stated he could submit the PRC in the next two week. Construction would be 90-120 days. He estimates hiring 50-60 people for his project.

Vice Mayor Egan moved approval of staff's recommendation. The motion was seconded by Councilman DeConinck with a unanimous aye vote.

**General Plan Amendment Process:** Interim City Manager Crecelius stated the Commercial Cannabis Ordinance allows cannabis businesses to locate by right in the: General Commercial, Community Commercial and Industrial General Zones. Council also stated zone change requests from potential cannabis businesses would be reviewed by Council on a case by case basis. Due to Council's willingness to review zone changes, staff has received a number of inquiries from potential developers. Some of the Commercial Cannabis Business applicants either have or are working to obtain property that may require a zone change. It was then brought to staff's attention by the Holt Group that a zone change requires a General Plan Amendment. The City is allowed to amend any aspect of the General Plan a total of four times per year. Due to this restriction, staff asked Lindsay Holt to prepare procedures that would enable the City to process all zone change requests received within the allowed parameters. Ms. Holt suggested reviewing zone change requests on a quarterly basis in March, June, September and December. This would allow Council to review multiple zone change requests, without updating the general plan more than four times per year. It is recommended Council adopt the attached General Plan Amendment Procedures.

No Public Comment. Vice Mayor Egan moved approval of staff's recommendation. The motion was seconded by Councilman Deconinck with a unanimous aye vote.

**Purchase of Chlorine Booster Pumps for the Water Treatment Plant.** Public Works Director Baldizzone stated the repair of the Chlorine room was included in the budget in the amount of \$90,000. Staff requested quotes from two companies which came in around \$140,000. In December the SWRCB conducted an inspection and provided a list of deficiencies found. One of which was the repair of the chlorine pumps. Staff is requesting to purchase new pumps for the chlorine room this year, with the money budgeted for the Chlorine room repair. The Chlorine Room will be repaired in FY 2018/19. It is recommended Council authorize the purchase of 2 Chlorine pumps from Charles P. Crowley Co. in an amount not to exceed \$29,000, the purchase of 1 Cornell Booster Pump from Precision Electric Co. in an amount not to exceed \$16,000 and a purchase order in amount not to exceed \$5,576.08 for parts and labor.

Vice Mayor Egan asked if the State will help with the reservoir. It was reported with the Urban Water Management Plan we have the ability to apply for some grants.

Public comment. Dawn Williams asked if the grant writer could help with a situation like this.

Councilman DeConinck moved approval of staff's recommendation. The motion was seconded by Councilman Halby with a unanimous aye vote.

**Blythe Clean up Day.** Interim City Manager Crecelius stated The City held a Blythe Clean up Day on April 14<sup>th</sup> . The City received a lot of support for the clean up day and a number of donations were received for the event. It is recommended Council recognize and accept the listed donations made for Blythe Clean up Day.

Mayor Reynolds recognized the generations received. It was a successful clean up, the turnout was low, but we were able to clean up a lot.

**Acquisition and Placement of an Engine at the Railroad Tracks on Hobsonway.** Interim City Manager Crecelius stated when Rail America removed the rail running through the City, Council and staff petitioned Rail America to keep a section of the track in Blythe intact. The purpose was to preserve the history of the rail and to one day create a tourist attraction by placing some type of train engine, railcar, or other item at the site. Recently Council learned of two opportunities, a water tank for sale in Vidal Junction and a locomotive engine in Desert Center California. The locomotive would be given to the City, if the City paid for the cost of relocation. As the Council preferred an engine over a water tank, Councilman DeConinck obtained an estimate from Oraway Engineering, Inc. to relocate the engine. The estimated cost is \$157,929 which includes the loading, transport and unloading of the 245,000 lb locomotive from Desert Center to Blythe. As the City has no budget for this project, and at a cost of \$157,929, it would be near impossible and imprudent in our current fiscal situation for the City to move forward at this time.

Councilman DeConinck stated Rail America informed me of this locomotive in Desert Center CA. I made the trip to check it out and it was in excellent shape. I contacted 2-3 people and the best was the company who has worked with PVID in the past. I was originally told the locomotive was 60 ton. After more research it weighs 120 ton which makes it near impossible to move it. It would take 2 cranes to get it here. I don't think it's feasible at the quoted amount. I even asked Rail America if they would kick in some money and they said no. There are some others interested in this locomotive as well.

Mayor Reynolds appreciated Councilman DeConinck's work on this project, but at this point there is nothing we can do with our fiscal situation.

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

**WRITTEN COMMUNICATION:**

**Use of Quechan Park by Calvary Chapel Blythe.** Interim City Manager Crecelius stated Calvary Chapel has submitted a park use permit for a church picnic in Quechan Park on May 6<sup>th</sup>. They would like to roast a pig for the event which takes 15+ hours. They have requested permission for one couple from the church to camp overnight in the park to prepare the food. As overnight parking is not allowed in City Parks, staff is asking council to approve their request. I believe a representative from the Church is present should you have any questions.

Councilman DeConinck stated he rents property from the Church. City Attorney Bettenhausen stated renting from them does not create a conflict of interest in this matter.

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

**ORAL REPORTS:** None

**PUBLIC COMMENT:**

Heather Fulmer of 339 N. 5<sup>th</sup> asked if the Council was aware of BLM closing down close to 100 trials around Blythe. This is a problem because it will hurt tourism in Blythe.

Mayor Reynolds reported we have the maps posted here in City Hall. Public Comment will be accepted until May 15<sup>th</sup>. We support the comments and want to make sure we are not cut out anymore. It would have an economic Impact to this area and I don't think BLM has considered that. You have to be very specific on trials. The City is in support of blocking BLM from shutting out any more recreational areas.

Heather Fulmer stated BLM's argument is they don't have the funds to maintain the funds. She asked if the City would be doing anything to inform the public and explain how to fill out the comment forms.

**MEMBER COMMENT:**

Mayor Reynolds announced the City was awarded Best Park for Todd Park by the Palo Verde Times. The Blythe Police Department was also awarded best local law enforcement agency. The public voted on these awards.

**ADJOURN:** The City Council meeting was adjourned at 5:52pm.

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Dale Reynolds, Mayor

**ATTEST:**

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Mallory Crecelius, City Clerk