

**Minutes of the Blythe City Council**  
**May 9, 2017**

The May 9, 2017 Meeting of the Blythe City Council was called to order at 6:00pm in the Council Chambers by Mayor DeConinck. Also in attendance were Vice Mayor Wade and Council Members Galvan and Reynolds. Councilman Egan participated via teleconference. Staff in attendance included: City Manager Cosentini, City Clerk and Deputy Administrative Services Director Crecelius, City Treasurer and Interim Finance Director Elms, Police Chief Wade, Planner Burrow and Public Works Director Baldizzone.

The Pledge of Allegiance was led by Mayor DeConinck. The Invocation was offered by Pastor Bob Johnston.

**REPORT FROM CLOSED SESSION:** City Attorney Bettenhausen stated Council entered Closed Session at 5:30pm to discuss Labor Negotiations and anticipated litigation. Direction was given for the anticipated litigation. Council recessed the meeting which will be re-opened to discuss labor negotiations following the open meeting.

**PROCLAMATION:**  
**May is Building Safety Month.**

**PRESENTATION:**  
**Riverside County Request for Participants to Build a Countywide Fiber-Optic Network.** Tom Mullon, Chief Data Officer with Riverside County made a presentation and asked Council for a Resolution supporting the project. Mayor DeConinck asked for a Study Session to further discuss the item.

**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 and at 4310 Lake Tahoe Blvd. South Lake Tahoe, CA 96150 on Friday, May 5, 2017.
4. **Approval of the Warrant Register.**  
Recommendation: Approve **5/9/17**, warrants numbered 65942 through 66015 and warrants numbered 66016 through 66024 in the amount of \$198,315.46.
5. **Approval of the Payroll Register.**  
Recommendation: Approve **5/9/17**, warrants numbered 49262 through 49269 and Direct Deposits numbered 39258 through 39353 in the amount of \$66,604.30; **5/9/17**, warrants numbered 49232 through 49261 and Direct Deposits numbered 39203 through 39257 in the amount of \$250,605.73 and **5/9/17**, warrants numbered 49262 through 49269 and Direct Deposits numbered 39258 through 39353 in the amount of \$66,604.30.
6. **Minutes of the April 11, 2017 City Council Meeting.**  
Recommendation: Approve the Minutes of the April 11, 2017 Meeting.
7. **City of Blythe Permits Issued in April 2017.**  
Recommendation: Receive and file this monthly report.
8. **City of Blythe Fire Department Monthly Activity Report for April 2017.**  
Recommendation: Receive and file this monthly report.

9. **City of Blythe Police Department Monthly Activity Report for April 2017.**  
Recommendation: Receive and file this monthly report.
10. **Annual Consumer Price Index and Landfill Rate Adjustment.**  
Recommendation: Approve the annual rate adjustment submitted by CR&R pursuant to Section 22.7.1 of the Solid Waste and Recycling Services Agreement.
11. **Investment Report for Third Quarter of Fiscal Year 2016/17.**  
Recommendation: Receive and file this quarterly report.
12. **Local Hazard Mitigation Plan Annex.**  
Recommendation: Receive and file.
13. **Clerical Unit MOU Adoption.**  
Recommendation: Adopt Resolution No. 2017-010 approving changes to the Clerical MOU.

*RESOLUTION NO. 2017-010. A RESOLUTION OF THE BLYTHE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING A MEMORANDUM OF UNDERSTANDING FOR THE CLERICAL, PARA-PROFESSIONAL AND RECREATION UNIT FROM MAY 9, 2017 TO MAY 8, 2018.*

14. **Amendment to Zoning Code to Impose Ban on Recreational Marijuana related businesses and personal outdoor recreational cultivation.**  
Recommendation: Conduct the second reading by Title only, waiving further reading of Ordinance No. 882-17.

*ORDINANCE NO. 882-17. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BLYTHE AMENDING CHAPTER 17.64 OF THE MUNICIPAL CODE RELATING TO MARIJUANA ACTIVITY.*

15. **Vacation Request/Acting City Manager.**  
Recommendation: Authorize a two week vacation for the City Manager in October or November and authorize him to designate Deputy Administrative Services Director Mallory Crecelius as the Acting City Manager during that leave.

Councilman Galvan asked for a correction on the April 11<sup>th</sup> Minutes. Mayor DeConinck asked to pull item #14.

No public comment. Vice Mayor Wade Moved approval of Consent Calendar Items 1-13 and 15. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

**Amendment to Zoning Code to Impose Ban on Recreational Marijuana related businesses and personal outdoor recreational cultivation.** Mayor DeConinck stated members of the public are here to voice their concerns on this item.

Public comment. Doris Morgan Hayes of 1000 N. Lovekin Unit 43 stated the morality of the City is laid to rest at the feet of the City Council. I know you are looking at the money, but you need to look at more than that.

Mrs. Morgan-Hayes read a letter into the record from Robert Willcutt. Mr. Willcutt would like the City Council to reconsider their stance on bringing marijuana into the City. You need to think about the lives that will be destroyed from this. The increased cost of law enforcement, Medical treatment and court proceedings will offset any revenue.

Richard N. Deyo stated if the City Council ignores the people of the State of California and the people of Blythe I would think it would be hard to tell children when you become adults your vote counts. The issue is the liberty of people to do what they want in the privacy of their own homes as long as they don't harm anyone else. The fact that 10% of the population cannot control themselves is not an excuse to limit it from the other 90%.

Todd Warren of 2671 Colorado River Rd. stated having a marijuana dispensary in the city will affect our children. Nobody is going to impinge on anyone's freedoms; the issue tonight is whether or not we want this demon of a dispensary in our city so that people can have access to this drug. This will create a tidal wave of problems.

Councilman Reynolds asked the City Attorney to state the purpose of this item for clarification. City Attorney Bettenhausen stated this will be the second vote of an Ordinance banning marijuana businesses and outdoor personal cultivation.

Amelia Scottsdale stated she is a recovering drug addict who stated out using marijuana. You do not want this getting to your kids. It is a gateway to other drugs. It will get into the schools.

Vice Mayor Wade stated we are not taking a vote tonight on legalizing this. This is the second reading on a permanent ban.

Clifford Short of 531 W. Hobsonway stated we smell marijuana coming from the car wash almost every night. In high school I was a dealer. I tried drugs due to peer pressure. The money is not worth the cost of a life.

Vanessa Grisham of 851 Cypres Ln. stated I have been all over the world and Blythe is a great place to hang your hat. If people need marijuana for medicinal use they can travel to Indio. I think we need to preserve what we have now and keep it out of our town.

Robert Johnston of 361 N. Lovekin stated if you would have people voice their concerns you may have voted differently. We are asking you to reconsider your position and bring it back for a vote. People are concerned. I am retired law enforcement and have seen the effects.

Cindy Silvas of 141 W. Chaparrell Dr. stated I have been ministering in prisons for over 10 years. The three strikers in my life right now all started with marijuana. We are so devastated because we have seen the effects it has. I moved here because this is a clean city.

Greg Terazzas of 441 N. Palm Dr. stated we have seen the devastation it has on lives. What concerns us is the youth. Since Colorado and Washington have legalized marijuana, use by children ages 12 to 17 has been above and rising faster than the national average. Colorado leads the nation among 12 to 17 year olds.

Russell Angelo of 10260 W. 10<sup>th</sup> Ave. I am an intercity recovery men's home director. I am from LA County and there was a rush of usage after they allowed access to marijuana for certain people. What kind of message are we sending to our youth when we say it can be grown here and it's ok to smoke it? It's a horrible idea to allow this in our City.

Brandon Peterson of 336 N. Earle St. stated we understand the position you are in. We are here tonight because it caught some of us off guard. We would like to ask you to reconsider. We are praying for you and that revenue would be generated in other ways.

Justin Evans of 345 N. Lovekin stated growing up here I know what is already available to our youth in terms of alcohol. We could go to the store and have someone buy it for us. Opening the door to a dispensary would cause access to our youth.

Jettie Townsend of 870 E. 14<sup>th</sup> Avenue stated it's already in the schools. I don't want the children to be sold illicit drugs but they are out there now. If you don't get the tax money from this there

won't be any protections for you when the County opens up right outside. This community voted against medical marijuana in 2014 and in this past general election the town was for it with 53% of the vote.

Steve Dir stated it's proven this is safer than alcohol. The City would make a big mistake if they stopped it.

Mr. Whete stated children are our most important product. We need to do the most we can to make them succeed. Money is not the most important product. If we lose one kid through the use of marijuana it is not worth it.

Pam Johnston of 361 Lovekin Blvd asked the people in the audience who would like this item to be re-voted on to stand and for the audience member in favor of this item to stand.

Clifford Leonard stated I worked in teen challenge which is a rehab program for teens. They were there due to lack of discipline. Marijuana affects the brain. Babies are being born addicted and it affects the connections in their brains. You have a responsibility to your citizens.

Hector Flores of 396 Shannon stated it can devastate a family when someone uses marijuana and moves on to meth. A majority of the people in here are against this passing. I am against it. It is a demon and it will be out of control.

Councilman Reynolds read into the record correspondence from Mr. Joseph Hobbs. Mr. Hobbs states I guess people missed the November 2016 election which ushered in the legalization of recreational marijuana in California. Over 50% of Blythe voters voted in favor of this legalization. The question is do we want to regulate and control everything that comes with it, or do we hope the people in Riverside and Sacramento have our best interest in mind? We need to be the ones who say how it will be handled.

Rick Armenta stated the problem here is methamphetamines, alcohol and prescription drugs. I had a party at my house for prom and I confiscated a lot of alcohol but not one time did I walk up on someone smoking marijuana. Methamphetamines are infesting our streets and it's bad. I live across from a drug house and it's terrible that my children have to see that.

Vice Mayor Wade moved approval of the second reading by title only of Ordinance No. 882-17. The motion was seconded by Councilman Reynolds with a unanimous aye vote. City Clerk Crecelius read the title of the Ordinance into the record.

***ORDINANCE NO. 882-17. AN ORDINANCE OF THE COUNCIL OF THE CITY OF BLYTHE AMENDING CHAPTER 17.64 OF THE MUNICIPAL CODE RELATING TO MARIJUANA ACTIVITY.***

**NEW BUSINESS:**

**Utility Tractor Purchase for the Waste Water Treatment Plant.** Public Works Director Baldizzone stated the Waste Water Treatment Plant has a 1996 utility tractor that is no longer in service due to several major technical problems that arose this year. The tractor now no longer meets California emission standards. The City identified a tractor utilizing the national purchasing partners. The purchase of this equipment can be made from savings from the purchase price of the Jet Vac vs. the amount budgeted for that purchase. It is recommended Council authorize the purchase of a John Deer 612 E Tractor form RDO to replace the current tractor in an amount not to exceed \$61,085.48.

No public comment. Councilman Galvan moved approval of staff's recommendation. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

**Grant Funds for California Climate Investments Urban Greening Program.** Public Works Director Baldizzone stated our grant writer presented this grant to staff. To get the grant funding we need to plant trees. We determined that Miller and Appleby parks would be a good place to plant 15 trees. We are proposing irrigation with non-potable water. At Miller Park we will also replace all of the lights. It is recommended the Council adopt the Resolutions allowing us to apply for the funds.

Public Comment. W.C. McBeth asked if this funding could be used to help some of the streets with flooding issues.

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

***RESOLUTION NO. 2017-004. A RESOLUTION OF THE CITY OF BLYTHE, COUNTY OF RIVERSIDE AND STATE OF CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR CALIFORNIA CLIMATE INVESTMENT URBAN GREENING PROGRAM.***

***RESOLUTION NO. 2017-004. A RESOLUTION OF THE CITY OF BLYTHE, COUNTY OF RIVERSIDE AND STATE OF CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FOR CALIFORNIA CLIMATE INVESTMENT URBAN GREENING PROGRAM.***

**Appropriation for Cleanup at 223 S. Broadway.** City Manager Cosentini stated this item is a budget transfer of \$7,000 which will cover the abatement of this property. This residence does not have a compliant owner. Staff has been dealing with this property for two years. The building is unsafe and there have been 4 fires at this property over the past 24 months. We will go through a process to deem it uninhabitable and will board it up. This property is a block from the freeway and one of Council's goals is to clean up the City, specifically in this zone. We would lien the property for the cost of abatement and would recover those fees when the property sold. This is \$7,000 that could be used to pay down our debt so that is the trade off here.

Vice Mayor Wade asked if this was the worst property in Blythe. City Manager Cosentini stated there are some on the outskirts not seen from the freeway that may be worse. Building Inspector Brown stated this property is in the core of town and it takes a lot of Police and Code Enforcement's time. There may be some that are worse but not as much in the public eye.

Councilman Galvan asked if staff thought anyone would ever buy this property to get our money back. City Manager Cosentini stated there are other procedures considered that we opted not to do because they were more expensive.

Councilman Egan asked if the City came to own it if we could team up with the College's program. It was reported the City would not own the property.

Councilman Reynolds stated it's hard for him to stomach paying \$7,000 to fix someone else's problem.

Mayor DeConinck asked instead of a lien if it could be placed on the tax rolls. It was reported it was a tax lien.

Public comment. Robert Johnston of 361 N. Lovekin asked why you couldn't lien the citations given to this property instead of spending another \$7,000 on it. City Attorney Bettenhausen stated the law does not allow us to lien that aspect, only when the City must go on the property to repair it.

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

**Annual Assessment for Lighting District No.s 1 and 2.** Planner Burrow stated tonight's presentation is in regard to anticipated assessments to the two lighting and landscaping districts and to set a date and time to address public protests, if any, to the current year's assessments for the services provided by the City. The time and date requested for the public hearing is June 13<sup>th</sup>. As Council is aware, this is an annual process necessary to inform the County of any amendments to the jurisdictions of each district. This year there are no property additions or deletions and the proposed assessments maintain the status quo. Staff is aware of and is actively addressing alternatives that may be available to mitigate the deficit that occurs in providing continued service. It is recommended Council adopt Resolutions 2017-006 and 2017-007 which accept the preliminary engineer's reports for districts 1 and 2 and thereafter approve resolutions 2017-002 and 2017-009 setting the public hearing for protests for June 13, 2017.

No public comment. Vice Mayor Wade moved approval of Resolutions 2017-006 and 2017-007. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

Vice Mayor Wade moved approval of Resolutions 2017-008 and 2017-009. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

***RESOLUTION NO. 2017-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING AND/OR APPROVING THE REPORT OF THE ENGINEER REGARDING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2017-2018.***

***RESOLUTION NO. 2017-007 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING AND/OR APPROVING THE REPORT OF THE ENGINEER REGARDING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2017-2018.***

***RESOLUTION NO. 2017-008. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2017-2018 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING PROTESTS.***

***RESOLUTION NO. 2017-009. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2017-2018 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND APPOINTING A TIME AND PLACE FOR HEARING PROTESTS.***

**Leasing of Quechan Park.** Councilman Galvan stated I believe we discussed this about three or four years ago. I think it's a good idea because it's a valuable piece of property. If we could get someone like KOA to come in and run it we could make some money off of it instead of it just sitting there. I would ask staff to send out request for proposals to see if we get anyone interested.



Councilman Reynolds stated this has been discussed for many years and now is the time to do something about it. It is costing us money we don't have if we continue on the path we are on.

Mayor DeConinck stated we need to look at the Agreement we made with the County before proceeding so all of the issues are addressed in the RFP.

City Manager Cosentini stated with this lease we take a simpler approach than the Golf Course Lease. They should bid on how much they are going to pay us each month and the award will go to the highest bidder.

Mayor DeConinck would like to use the County's template.

Public Comment. Robert Johnston asked for a percentage of all funds received. He asked for the annual cost to maintain the park. Public Works Director Baldizzone stated it cost \$15,000 per year for labor and expenditures.

Vice Mayor Wade moved approval of staff to start the RFP Process for the leasing of Quechan Park. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

**ORAL REPORTS:**

Public Works Director Baldizzone gave an update on the conservation order issued by the State of California.

**PUBLIC COMMENT:**

Rick Armenta reported on an issue on his street. It's an ongoing issue that has been ignored. City Manager Cosentini stated staff has been working on these issues and have a status report for him.

Robert Johnston of 361 N. Lovekin stated the Church property is on the corner of Stewart and Lovekin. I have tried to get shavings. I have a tractor and will put it on but that road is not maintained and should be. It is a City road. I have flooding every time it rains. I would like some grindings dumped there so I can maintain the road.

Joey Jiminez of 1490 Manzanita stated I have lived on Manzanita for 7 years. The developer has left and there are sections of the road that have been taken out for sewer repairs. I have filed a complaint with the City and nothing was done. I have spoken with the Public Works Director and he said the City Attorney said you cannot touch the road because you don't own it. All I am asking is for the City to patch up the road. There are three sections that you have to drive around due to loose dirt and gravel on the asphalt. There is no barrier to the cross streets. I call the cops every time I see a car go through there. I want some honest answers.

**MEMBER COMMENT:**

At this time the regular meeting was adjourned and the Council re-entered Closed Session.

**REPORT FROM CLOSED SESSION:**

Council re-entered Closed Session at 8:30pm. Items discussed included Labor negotiations. Direction was given and no final action was taken.

**ADJOURN:**

The City Council meeting was adjourned at 9:00pm.

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Joseph DeConinck, Mayor

**ATTEST:**

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Mallory Crecelius, City Clerk