

**Minutes of the Blythe City Council Meeting  
May 12, 2020**

The May 12, 2020 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 and Police Chief Coe. Finance Director and City Treasurer Elms, Interim Public Works Director Ojeda and Deputy City Attorney Roberto participated via teleconference.

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

**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, May 8, 2020.

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

Recommendation: Approve **05/12/2020**, warrants numbered 71658 through 71663, 71673 through 71676 and Utility Billing Refund warrants numbered 71664 through 71672 in the amount of \$121,904.66 and **05/12/2020**, warrants numbered 71677 through 71750 in the amount of \$339,521.51.

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

Recommendation: Approve **05/12/2020**, warrants numbered 51666 through 51667 in the amount of \$5274.11; **05/12/2020**, warrants numbered 51668 through 51682 and Direct Deposits numbered 47392 through 47447 in the amount of \$214,463.88; **05/12/2020**, warrants numbered 51683 through 51684 in the amount of \$6,974.20; **05/12/2020**, warrants numbered 51685 through 51689 and Direct Deposits numbered 47448 through 47553 in the amount of \$79,230.14.

**4. Minutes of the April 28, 2020 City Council Meeting.**

Recommendation: Approve the Minutes of the April 28, 2020 meeting.

**5. City of Blythe Permits issued for the Month of April 2020.**

Recommendation: Receive and file this monthly report.

**6. City of Blythe Fire Department Monthly Activity Report for April 2020.**

Recommendation: Receive and file this monthly report.

**7. City of Blythe Police Department Monthly Activity Report for April 2020.**

Recommendation: Receive and file this monthly report.

**8. Annual Assessment for Lighting District Nos. 1 and 2 for Fiscal Year 2020-2021.**

Recommendation: Adopt Resolution Nos. 2020-014 and 2020-015 declaring the City's intention to levy and collect assessments within City of Blythe Lighting Districts Nos. 1 and 2; Adopt Resolution Nos. 2020-012 and 2020-013 approving the report of the engineer regarding the levy and collect assessments within City of Blythe Lighting Districts Nos. 1 and 2.

**RESOLUTION NO. 2020-014. 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 2020-2021 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. 2020-015. 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 2020-2021 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. 2020-012. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE 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 2020-2021.*

*RESOLUTION NO. 2020-013. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE 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 2020-2021.*

**9. Consideration of Resolution to Continue the Local Emergency Due to COVID-19.**

Recommendation: Adopt Resolution No. 2020-016 determining the need to continue the local emergency proclaimed on March 20, 2020.

*RESOLUTION NO. 2020-016. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DETERMINING THE NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 20, 2020.*

**10. Measure K TUT Agreement Package.**

Recommendation: Adopt Resolution No. 2020-017 and 2020-018 and authorize the Interim City Manager to execute any and all actions and agreements pursuant to Revenue and Taxation Code Section 7265.

*RESOLUTION NO. 2020-017. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTION AND USE TAX.*

*RESOLUTION NO. 2020-018. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS.*

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 stated no public comment requests were made from anyone who is participating in the meeting via teleconference.

**NEW BUSINESS:**

**Transient Occupancy Tax Payment Deferral Request.** Interim City Manager Crecelius stated staff received requests from a couple of hotel/motel owners requesting penalties and interest be waived for late payments made during the shutdown. At the April 28, 2020 City Council meeting staff was directed to place this item on the May Agenda for discussion. As you are aware Transient Occupancy Tax is collected by the hotel/motel owner from the customer on the City's behalf. The payment is made to the City on a monthly basis. It is staff's understanding the owners would like to use the TOT funds collected for cash flow purposes. They have requested that if a partial or no payment is made, all penalties and interest regularly accrued for missed payments would be made.

Public Comment. Angie Patel stated all made at least partial payments and we would like Council to tell us what type of payment plan can be made for taxes collected but not paid.

Interim City Manager Crecelius stated some businesses made no payment and some made partial payments. Some who made no payment returned the monthly reporting form to let us know what was due, and some did not. As some businesses are making partial or no payments, Council will need to decide if you will waive the penalties and interest fees that are accruing and if so, when would you require the funds to be paid back to the City.

A representative of Quality Inn stated the month of March and April were very hard for us. We would like to request if possible, to waive the penalties which is 10% for late payments. For our business its almost \$1,000. A payment plan to pay the taxes back in partial payments would be best.

Mayor Reynolds asked what type of hit the City would take.

Interim City Manager stated at this time its hard to tell as we do not know what is due until the forms are received. I think the main concern for the City is not the penalties and interest, but that if they are not paying it could be a challenge to collect down the road. The City also has bills to pay and have also been hit by this pandemic. Although staff is not in favor of this request, if you move forward, we would advise placing some parameters on the program. Since the stay at home orders didn't go into effect until March we don't recommended waiving any penalties and interest due for the February return. We would require that each hotel continue to submit their forms so we have an idea of what is due and payable to the City and they make some type of partial payment. A date should also be set for when the amounts should be due and payable to the City.

Vijay Amin stated I am here to request Council waive the penalties or defer our payments. Each hotel has a unique situation. Some are not affected as badly as others. Some can make partial payments. We are asking the City to work it out with us. Once things improve we can make payments. There are several cities deferring payments.

Mayor Reynolds stated whatever we do has to be across the board. We can't pick and choose.

Councilman Rodriguez would like this to be in effect until December 31, 2020. Its going to be a lot of catch up. A 20% hit in penalties is too much for the time we are in.

Councilman Halby stated there are some that are making it right now and I am concerned that they are going to defer just because they get the opportunity to. The City has cash flow problems as well, so we are in the same boat. What can we do? The penalties are high, but I agree with them in the normal focus. We can waive the penalties, but I don't think we should waive the interest. That would entice those who are able to pay, to not defer their bill. You don't get to borrow money for free and ½% is a really good interest rate. The February bill should be paid by the end of this month to be eligible.

Councilman Rodriguez would like partial payments to be made.

Vijay Amin stated this happened in the middle of March and it all of a sudden dropped on us. Our occupancy went down as much as 80%. We can't close our doors. We have to have 24 hour desk support.

Mayor Reynolds stated we understand that, but we are trying ot determine a plan that is fair for you and also works for the City.

James from Clarion Inn stated everyone is in a different situation. It's a consensus that we want to help each other. Why don't we take a few days to work on what is a reasonable partial payment to be made. I think 30% is reasonable, but we can't speak on behalf of others so let us talk amongst ourselves.

Interim City Manager Crecelius stated we can continue this item to the June meeting. She asked that they make sure all motels/hotels were continuing to report what was due monthly.

Councilman DeConinck would like all reporting's in by the end of this month or they will not qualify for any waiving of penalties.

Councilman DeConinck moved approval of continuing this item to the June Agenda as well as requiring all reporting forms outstanding to be submitted to the City by May 29<sup>th</sup> to be eligible for this program. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

**ORAL REPORTS:**

Chief Coe reported on COVID-19 tracking and how the cases are reported by the County.

Mayor Reynolds stated he will be sending a letter to the State requesting more attainable measures for re-opening and moving through the phases of re-opening. He also reported on the passing of Measure K. He commended City staff for beating the bushes and getting this measure passed.

Councilman Halby thanked everyone for voting. We will make you proud.

**PUBLIC COMMENT:**

Juan Ramirez with the Census Bureau reported on the City's latest Census numbers.

**ADJOURN:** The City Council meeting was adjourned at 7:10pm.

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Dale Reynolds, Mayor

**ATTEST:**

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Mallory Crecelius, City Clerk