

Minutes of the Blythe City Council
June 11, 2019

The June 11, 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, Interim Police Chief Coe, Public Works Director Baldizzone and Deputy City Attorney Vasquez.

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

REPORT FROM CLOSED SESSION:

Deputy City Attorney Vasquez stated there was nothing to report from Closed Session.

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.*

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

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, June 7, 2019.

2. Approval of the Warrant Register.

Recommendation: Approve **6/11/19**, warrants numbered 69916 through 69997 in the amount of \$284,493.12 and **6/11/19**, warrants numbered 69998 through 70051 in the amount of \$458,188.50.

3. Approval of the Payroll Register.

Recommendation: Approve **6/11/19**, warrants numbered 51034 through 51050 and Direct Deposits numbered 44780 through 444838 in the amount of \$228,205.35; **6/11/19**, warrants numbered 51051 through 51066 and Direct Deposits numbered 44839 through 44897 in the amount of \$230,652.73; **6/11/19**, warrants numbered 51067 through 51071 and Direct Deposits numbered 44898 through 45002 in the amount of \$70,835.72 and **6/11/19**, warrants numbered 51072 through 51088 and Direct Deposits numbered 45003 through 45061 in the amount of \$234,692.98.

4. Minutes of the May 14, 2019 City Council Meeting.

Recommendation: Approve the Minutes of the May 14, 2019 meeting.

5. City of Blythe Permits issued for the Month of May 2019.

Recommendation: Receive and file this monthly report.

6. City of Blythe Fire Department Monthly Activity Report for May 2019.

Recommendation: Receive and file this monthly report.

7. City of Blythe Police Department Monthly Activity Report for May 2019.

Recommendation: Receive and file this monthly report.

8. Copier Rental Agreement-Police Department.

Recommendation: Authorize the Interim City Manager to execute any and all documents necessary to enter into a rental agreement with De Lage Landen Financial Services, Inc. for a Lanier IM C6000 Copy/Print/Scan/Fax for the Police Department.

9. Request for Display of Fireworks.

Recommendation: Approve the application submitted by the Blythe Volunteer Fire

- Department for display of fireworks on July 4, 2019.
10. **Request for Sale and Display of Fireworks.**
Recommendation: Approve applications submitted by Victoria Sanchez/Blythe First Assembly of God for the sale of fireworks at 840 E. Hobsonway and the corner of Willow and W. Hobsonway.
 11. **Annual Consumer Price Index and Landfill Rate Adjustment.**
Recommendation: Approve the annual rate adjustments submitted by CR&R pursuant to Section 22.7.1 of the Solid Waste Recycling Services Agreement.
 12. **Annual Reaffirmation of the City's Investment Policy.**
Recommendation: Adopt the Investment Policy for FY 2019/20 as required by Government Code Section 53646.
 13. **On-call Inspection Services.**
Recommendation: Authorize the Interim City Manager to execute an agreement with Kevin Nelson for On-call Inspection Services.
 14. **City Wide Salinity Study- Colorado River Basin RWQCB Order R7-2016-0013.**
Recommendation: Authorize the engineering design for rehabilitation of two evaporation ponds to The Holt Group, Inc. in an amount not to exceed \$15,000.
 15. **Appropriations Limit for FY 2019/20.**
Recommendation: Adopt Resolution No. 2019-013 establishing the Appropriations Limit.
RESOLUTION NO. 2019-013. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-2020 FOR THE CITY OF BLYTHE IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT 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.

PUBLIC HEARING:

Annual Assessments for Lighting Districts No. s 1 and 2 for Fiscal Year 2019/20. Finance Director Elms stated the Landscaping and Lighting Act requires the Council to conduct annual proceedings in order to levy the annual assessments within the assessment districts formed under the act. Council previously adopted Resolutions No. 2019-009 and 2019-010 declaring its intention to levy and collect assessments within districts 1 and 2. Both Resolutions set this evening, June 11, 2019 at 6pm as the Public Hearing for the Hearing of Protests relating to the levy. At the hearing the Council must hear and consider all oral and written statements, protests, objections or other communications made or filed with respect to the levy and collection of the annual assessments for Districts 1 and 2. Subsequent to the Public Hearing staff recommends the Council adopt Resolutions 2019-016 and 2019-017 approving the Engineer's reports for both Districts and Resolutions 2019-014 and 2019-015 ordering the levy and collection of the assessments in Districts 1 and 2.

No public comment. Councilman Halby moved approval of Resolutions No's 2019-014, 2019-015, 2019-016 and 2016-017. The motion was seconded by Councilman DeConinck with a unanimous aye vote.

RESOLUTION NO. 2019-016. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING AND/OR APPROVING THE REPORT OF THE ENGINEER REGARDING THE LEVEY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2019-2020.

RESOLUTION NO. 2019-014. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENTS, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVEY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 1 FOR FISCAL YEAR 2019-2020 PURSUAN TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE.

RESOLUTION NO. 2019-017. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING AND/OR APPROVING THE REPORT OF THE ENGINEER REGARDING THE LEVEY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2019-2020.

RESOLUTION NO. 2019-015. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONFIRMING A DIAGRAM AND ASSESSMENTS, ORDERING THE IMPROVEMENTS AND ORDERING THE LEVEY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY OF BLYTHE LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2019-2020 PURSUAN TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE.

Major Zoning Variance- Glenn Johnson. Councilman DeConinck stated he had a potential conflict of interest and excused himself from the meeting. Interim City Manager Crecelius stated when a local contractor inquired about installing a sixteen foot (16') wide manufactured home at 1843 Riviera Dr. to replace a manufactured home on the property they were informed the Blythe Municipal Code requires all single family residences to be a minimum of 20 feet in width. BMC Section 17.10.035 states all single family residential units shall be a minimum of twenty feet (20') in width exclusive of eaves, overhangs, porches or awnings. The manufactured home has already been purchased by the property owner. Staff informed the contractor of the Major Zoning Variance process which would be the only way the owner would be able to install the manufactured home on the property. Staff concluded the original manufactured home was installed prior to the current Zoning standards being adopted for the City. The property owner was unaware of the City's current zoning regulations related to single family residences and therefore assumed he was able to replace the existing manufactured home with something similar. The contractor has proposed building a twelve foot (12') wide patio on one side of the manufactured home to give the appearance of a wider structure. Staff supports the approval of this Major Zoning Variance as the installation of this structure is consistent with the surrounding area and neighborhood. The addition of the 12 foot patio will help achieve compatibility with other dwellings in the neighborhood and offset the lack of width in the manufactured home. Therefore, Subsequent to the public hearing it is recommended Council adopt Resolution No. 2019-018 approving Major Zoning Variance VAR 1905-001 for 1843 Riviera Dr.

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

RESOLUTION NO. 2019-018. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA CONTAINING FINDINGS IN SUPPORT OF THE APPROVAL OF VARIANCE 1905-001 BEING A REQUEST TO INSTALL A MANUFACTURED HOME SIXTEEN FEET (16') IN WIDTH AT 1843 RIVIERA DR.

Notice of Exemption and Major Zoning Variance- South Second Street Housing Project. Interim City Manager Crecelius stated the proposed S. Second Street

Housing Project located at 240 S. Second Street includes development of two parcels. Both parcels are zoned R-M-L (Low Density Residential). One parcel would be developed into a single family home of 1,359 square feet with covered parking. The second parcel would be developed with a duplex, including two units of 1,350 square feet each with covered parking for each. According to the Blythe Municipal Code the R-M-L zone requires a minimum of 3,900 square feet for each dwelling unit which would require a minimum lot width of 7,800 square feet. The parcel the duplex will be developed on is 7,500 square feet which is 300 square feet less than the zoning requirement. Additionally, the Blythe Municipal Code allows 40% of a property to be covered by roofed structures. The duplex design submitted is 180 square feet over the allowed 40%. Due to this, a Major Zoning Variance is required to be approved by Council before this development may move forward. Staff supports approval of the Major Zoning Variance as the adjustments are very minor and this project is not possible without the Variance as it does not pencil to build less than three units. This development has the potential to revitalize the neighborhood and provide three new structures on a currently vacant lot. Based upon review of the CEQA Guidelines, the City has determined that the proposed project is exempt under the categorical exemption for “New Construction or Conversion of Small Structures” and the zoning variance is categorically exempt under CEQA Guidelines which allows for “Minor Alternations in Land Use Limitations”. Subsequent to the Public Hearing it is recommended Council adopt a Notice of Exemption for the S. Second Street housing project located at 240 S. Second St, direct staff to file the Notice of Exemption with the County Clerk and Adopt Resolution No. 2019-019 approving Major Zoning Variance VAR 1905-002.

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

RESOLUTION NO. 2019-019. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA CONTAINING FINDINGS IN SUPPORT OF THE APPROVAL OF VARIANCE 1905-002 BEING A REQUEST TO ALLOW FOR A DUPLEX TO BE INSTALLED ON A LOT THAT ALLOWS FOR NO MORE THAN 1.92 UNITS.

NEW BUSINESS:

Letter of Public Convenience and Necessity. Interim City Manager Crecelius stated Edgar DeLatorre has applied to the Alcoholic Beverage Control Board for an On-Sale Type 40 License for 1558 E. Hobsonway, the former Patty’s Bar and Grill. Due to the over-concentration of licenses in that census tract, the business and professions code requires a letter from the City Council specifically addressing the over concentration issue and justification for issuance of the license. The proposed license site is located within Census Tract No. 0462.00 which currently has ten (10) active on-sale licenses with three (3) licenses currently allowed in the census tract. This Census Tract encompasses a large geographical area that extends from the south side of Hobsonway to Seeley Avenue and from Intake Boulevard west to Defrain Boulevard. Also included are lands located east of Intake Boulevard from Tenth Avenue north to the Riverside County line. As opposed to other census tract boundaries, this Census Tract includes a larger number of commercial and agricultural properties over developed residential properties. The lower proportion of population within the specific census tract accounts for the small number of

allowed licenses. The entire fixed Blythe population and the transient population is not considered when factoring the allowed number of licenses. Therefore it is recommend Council approve the attached letter supporting the issuance of an On-sale ABC License within census tract No. 0462.00 to Edgar Delatorre of El Diamante at 1558 E. Hobsonway with full knowledge of the undue concentration provisions as outlined by the Alcoholic Beverage Control Board.

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

Water Consumption Credit for Seventh Day Adventist Church. Interim City Manager Crecelius stated on March 28th staff learned Border Patrol would be dropping asylum seekers at the Greyhound bus station. The County of Riverside quickly organized a humanitarian effort to aid in the crisis. They enlisted the help of a local Seventh Day Adventist Church to provide temporary shelter for the asylum seekers until they can be transported to the Coachella Valley and then onto their final destination with their sponsor family. Since that time the Seventh Day Adventist Church has provided food, showers and temporary shelter for over 2,000 people. They are doing this with the help of donations and volunteers. To date no funding has been provided from the State or Federal Government. The County continues look for funding for the Church, but until funding is received the Church is concerned with the ability to pay increased electric, gas and water utility bills attributed with providing these services. As the humanitarian efforts established by the County and Church have helped keep the asylum seekers off of the City's streets, they are providing a benefit to the community as a whole. As the City is the water utility provider it is recommended Council authorize staff to reduce water consumption charges for the Seventh Day Adventist Church as of April 1, 2019 related to the increase in water consumption associated with housing asylum seekers dropped in Blythe by Border Patrol.

Councilman DeConinck asked if the whole bill could be waived. Interim City Manager Crecelius stated that could be considered a gift of public funds. We can only waive the portion that is attributed to the benefit of the community as a whole.

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

Municipal Sewer Collection System Treatment Program. Public Works Director Baldizzone stated Public Works has in the past received complaints related to sewer smells in different areas of the City. The smell is due to the deposit of solids, fats, oils and grease and sewer gasses. Due to the nature of the valley the sewer system is flat and is susceptible to blockage and high concentration of gasses. We currently have odor scrubbers at every sewer lift station. Due to the complaints staff met with different companies looking for a solution. Staff decided to go with ATS Innova because they have a product that when introduced into the sewer, it reduces the deposit of solids and grease in the system. A pilot program was stated which shows gasses reduced by 60% and there was an improvement in the performance of the lift station. Due to these results staff would like to extend the program. This was not considered in the FY 2019/20 budget. The budget included the rehabilitation of the Hidden Beaches lift station. Due to the

proposed expansion of Mayflower Park, we will postpone the rehabilitation of this sewer lift and instead continue this sewer program. A budget amendment will provide funding for this project. It is recommended Council authorize the Interim City Manager to execute an agreement for Wastewater Bio-augmentation with ATS Innova in an amount not to exceed \$65,000 and amended the FY 2019/20 budget as necessary.

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

Final Tract Map-Edgewater Lane. Interim City Manager Crecelius stated the Edgewater Land Development Tentative Tract Map was approved by Council in 2006. In April 2018 Council held a study session to discuss amendments to the Tentative Tract Map. The amended Map includes 30 long lots with a minimum width of 55-feet, each with river frontage on the east and Riviera Drive on the west. In July 2018 the Council discussed modifications to the TTM as presented in the Study Session and conditions of approval. Staff was directed to work with the applicant on a number of items to be brought back to Council for ratification at a later date. Items included infrastructure improvements, phasing of the project and the realignment of Riviera Dr. In October 2018 Council approved the Initial Study and Negative Declaration for the Edgewater Tentative Tract Map Zoning Variance. At that meeting there was discussion on why a bus turnout was not part of the project. At that time staff was still working with the applicant to finalize project conditions. In November 2018 Council approved a Major Zoning Variance as a part of its acceptance of the amended TTM related to the proposed lot width of 55ft. It was stated at that meeting Final Conditions of approval and the Final Map would be brought to Council for adoption at a later date. Staff has worked with the applicant to finalize the conditions of approval which are attached to this staff report. The conditions allow for the project to be developed in two phases with all public improvements installed in the second phase prior to issuance of Certificate of Occupancies for the second phase. After recordation of the Map, the developer is required to furnish a bond for 100% of the Engineer's Opinion of probable cost for the construction of all public improvements required of the project. The project includes perimeter wall and landscaped areas running along the frontage of the project with curb, gutter, sidewalk and street lighting, re-alignment of Riviera Drive, undergrounding of utility lines, installation and connection to City water and sewer infrastructure, installation of a sewer lift station and a riverfront pedestrian pathway. A boat ramp may be installed on Lot 1 if approved by all regulatory agencies. One item previously discussed, but not included in the project conditions is the bus turnout. As there are driveways along the entire frontage of the project, the only place to install a bus turnout would be across the street on the west side of Riviera. The property needed for the installation of a bus turnout is owned by another entity, and the developer is unable to install this feature for the project. The developer has agreed to install a curb side bus stop for school buses and public transportation on the east side of the Riviera Drive alignment. The location of this bus stop will be determined with input from the Transit Agency and School District. The Final Map has been reviewed and approved by the City's contract Surveyor and it is recommended Council authorize the execution and recordation of the

Final Map for the Edgewater Lane project and approve the Final Project conditions as presented.

Vice Mayor Egan asked about fencing. Public Works Director Baldizzone stated there will be no fencing in the back yard, there will be side yard fencing only. The fencing requirements are listed in the CC&R's.

Scott Mckhann stated rear yard fencing is optional. It will be required to be view fencing which allows for 75% of the fence to be open and un-obstructed.

Councilman Halby asked about the side yard fencing. Scott Mckhann stated side yard fencing must be solid and per City code.

Councilman DeConinck asked about the connection of Riviera Drive. It was reported the plan is to have the transition south of the property, and not on the lots in the proposed development.

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

ORAL REPORTS:

Councilman DeConinck reported a few weeks ago at a workshop I attended I learned the County was no longer going to fund the Cooperative Extension which has been very beneficial to farming. I didn't realize 4-H was tied to it as well. Looking into it was concerning to me. Two weeks ago PVID passed a Resolution opposing this. I asked Grant Chaffin to set a meeting with Manuel Perez and he ended up meeting with Steve Hernandez, Perez's Chief of Staff. I asked Grant if anything came of the meeting and he said no. I then made an appointment with Manuel Perez. In that meeting I brought up a few things related to how this works in Blythe and how all the County is doing in Blythe is supplying the building and one employee for the program. This is a joint effort between the Federal Government, State and County. I brought a lot of stuff up and they confirmed they had not looked into it after Grant's visit. This started the process where I had to work a little harder. I attended the sub-committee meeting in Riverside. I had asked for a copy of the budget and the Cooperative Extension is .08% of the educational budget. In the budget there are two pages detailing how great the program is, with one paragraph about shutting it down, but nobody knows why. They keep saying they are broke. Not a lot of headway was made during this meeting as it was a subcommittee meeting with only 2 of the County Supervisors present. Last night they had the first public meeting at night on the budget. There was a heck of a turnout with 4-H kids, parents and teachers including Ms. Teater and her daughter who got up and spoke and did a heck of a job. They kept saying they don't have any money but when it was my turn to talk I brought to their attention that they were giving the Public Defenders a 4% increase which a cost \$1.6 million. How are you giving increases if you are broke? They are supposed to have this information, but I really hit them on Blythe. Supervisor Washington finally said I have had enough of this and I want to make a motion to refund this program. Karen Spiegel

seconded it and everyone approved it. It is back in the budget for at least one more year. The room was packed with kids and they did a heck of a job. I don't think they have ever seen anything like it. There was no caring and no reasoning when you are talking about .08% of an educational budget and how it would affect Blythe.

Mayor Reynolds stated he sent in written comments related to the proposed funding cut of the Cooperative Extension program and applauded Councilman DeConinck for going and speaking on behalf of Blythe. He also reported on 90 Days of Summer and the Summer Safety Extravaganza.

PUBLIC COMMENT: None

ADJOURN: The City Council meeting was adjourned at 6:56pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk