

Minutes of the Blythe City Council
July 11, 2017

The July 11, 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, Reynolds and Egan. Staff in attendance included: City Clerk and Deputy Administrative Services Director Crecelius, City Treasurer and Interim Finance Director Elms, Police Chief Wade, Planner Burrow, Public Works Director Baldizzone and City Attorney Bettenhausen.

The Pledge of Allegiance was led by Mayor DeConinck. The Invocation was offered by Councilman Galvan.

REPORT FROM CLOSED SESSION: City Attorney Bettenhausen stated Council entered Closed Session at 4:00pm to discuss Item #1, performance evaluation of the City Manager. By unanimous vote of the Council the City Manager was suspended with pay. Item #2, Labor Negotiations and Item #4, Potential Litigation were continued to July 13th at 1pm. Item #3. Public Employee Appointment, direction was given, no final action was taken.

PRESENTATION:

FY 2017/18 Operating and Capital Budget. Interim Finance Director Elms stated the budget was presented to the Finance Committee and to the Council in a Study Session. Presented today is the Draft FY 2017/18 Operating and Capital Budget. The total budget is proposed at \$42.9 million and the General Fund Budget is \$9.2 million. There are two changes since the preliminary budget was distributed to Council on June 9th. These adjustments are outlined in detail in the staff report. The first change was an increase to Council's travel budget of \$2,000 for the attendance of two Council Members to the ICSC Conference. The second change is use of D4 position funds to continue the part time employees to finish the meter exchange project. We are presenting a balanced budget with the exception of the Lighting District Fund. The proposed budget includes funding for Police and Fire protection plus routine maintenance and operation of all City departments. The budget is a living document and as such, may be amended throughout the year if circumstances arise. It is recommended Council adopt Resolution No. 2017-011

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

RESOLUTION NO. 2017-011. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING THE FISCAL YEAR 2017-2018 OPERATING AND CAPITAL BUDGET.

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.*

2. 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, July 7, 2017.

3. Approval of the Warrant Register.

Recommendation: Approve **7/11/17**, warrants numbered 66239 through 66315 and Utility Billing Refund Warrants numbered 66316 through 66326 in the amount of \$319,666.34 and **7/11/17**, warrants numbered 66327 through 66373 in the amount of \$606,418.46.

4. **Approval of the Payroll Register.**
Recommendation: Approve 7/11/17, warrants numbered 49450 through 49457 and Direct Deposits numbered 39671 through 39766 in the amount of \$64,384.48; 7/11/17, warrants numbered 49379 through 49410 and Direct Deposits numbered 39616 through 39670 in the amount of \$260,511.99; 7/11/17, warrants numbered 49411 through 49449 in the amount of \$109,63.26; 7/11/17, warrants numbered 49348 through 49378 and Direct Deposits numbered 39561 through 39615 in the amount of \$267,680.44 and 7/11/17, warrants numbered 49339 through 49347 in the amount of \$6,143.20.
5. **Minutes of the June 13, 2017 City Council Meeting.**
Recommendation: Approve the Minutes of the June 13, 2017 Meeting.
6. **City of Blythe Permits Issued in June 2017.**
Recommendation: Receive and file this monthly report.
7. **City of Blythe Fire Department Monthly Activity Report for June 2017.**
Recommendation: Receive and file this monthly report.
8. **City of Blythe Police Department Monthly Activity Report for June 2017.**
Recommendation: Receive and file this monthly report.
9. **Investment Report for Fourth Quarter FY 2016/17.**
Recommendation: Accept and file this quarterly report.
10. **Recreation Center Donation.**
Recommendation: Accept a donation of gaming systems for the Recreation Center from the Rec-N-Crew.
11. **Designation of Voting Delegate for the League's Annual Conference.**
Recommendation: Appoint Councilman Egan as the City's voting delegate.
12. **Special Assessment for Prior Year Delinquent Utility Charges.**
Recommendation: Adopt Resolution No. 2017-023.

RESOLUTION NO. 2017-023. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ADOPTING THE REPORT OF THE DELINQUENT UTILITY ACCOUNTS AND DIRECTING THE CITY MANAGER TO FILE SAID REPORT WITH THE COUNTY OF RIVERSIDE AUDITOR AND REQUEST THE AUDITOR PLACE THE DELINQUENT ACCOUNTS ON THE TAX ROLL.

13. **Fiber Optic Cable Project Approval.**

Recommendation: Adopt Resolution No. 2017-025 supporting the County's Broadband Fiber Master Plan.

RESOLUTION NO. 2017-025. A RESOLUTION OF THE CITY OF BLYTHE SETTING FORTH THE CITY OF BLYTHE'S SUPPORT FOR RIVERSIDE COUNTY'S BROADBAND FIBER TO THE PREMISE MASTER PLAN.

14. **Transition of CV Upgrade PACE Program to Ygrene's Statewide Program as proposed by CVAG.**

Recommendation: Adopt Resolution No. 2017-028, Resolution No. 2017-029 and authorize the City Manager to execute an Amended and Restated Joint Exercise of Powers Agreement.

RESOLUTION NO. 2017-028. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, SEISMIC IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO.

RESOLUTION NO. 2017-029. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS, SEISMIC IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO.

15. Levy of Special Taxes within CFD No. 2004-1 (Hidden Beaches).

Recommendation: Adopt Resolution No. 2017-030 authorizing the levy of special taxes within community facilities district 2004-1.

RESOLUTION NO. 2017-030. A RESOLUTION OF THE CITY COUNCIL ACTING AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2004-1 (HIDDEN BEACHES) OF THE CITY OF BLYTHE AUTHORIZING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2004-1(HIDDEN BEACHES) FOR FISCAL YEAR 2017-2018.

16. Levy & Collection of Assessments for Building Abatement.

Recommendation: Adopt Resolution No. 2017-026 authorizing the levy and collection of assessments at APN 848024032-9.

RESOLUTION NO. 2017-026. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR PROPERTY BUILDING ABATEMENT PURSUANT TO THE PROVISIONS OF THE BLYTHE MUNICIPAL CODE.

17. Renewal of Agreement- Fisher Wireless.

Recommendation: Authorize the City Manager to execute the annual Maintenance Agreement with Fisher Wireless for the Police Department radio system.

18. Geotechnical Services for FY 17/18 Street Improvement Projects.

Recommendation: Award a contract to Landmark Consultants Inc. in the amount of \$17,550 for geotechnical services required to design the FY 17/18 approved Street Projects.

19. Employment Agreement – Public Works Director.

Recommendation: Authorize the City Manager to execute an Employment Agreement with Public Works Director Armando Baldizzone.

No public comment. Public Works Director Baldizzone thanked Council for the opportunity provided to him with item 19. I like the City and to work with the people of Blythe. I thank you for the opportunity to continue as the Public Works Director for the City of Blythe. Councilman Reynolds moved approval of the Consent Calendar. The motion was seconded by Vice Mayor Wade with a unanimous aye vote.

PUBLIC HEARING:

Fee Schedule for Cannabis Application and Related Activities. City Clerk Crecelius stated Council has adopted an Ordinance allowing for cannabis businesses in Blythe. The item on tonight's agenda would set fees necessary to reimburse the city for staff time related to the processing of the cannabis license applications, run backgrounds and related activities. These fees are based on the cost of staff who will work on processing the applications and the number of hours the consultant believes staff would spend processing such applications. Subsequent to the Public Hearing It is recommended Council adopt Resolution No. 2017-027.

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

RESOLUTION NO. 2017-027. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ADOPTING A FEE AND CHARGES TO RECOVER COSTS FOR THE CANNABIS APPLICATION PROCESS, BACKGROUND CHECKS, AND RELATED ACTIVITIES.

CONTINUED BUSINESS:

Commercial Cannabis Business Application. City Clerk Crecelius stated I don't remember the date, but we recently held a Study Session to walk through the application process which staff has not been involved with. It was apparent at the Study Session that staff had some concerns with the process. We have a meeting scheduled with our HDL Consultant tomorrow at

1:30pm to walk through the process and answer questions and maybe re-work some item. It is recommended Council table this item. I do not want to delay the release of the applications but do feel it's necessary to work through this process with staff to get a good application to present to cannabis businesses interested in coming to Blythe.

Public Comment. Jason Taramoto representing Blythe Cultivation Partners stated we wouldn't have an objection to tabling it, but we have an issue with your consultant from HDL. We would like it to be published so we can refute their metrics.

The item was tabled.

NEW BUSINESS:

Amended Water Conservation Ordinance. City Clerk Crecelius stated In 2015 Council adopted Urgency Ordinance 871-15 to comply with mandates issued by the state due to severe drought conditions. On May 9, 2017 Public Works staff received correspondence from the State Water Resources Control Board stating portions of the Conservation Regulations had been repealed.

The State Water Resources Control Board now deems the following as wasteful practices:

- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no shutoff nozzles to wash cars;
- Using potable water in decorative water features that do not re-circulate the water;
- Irrigating outdoors during and within 48 hours following measureable rainfall;
- Irrigation with potable water of ornamental turf on public street medians;
- Irrigation with potable water outside of newly constructed homes and buildings that is inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development;
- Restaurants are prohibited from serving water to customers unless the customer requests it;
- Hotels and motels must offer their guests the option to not have their linens and towels laundered daily, and prominently display this option in each guest room.

The City's Water Conservation Ordinance was amended to include these wasteful practices and removed mandates no longer in effect. The City is no longer mandated to impose a reduced watering schedule for outdoor irrigation. Under the original Water Conservation Ordinance, watering was restricted to Monday, Wednesday and Friday for no more than fifteen (15) minutes per station per day. If Council adopts this Ordinance, residents will be able to water their lawns any day of the week for as long as they choose. It is recommended Council conduct the first reading of Ordinance No. 884-17 by title only, waiving further reading.

Vice Mayor Wade asked if he had a conflict of interest due to owning a landscape business. City Attorney Bettenhausen stated no, as this Ordinance impacts the entire City.

No public comment. Councilman Egan moved approval of staff's recommendation. The motion was seconded by Vice Mayor Wade with a unanimous aye vote. City Clerk Crecelius read the title of the Ordinance into the record.

ORDINANCE NO. 884-17. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING CHAPTER 13.05 (WATER CONSERVATION) TO TITLE 13 (PUBLIC SERVICES) OF THE BLYTHE MUNICIPAL CODE.

Cannabis Ordinance Amendment Process. City Clerk Crecelius stated the recommendation in the staff report is to define a process to amend the Cannabis Ordinance after the first round of applications are received. I do not want to slow down the process in any way, but believe the amendments should happen before or during the first round of applications. There are items in the Ordinance concerning to parties interested in submitting applications along with recent changes made by the State that warrant updates now. It is recommended you direct staff to set up appropriate meetings to amend the Cannabis Ordinance.

No public comment. Direction was provided to staff.

Sewer Lift Rehabilitation. Public Works Director Baldizzone stated last fiscal year there was a project to rehabilitate the lift station at Hidden Beaches. It was part of a County expansion that they later retracted. We then had issues at Engvik Park and had to replace two pumps there. Now we are having problems at the lift station behind Provident bank. With the balance of funds I had in last year's sewer rehabilitation line item I ordered in advance two pumps needed to rehabilitate the Provident Bank lift station. It exceeded my authority and I needed to bring it to Council for approval but I didn't have time to bring it to the last Council meeting. It is recommended Council approve the previously executed purchase order for pumps and controllers from Rockwell Solutions in the amount of \$41,498.31 from the FY 16/17 Sewer Enterprise Fund.

No public comment. Vice Mayor Wade moved approval. The motion was seconded by Councilman Reynolds with a unanimous aye vote.

Rejection of Bid for Clean up at 223 S. Broadway. City Clerk Crecelius stated at the May 9th Meeting Council approved a budget transfer of \$7,000 in salary savings for the cleanup of 223 S. Broadway. Staff then issued a notice inviting sealed bids for the project. The notice was posted in the Palo Verde Valley Times and hand delivered to local contractors. On June 30th staff held the bid opening for the cleaning and clearing of 223 S. Broadway. One bid was received from Crawford Associates in the amount of \$12,900. As the bid exceeds the amount available for this expenditure, staff recommends Council reject this bid.

Public comment. Leslie Jessop-Watkins of 734 Rivera Dr. stated Jason has worked long and hard on some of our major code compliance issues through the City. On this item I think there was some confusion at the City leadership level with regard to the process of bidding. I think if that process is refined you will have more bidders.

Mayor DeConinck would like to put this back out to bid. City Clerk Crecelius stated you would need a budget amendment to proceed. City Clerk Crecelius stated as the Budget adoption was on tonight's agenda; could we re-open the item and make the amendment to

the budget now? Then staff would have to direction to put it out to bid without the need to bring it back to Council. City Attorney Bettenhausen stated the item could be re-opened.

Councilman Reynolds moved approval of staff's recommendation. The motion was seconded by Councilman Galvan.

FY 2017/18 Operating and Capital Budget. Mayor DeConinck re-opened this item for discussion. Interim Finance Director Elms stated you would need to make the appropriation to use salary savings for this project so we can complete it in the current budget year.

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

ORAL REPORTS: None

PUBLIC COMMENT: None

MEMBER COMMENT:

Mayor DeConinck stated the Closed Session for the continued items will be held on July 25th at 1pm.

ADJOURN:

The City Council meeting was adjourned at 6:37pm.

Joseph DeConinck, Mayor

ATTEST:

Mallory Crecelius, City Clerk