

Minutes of the Blythe City Council August 14, 2018

The August 14, 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 Council Members DeConinck, and Rodriguez. Councilman Halby and Vice Mayor Egan were excused from the meeting. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer 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 Councilman DeConinck.

PRESENTATION:

Blythe Little League Softball Seniors Division All-Stars Team. Troy Love, President of Blythe Little League stated this team worked their way through the State playoffs taking them to Regional's. Regional's is the farthest any Blythe Little League Team has made it and next year will be our 60th year. This is quite an accomplishment. The Oscar Cebreros, Manger of the team introduced the coaches and players.

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, August 10, 2018.

3. **Approval of the Warrant Register.**

Recommendation: Approve **8/14/18**, warrants numbered 68481 through 68552 in the amount of \$1,744,602.33 and **8/14/18**, warrants numbered 68379 through 68463 and Utility Billing refunds numbered 68464 through 68480 in the amount of \$590,667.30.

4. **Approval of the Payroll Register.**

Recommendation: Approve **8/14/18**, warrant numbered 50492 and Direct Deposit numbered 42493 in the amount of \$81.45; **8/14/18**, warrants numbered 50493 through 50513 and Direct Deposits numbered 42494 through 42552 in the amount of \$2401,023.76; **8/14/18**, warrants numbered 50514 through 50515 in the amount of \$789.41; **8/14/18**, warrants numbered 50516 through 50536 and Direct Deposits numbered 42553 through 42611 in the amount of \$239,364.90 and **8/14/18** warrants numbered 50537 through 50541 and Direct Deposits numbered 42612 through 42713 in the amount of \$68,993.82.

5. **Minutes of the July 24, 2018 City Council Meeting.**

Recommendation: Approve the Minutes of the July 24, 2018 meeting.

6. **City of Blythe Permits issued for the Month of July 2018.**

Recommendation: Receive and file this monthly report.

7. **City of Blythe Fire Department Monthly Activity Report for July 2018.**

Recommendation: Receive and file this monthly report.

8. **City of Blythe Police Department Monthly Activity Report for July 2018.**

Recommendation: Receive and file this monthly report.

9. **Agreement for Police Services-Palo Verde Unified School District.**

Recommendation: Authorize the City Manager to execute an agreement between the City

and School District to fund one half of one Officer's salary for the 2018/19 school year.

10. City's Response to the 2017-2018 Grand Jury Report.

Recommendation: Authorize the Mayor to sign and forward the response letter to the Riverside County Grand Jury.

11. Addition of I-S Zone to Commercial Cannabis Activity Ordinance.

Recommendation: Council conduct the second reading of Ordinance No. 890-18 by Title only, waiving further reading, amending Title 17.63E.40 of the Blythe Municipal Code.

ORDINANCE NO. 890-18. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING MUNICIPAL CODE 17.63E.40 ("LOCATION OF COMMERCIAL CANNABIS BUSINESSES- ALL TYPES OTHER THAN DISPENSARIES: CULTIVATION, MANUFACTURING, TESTING AND DISTRIBUTORS") OF CHAPTER 17.63E ("COMMERCIAL CANNABIS RELATED USES AND ACTIVITY") OF TITLE 17 ("ZONING") OF THE BLYTHE MUNICIPAL CODE.

Councilman DeConinck asked to pull item #10, City's response to the Grand Jury Report from the Consent Calendar.

No public comment. Councilman DeConinck moved approval of Consent Calendar Items 1-9 and 11. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

City's Response to the 2017-18 Grand Jury Report. Councilman DeConinck requested that language be added to the report requesting the Grand Jury provide the City with information related to who was involved in bringing this investigation or how it came about. He also requested the Grand Jury provide the City with copies of the County's response to this report.

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

NEW BUSINESS:

Initial Study and Mitigated Negative Declaration for the Blythe Green Complex. Interim City Manager Crecelius stated GI Investments is proposing to develop the Blythe Green Complex to include multiple units for cannabis cultivation, manufacturing, a dispensary, distribution center, café, executive office suite, maintenance, electrical and security buildings, loading dock and SCE Substation. The Applicant will develop the entire project and sell or lease each unit. These development plans were submitted prior to Council issuing any Commercial Cannabis Permits and both Dispensary and Distribution Licenses have been awarded. The Applicant understands they will not be able to operate a Dispensary or Distribution at this location until a license becomes available and they are successfully awarded the License. The Project is located on a 34 acre property on Intake Blvd and 14th Avenue in Blythe. The project site has been in active agricultural use for decades, and the entire site has been actively disturbed by cultivation practices and construction of Interstate 10. As the Lead Agency under CEQA, the City of Blythe had determined that an Initial Study and Mitigated Negative Declaration (IS/MND) is adequate documentation to satisfy CEQA requirements for this project, because all potentially significant impacts identified can be mitigated to a less-than-significant level. The analysis presented has been tiered to the State's recently completed Program Environmental Impact Report for cannabis businesses. The IS/MND is intended to provide the City Council with full disclosure of

potential environmental effects of the project for uses as one basis of its decision on the proposed project. The results of the Initial Study show any impacts are less than significant, or less than significant after incorporation of mitigation measures. Environmental Factors potentially affected include: Biological Resources, Greenhouse Gas Emissions, Transportation and Traffic, Mandatory Findings of Significance, Cultural Resources, Hazards and Hazardous Materials, Tribal Cultural Resources, Air Quality, Geology, soils and Seismicity, Hydrology and Water Quality, Noise and Utilities Service Systems. The Initial Study meets the requirements of the State of California CEQA, the State CEQA Guideline, and the City of Blythe Guidelines for the Implementation of CEQA. In preparing the Initial Study and Mitigated Negative Declaration, staff independently reviewed, evaluated and exercised judgment of the Project and the Project's environmental effects. Prior to approving the project, the City Council shall consider the proposed Mitigated Negative Declaration together with any comments received during the public review process. It should be noted that the Environmental Review Process commenced June 27, 2018 and closed July 27, 2018 without comment. Therefore, Staff recommends Council approve the Final IS/MND, including the Mitigation Monitoring and Reporting Plan for the Blythe Green Complex as complete and satisfying the requirements of CEQA, and approve the Blythe Green Complex development proposal, including the proposed parcel split and general development scheme for the 34-acre property, subject to subsequent approval of a final site plan and condominium map.

Public comment. Rob Holt of 201 E. Hobsonway stated on behalf of the applicant I would like to thank City staff for their cooperation in preparing this document and also Dr. Harvey. This is a major milestone for this project. We will start work on the parcel map, condo plans and water and wastewater system analysis next month. We look forward to this project moving on.

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

RESOLUTION NO. 2018-024. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PLAN FOR THE BLYTHE GREEN COMPLEX.

City Clerk Crecelius stated there was an Ordinance on the Consent Calendar that required a second reading. City Clerk Crecelius then read the title of Ordinance no. 890-18 into the record.

Amendment to the Commercial Cannabis Ordinance Authorizing the Issuance of an Unlimited Number of Distribution Permits. Interim City Manager Crecelius stated as currently written, the Commercial Cannabis Activity Ordinance allows for two licenses to be issued to Dispensaries, Distribution and Testing Labs. At the time the original ordinance was written, the industry was new and the City wanted to take a conservative approach. Since that time Council has amended the Ordinance to allow for an unlimited number of cultivation and manufacturing licenses. Due to this change, the number of Distribution licenses should be increased or unlimited as well. With more

cultivation and manufacturing businesses operating in Blythe, there could be a need for more than two distributors. An unlimited number of distribution licenses allows the market to decide on how many are necessary and can be supported in Blythe. More Distributors will also give Cannabis operators options and could limit the use of distribution companies operating outside of Blythe. There have been a number of requests from applicants interested in applying for a Distribution licenses. To date, no testing licenses have been issued. With two currently available, there is no need to increase the number of testing licenses at this time. As operators of testing labs cannot be involved in any other cannabis business, none of our permitted applicants could apply for a testing license. Until there is a need for or more testing licenses, the number should remain at two along with Dispensary and Micro-businesses. At the last Council meeting staff was directed by Council to amend the commercial cannabis ordinance to allow for an unlimited number of permits for distributors. The Blythe Cannabis Advisory Council also recommends lifting all limits on the number of distribution and testing license available. Therefore, it is recommended Council conduct the first reading by Title only, waiving further reading of Ordinance No. 891-18, amending Chapter 5.10.080 of the Blythe Municipal Code to allow for an unlimited amount of distribution licenses.

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

AN ORDINANCE AMENDING CHAPTER 5.10 ("COMMERCIAL CANNABIS ACTIVITY") OF TITLE 5 ("BUSINESS LICENSES AND REGULATIONS") OF THE BLYTHE MUNICIPAL CODE REGARDING COMMERCIAL CANNABIS ACTIVITY IN THE CITY.

WRITTEN COMMUNICATION:

Commercial Cannabis Sensitive Area Exemption- 401 W. Barnard. This item was pulled from the Agenda at the request of the applicant.

ORAL REPORTS:

Councilman DeConinck asked in anything of the public records requested of Fish and Game had been received. It was reported their time frame to provide the documents ends on August 22nd .

Mayor Reynolds and Chief Wade recognized employees of the Blythe Police Department who assisted in a drowning fatality. These employees then cared for two children for several hours until their family could arrive from outside of the area.

PUBLIC COMMENT: None

ADJOURN. The City Council meeting was adjourned at 6:29pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk