

**Minutes of the Blythe City Council Meeting
October 13, 2020**

The October 13, 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, Finance Director and City Treasurer Elms, Police Lieutenant Walnoha, Chief Building Official Brown, Interim Public Works Director Ojeda and Assistant City Attorney Roberto.

The Pledge of Allegiance was led by Mayor Reynolds. The Invocation was offered by Councilman Rodriguez.

REPORT FROM CLOSED SESSION:

Assistant City Attorney Roberto stated there was discussion and Council provided direction.

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. Vice Mayor Egan moved approval of the Consent Calendar. The motion was seconded by Councilman Rodriguez 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, October 9, 2020.

2. Approval of the Warrant Register.

Recommendation: Approve **10/13/2020**, Utility Billing Refund warrants numbered 72295 through 72305 in the amount of \$3,853.63; **10/13/2020**, warrants numbered 72306 through 72373 in the amount of \$318,921.19 and **10/13/2020**, warrants numbered 72374 through 72439 in the amount of \$373,607.04.

3. Approval of the Payroll Register.

Recommendation: Approve **10/13/2020**, warrants numbered 51866 through 51881 and Direct Deposits numbered 48480 through 48535 in the amount of \$227,512.94; **10/13/2020**, warrants numbered 51882 through 51896 and Direct Deposits numbered 48536 through 48591 in the amount of \$218,890.09 and **10/13/2020**, warrants numbered 51897 through 51902 and Direct Deposits numbered 48592 through 48695 in the amount of \$74,839.68.

4. Minutes of the September 8, 2020 City Council Meeting.

Recommendation: Approve the Minutes of the September 8, 2020 meeting.

5. City of Blythe Permits issued for the Month of September 2020.

Recommendation: Receive and file this monthly report.

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

Recommendation: Receive and file this monthly report.

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

Recommendation: Receive and file this monthly report.

8. Fiscal Year 2019/20 General Fund Reserve Policy Update.

Recommendation: Receive and file the annual report on the City's Reserve Policy.

9. Investment Report for First Quarter FY 2020/21.

Recommendation: Receive and file the quarterly investment report.

10. **Chopper Pump Purchase for Waste Water Treatment Plant.**
Recommendation: Authorize staff to purchase two Vaughn Chopper Pumps in an amount not to exceed \$29,768, as allocated in the FY 2020/21 Budget.
11. **Agreement No. 2020-21 A between County of Riverside and City for the West Hobsonway Roadway Improvement Project.**
Recommendation: Authorize staff to execute Agreement No. 2020-021 A between City and Riverside County Transportation Department for W. Hobsonway Roadway Improvements and execute purchase orders in an amount not to exceed \$303,000 for FY 20/21 and \$303,000 for FY 21/22.
12. **Destruction of Records.**
Recommendation: Adopt Resolution No. 2020-043, authorizing and directing the Police Chief to destroy all documents pertaining to personnel report of Employee X150 regarding matters that became final on September 8, 2020.

RESOLUTION NO. 2020-043. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AUTHORIZING AND DIRECTING THE DESTRUCTION OF CERTAIN RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

13. **Revised Community Development Block Grant Cooperation Agreement.**
Recommendation: Adopt Resolution No. 2020-044, authorizing participation in the Urban County program, repealing Resolution No. 2020-029 and Authorize the Mayor to execute Agreement No. 2020-018 A, the revised Cooperation Agreement for CDBG Program Years 2021-2024.

RESOLUTION NO. 2020-044. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE COUNTY OF RIVERSIDE'S URBAN COUNTY PROGRAM FOR FISCAL YEARS 2021, 2022 AND 2023 AND REPEALING RESOLUTION NO. 2020-029.

14. **Adoption of an MOU for the Non-Sworn Unit.**
Recommendation: Adopt Resolution No. 2020-045 approving an addendum to the Non-Sworn Unit's Memorandum of Understanding for July 1, 2020 through June 30, 2021.

RESOLUTION NO. 2020-045. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING AN ADDENDUM TO THE NON SWORN UNIT'S MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021.

Public Comment. David Good of 28270 Avenida Mirabella in Cathedral City made comment on items not on the Consent Calendar. He was asked to provide his comment at Public Comment at the end of the meeting.

Councilman DeConinck moved approval of the Consent Calendar. The motion was seconded by Vice Mayor Egan with a unanimous aye vote.

CONTINUED BUSINESS:

Cannabis Dispensary License Conditionally Issued to HAH 1, LLC. Interim City Manager Crecelius stated since the September 8th meeting Mr. Kunkel has made a \$25,000 deposit to the City and renewed all building permits on the project. It is my understanding a project representative is here this evening to provide further updates.

Public comment. Kim Kelly 245 N. Main St. stated since we met last, we have replaced the General Contractor, renewed our permits and made the requested deposit. We should have boots on the ground next week.

City Clerk Crecelius stated a written comment on this item was received from Ben King who supports Council revoking the permit.

The item was received and filed.

NEW BUSINESS:

Temporary Suspension of Certain Provisions of the BMC Relating to Light Animal Keeping. Interim City Manager Crecelius stated members of FFA have historically housed livestock projects at the PVHS livestock facility. As schools are not open for in-person instruction due to COVID-19, FFA members are unable to utilize the PVHS livestock facility for the 20/21 school year. PVHS representatives have requested their students be able to house animals at their place of residence for this project year. This would require the City to temporarily suspend the requirements of Blythe Municipal Code sections 17.08.010, 17.54.020(A) and 17.54.030. Staff has prepared guidelines to minimize any impacts of this request which include but are not limited to:

- a. Only lambs, goats, and pigs shall be permitted under this order.
- b. Only one animal per property will be allowed.
- c. The student shall obtain written consent from all neighbors within a one hundred-foot radius from the person's property prior to housing an animal.
- d. Animal Control and/or Code Enforcement will be allowed to perform site inspections.
- e. the outdoor space where the animal is kept shall be cleaned and maintained to prevent odor and unsanitary conditions.
- f. The owner will have 3 days to address/correct complaints.
- g. Any person keeping or maintaining an animal shall comply with all reasonable requests of the Animal Control Officer and/or Code Enforcement.
- h. The City Manager, in consultation with the Animal Control Officer and/or Code Enforcement, may direct the removal of any animal permitted by this Order if the City Manager determines: (1) the person keeping or maintaining the animal is not complying with the requirements of this Order, (2) the animal is the subject of one or more complaints that cannot be reasonably corrected, or (3) removal is necessary for the public health, safety or welfare.

Suspending these sections of the BMC for a limited term will enable a number FFA students to participate in the program this year. As of now, most of these kids do not have alternative housing solutions. It is estimated 7-8 goats, 13 lambs and between 30 and 50 pigs could be housed within residential neighborhoods over the next few months. Under the guidelines, animals must be removed from the neighborhood no later than March 31, 2021. Therefore it is recommended Council Adopt Resolution No. 2020-046 and Written Order No.1, authorizing the temporary suspension of certain provisions of the Blythe Municipal Code relating to the keeping of animals and establishing requirements for such animal keeping during the period of suspension.

Councilman DeConinck asked what would happen if there were two children in a household with animals. It was reported those would be looked at on a case by case basis.

Council Halby asked about the students in apartments. It should be the same for everybody.

Public Comment. Maryann Maxfield, Agriculture Instructor at Palo Verde High School thanked Council for the opportunity to speak on behalf of their 394 members. We normally have over 100 animals that proceed to the fair each year. Due to COVID and the restrictions placed on the farm it was not feasible to open this year. We developed this plan with members of the City to hopefully be able to house these animals in the community. I am here to answer any questions.

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

RESOLUTION NO. 2020-046. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, EXPRESSING SUPPORT FOR THE TEMPORARY SUSPENSION OF PROVISIONS OF THE BLYTHE MUNICIPAL CODE RELATING TO THE KEEPING OF CERTAIN ANIMALS.

Issuance of Commercial Cannabis Distribution Permit- Gr&Be. Interim City Manager Crecelius stated Gr&Be Inc. applied for a Commercial Cannabis Distribution License at 2473 W. Hobsonway, the site of their previously awarded Cultivation and Manufacturing Licenses issued by Council in 2018. The site is under construction and should be finished within the next 60 days. Gr&Be Inc. has submitted the information required to pass the Commercial Cannabis application process. Therefore, it is recommended Council issue a Commercial Cannabis Distribution permit to Gr&Be Inc. at 2473 W. Hobsonway contingent upon being issued a Certificate of Occupancy by the Building Department.

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

Agreement No. 2020-022A between City and Timothy Ramos for Commercial Cannabis Owner Background Investigations. Interim City Manager Crecelius stated the Commercial Cannabis Application requires anyone designated an owner per BCC Regulation 5003 submit to an owner background investigation. The background is typically prepared during Phase III of the application process. Since 2017 the City has utilized GVD Investigation for owner background investigations. Another firm is needed to process the investigations if /when there are conflicts with GVD Investigations. Although there has not been a need for owner background services since 2019, staff is expecting to receive new commercial cannabis applications, based on recent PRC activity. Tim Ramos and his team are seasoned investigators familiar with local and state regulations pertaining to cannabis businesses and are experienced with conducting cannabis owner investigations. Therefore, it is recommended Council authorize the Interim City Manager to execute an agreement with Timothy Ramos and Associates along with the ability to execute the 4 optional one-year contract extensions for Commercial Cannabis Background Services.

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

Final Parcel Map 857-110-005. Interim City Manager Crecelius stated Chapter 16.20 of the Blythe Municipal Code establishes the requirements for filing a Parcel Map in the City. The

requirements include a Tentative Parcel Map being approved by Council prior to recording the Final Map. At its regularly scheduled meeting of March 24, 2020, the City Council conducted a public hearing and approved Tentative Parcel Map 857-110-005, being a request to allow the division of one 21.72± acre parcel located at 1575 E. Chanslorway into four separate parcels and one remainder parcel. Proposed Parcel No 1 is 5.36± acres in size. Proposed Parcels 2 and 3 are 5.46± acres in size. Proposed Parcel No. 4 is 3.99 ± acres in size with the remainder parcel being 1.33± acres in size. Each parcel has access from a dedicated and improved right-of-way. Both private and public utilities are in place. There are no variances or exceptions required for the land division. The proposal for the subdivision allows the applicant to convey each of the (subsequent) parcels as autonomous units. Tentative Parcel Map 857-110-005 was approved, with conditions on March 24, 2020. Staff has determined Parcel Map 857-110-005 is in substantial compliance with the approved Tentative Parcel Map and is complaint with the conditions applied to the project. Therefore, it is recommended Council authorize staff to record Parcel Map 857-110-005.

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

Repealing and Replacing Chapter 2.04 of the BMC relating to City Manager Powers and Duties. Interim City Manager Crecelius stated California Government Code section 40602 requires the Mayor to execute contracts on behalf of the City unless Council, by ordinance, gives signature authority to a city officer, which is generally the City Manager and/or Purchasing Agent. For compliance with Government Code section 40602, this ordinance is being offered to clearly set forth when the City Manager may execute documents on behalf of the City. The attached ordinance provides the City Manager with the authority to sign contracts on behalf of the City that are within his/her purchasing authority. In addition, it also provides that the City Council may delegate the authority to sign any other document to the City Manager by appropriate Council action. In addition to expressly outlining the City Manager's signature authority, the ordinance makes other updates and clarifying changes. It is recommended that the City Council introduce for first reading, by title only, waiving further reading, Ordinance No. 904-20.

No public comment. Councilman DeConinck moved approval of staff's recommendation. The motion was seconded by Councilman Rodriguez with a unanimous aye vote. City Clerk Crecelius read the title of Ordinance No. 904-20 into the record.

ORDINANCE NO. 904-20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, REPEALING AND REPLACING CHAPTER 2.04 (CITY MANAGER) OF THE BLYTHE MUNICIPAL CODE.

Repair of Well No. 18- Water Treatment Plant. Interim Public Works Director Ojeda stated It is recommended you issue a purchase order in the amount of \$14,000 to replace the well pump for Well No. 18. However, there are some changes to the staff report. At this time we ask for authorization of the well pump only which has a 10 week lead time. In the meantime staff and the contractor will look at the complexity of the work to try to get a better estimate on the labor and installation of the new pump. This will be brought back to Council for approval in November.

No public comment. Vice Mayor Egan moved approval of the pump purchase. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

ORAL REPORTS: None

PUBLIC COMMENT:

Deborah Powels of 413 W. Hobsownay stated I asked to be on the Agenda and should have been treated like everyone else. I submitted a multi-million-dollar idea to the City, which the City would facilitate at minimal cost.

Troy Love provided an update on the Fairgrounds and Blythe Little League.

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

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk