

**Minutes of the Blythe City Council Meeting
October 12, 2021**

The October 12, 2021 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 DeConinck and Council Members Halby and Burton. Councilman Rodriguez was excused from the meeting. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer Elms, City Attorney Roberto, Chief Building Official Brown, Fire Chief Hasler and Police Chief Dale.

The Pledge of Allegiance was led by Mayor Reynolds.

The Invocation was offered by Councilman Burton.

Mayor Reynolds asked for a moment of silence to honor La Paz County Sheriff's Sergeant Michael Rudd who was killed in action.

REPORT FROM CLOSED SESSION: City Attorney Roberto stated as to items #1 and #2, Council disused each item and provided direction. No actionable items were taken.

PROCLAMATION:

Code Enforcement Officer Week- October 2021.

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 Rodriguez moved approval of the Consent Calendar. The motion was seconded by Councilman Halby with a unanimous aye vote.

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, October 8, 2021.

3. Approval of the Warrant Register.

Recommendation: Approve **10/12/2021**, Utility Billing Refund warrants numbered 73974 through 73987 in the amount of \$2,480.13; **10/12/2021**, warrants numbered 73988 through 74026 in the amount of \$1,871,035.29 and; **10/12/2021**, warrants numbered 74027 through 74087 in the amount of \$701,861.35.

4. Approval of the Payroll Register.

Recommendation: Approve **10/12/2021**, warrants numbered 52469 through 52484 and Direct Deposits numbered 51223 through 51282 in the amount of \$230,011.50; **10/12/2021**, warrants numbered 52485 through 52502 in the amount of \$14,653.82; **10/12/2021**, warrant numbered 52503 in the amount of \$15,939.32; **10/12/2021**, warrants numbered 52054 through 52518 and Direct Deposits numbered 51284 through 51341 in the amount of \$232,847.79 and **10/12/2021**, warrants numbered 52519 through 52523 and Direct Deposits numbered 51342 through 51447 in the amount of \$73,873.80.

5. Minutes of the September 14, 2021 City Council Meeting.

Recommendation: Approve the Minutes of the September 14, 2021 Meeting.

6. City of Blythe Permits issued for the Month of September 2021.

Recommendation: Receive and file this monthly report.

7. **City of Blythe Fire Department Monthly Activity Report for September 2021.**

Recommendation: Receive and file this monthly report.

8. **City of Blythe Police Department Monthly Activity Report for September 2021.**

Recommendation: Receive and file this monthly report.

9. **Investment Report for First Quarter- FY 2021/22.**

Recommendation: Accept and file this quarterly report.

10. **General Fund Reserve Policy Update- FY 2020/21.**

Recommendation: Designate as reserves, \$1,338,820 of the General Fund's net increase in unassigned fund balance for fiscal year 2020/21.

11. **Emergency Operations Plan.**

Recommendation: Adopt Resolution No. 2021-003, adopting the 2021 City of Blythe Emergency Operations Plan.

RESOLUTION NO. 2021-003. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ADOPTING THE 2021 CITY OF BLYTHE EMERGENCY OPERATIONS PLAN.

12. **Destruction of Financial Records- FY 2015/16.**

Recommendation: Adopt Resolution No. 2021-040, authorizing the destruction of certain financial records and documents for fiscal year 2015/16.

RESOLUTION NO. 2021-040. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS AND DOCUMENTS AS AUTHORIZED BY THE CALIFORNIA GOVERNMENT CODE.

13. **Ordinance No. 910-21, Relating to Permitted Uses in Each Zone for Consistency with California Law.**

Recommendation: Adopt Ordinance No. 910-21.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING SECTION 17.08.010 (USES PERMITTED IN EACH ZONE) OF CHAPTER 17.08 (PERMITTED USES) OF DIVISION II (ZONES) OF TITLE 17 (ZONING) OF THE BLYTHE MUNICIPAL CODE.

Interim City Manager Crecelius requested to pull item #13 from the agenda due to the second reading of this Ordinance requiring a Public Hearing. The item will be a noticed Public Hearing at the next meeting.

No Public Comment. Vice Mayor DeConinck moved approval of the Consent Calendar. The motion was seconded by Councilman Burton with a unanimous aye vote.

PUBLIC HEARING:

Proposed Ordinance No. 911-21, Accessory Dwelling Units and Junior Accessory Dwelling Units for Consistency with California Law. Interim City Manager Crecelius stated the State Legislature enacted several bills relating to Accessory Dwelling Units and Junior Accessory Dwelling Units which went into effect in 2020. An ADU is an attached or detached residential dwelling unit located on a lot with a proposed or existing residence. ADUs were previously referred to as granny flats. A Junior ADU is a unit of no more than 500 sq ft and contained within a single-family residence. The legislation required cities to relax or eliminate many development standards relating to ADU's and JADU's to promote additional housing stock and help address California's housing needs. This Ordinance was prepared for consistency with State law and to maintain some authority to regulate ADUs and JADUs in the City. The proposed Ordinance amends Chapter 17.08 and adds Chapter 17.33 to the Blythe Municipal Code. Consistent with State law, ADUs will be permitted uses in the Specific Plan Resort, Agricultural, Planned Development, Service Industrial, General Industrial and all residential zones. JADU's will be permitted in Specific Plan Resort, Rural Residential, Agricultural, Residential Estates and

Low-Density Residential zones. As the City is required to permit ADUs and JADUs per State law, the intent of the Ordinance is to encourage and allow the development of these units while preserving the character and integrity of Blythe's residential neighborhoods. It should be noted that the proposed Ordinance requires the owner of an ADU or JADU to record against the property a covenant establishing it may not be sold separately from the single-family residence except as otherwise allowed by the Government Code, the ADU/JADU is restricted to size as outlined in Chapter 17.33, the restrictions are binding on successor owners and the ADU/JADU cannot be rented for periods of less than 31 days. For JADUs, the owner must reside in either the primary unit or JADU. Therefore, it is recommended Council, acting as the City's planning Agency, conduct a public hearing regarding proposed Ordinance No. 911-12.

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

City Attorney Roberto stated this item will come before you two more times. This first time was due to the City not having a Planning Commission. It was presented to you in your capacity as the Planning Agency. At the next meeting, you will conduct a Public Hearing in according with the Municipal Code which requires two Public Hearings for Zoning Code Amendments. At the third meeting, the item will be on the Consent Calendar for adoption.

ORDINANCE NO. 911-21. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING CHAPTER 17.08 AND ADDING A NEW CHAPTER 17.33 TO TITLE 17 (ZONING) OF THE BLYTHE MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS FOR CONSISTENCY WITH STATE LAW REQUIREMENTS.

CONTINUED BUSINESS:

Cannabis Dispensary License Conditionally issued to HAH 1, LLC. Interim City Manager Crecelius stated the applicant or representative will provide a project update. Subsequent to that, it is recommended Council direct staff to prepare the 5th and hopefully final 60-day amendment to the Agreement between City and Ryan Kunekl to complete this project.

Jill Madsen with High Times stated we were issued our CalTrans permit. We have been working with inspectors to coordinate final permits. We started our pour on Hobsonway. This morning we started the pour on Intake for the wall, so everything is moving right along. We have an anticipated date of November 4th, granted we obtain our Certificate of Occupancy. We appreciate everyone at the City helping us and the time that has been granted.

Rob Holt of the Holt Group stated I could write a book on how messed up this project got. We've had to go through a lot to make this work. Jill and I have been working closely with City staff. This project would not be close to being done without the help of Jason and Kevin; they have done a fantastic job. I think at the end of the day we are all going to be happy with the way the project turned out.

No public comment. Councilman Halby moved approval of the 5th extension. The motion was seconded by Councilman Burton with a unanimous aye vote.

NEW BUSINESS:

Introduction of Ordinance No. 912-21, Mandatory Organics Recycling in accordance with Senate Bill 1383. Interim City Manager Crecelius stated this is the Introduction of Ordinance No. 921-21, which is in response to SB 1383, the Short-Lived Climate Pollutants Regulations. This is the third time we've had this discussion. Due to its impacts, I thought it was important to present this one more time. This is the Organic, green waste and food waste reduction plan. The State believes organic waste leads to the emission of greenhouse gasses. They want to reduce those emissions 75% by 2025. To do that, the Legislature, along with CalRecycle adopted the SB 1383 Regulations. Between January 1, 2022 and January 1, 2024 there are several things the City must do. One of which is providing an organic waste collection service which is a 3-cart collection system. We must establish an edible food recovery program, provide education and outreach, there are procurement mandates and capacity planning. We are required to adopt an Ordinance with an enforcement mechanism; however, we are not required to take enforcement action until January 2024. The next two years will be used to implement the mandates and educate the public. By 2024, hopefully we will not need to enforce. The City has a number of challenges in meeting these mandates. We have tried very hard with CalRecycle and State Representatives on some type of rural exemption. We were not successful and will need to move forward as best we can. Our biggest challenge is no organic processing facility within 100 miles of Blythe. Due to this, compliance with the regulations will be costly. This will mean rate increases to pay for this new collection service. Today we are asking you to conduct the first reading of Ordinance No. 912-21 by title only, waiving further reading to start the implementation process. We are required to have our Ordinance adopted by January 1, 2022. We hope to do the first reading tonight, the second reading in November with the Ordinance going into effect in December, in time for the January deadline.

Vice Mayor DeConinck asked if we don't do this, we will be fined? Interim City Manager Crecelius stated yes. With previous recycling mandates there was no enforcement piece. With SB 1383, there is, and there is no way around the City not complying.

Councilman Halby said we have sat in quite a few meetings over the last year and it's been on our radar for a few years. CR&R and the City have exhausted a lot of ideas and ways to get an exemption and they won't give it to us. Our hands are tied. I asked CR&R for an idea on what it will cost customers and they think the increase may be between \$10-\$15 per month.

Public comment. Jerry Cacias stated he runs a food pantry in Moreno Valley, and we do the food collection there. It's a lot of work, you must have bodies to pick up the donations. We have found restaurants get a credit which helps the manager's bonus. It's easy there because there are a lot of organizations and food pantries to take the food. I am here to help if you need it.

Councilman Halby moved approval of staff's recommendation. The motion was seconded by Councilman Burton with a unanimous aye vote. City Clerk read the title of the Ordinance into the record.

ORDINANCE NO. 912-21. AN ORDINANCE OF THE CITY OF BLYTHE, CALIFORNIA, ADDING A NEW CHAPTER 8.26 TO TITLE 8 OF THE BLYTHE MUNICIPAL CODE RELATING TO MANDATORY ORGANIC WASTE DISPOSAL REDUCTION, ADDING A NEW SECTION 15.18.040 TO CHAPTER 15.18 RELATING TO CALGREEN REQUIREMENTS, ADDING A NEW CHAPTER 13.30 TO TITLE 13 RELATING TO MODEL WATER EFFICIENT LANDSCAPING REQUIREMENTS, AND ADDING A NEW SECTION 2.65.130 TO CHAPTER 2.65 RELATING TO PROCUREMENT REQUIREMENTS IN ACCORDANCE WITH SENATE BILL SB 1383.

ORAL REPORTS: Interim City Manager Crecelius stated Council asked for an update on the Todd Park Playground. Public Works is working on site prep. The fall protection had a scheduled pickup date of October 5th, but we are still waiting on freight to pick it up. Once delivered, Public Works will finish the project and open the park. We have received a lot of questions about abatement and what's going on with several of our blighted properties. We thought we would add to the next agenda, a list of active code cases with property address so the public could see the work that is being done. Also, the Chamber has asked us to hold a virtual town hall to discuss the various abatement activities the City is working on. We are currently waiting on a judge to grant us an abatement warrant for 6 properties. There are two additional properties Council has asked us to look into to address with city funding.

MEMBER COMMENT:

Councilman Burton reported on the Blythe Clean up Day scheduled for October 16th.

Mayor Reynolds stated the Clean up Day's are good events, and we usually collect more than we anticipate.

Interim City Manager Crecelius stated there are a lot of people that make this happen, but one agency in particular is PVVTA who steps up year after year. They provide transportation, start the cleanup in advance and along with Code Enforcement identify where the cleanup efforts should be focused, what equipment will be needed and how many volunteers to send to each location. I would like to thank George Colangeli and PVVTA who have been instrumental in our Clean up Day events.

Councilman DeConinck stated last week FFA cleaned up Todd Park. There was also a group picking up along Lovekin.

Mayor Reynolds thanked Vice Mayor DeConinck and his crew for the food served at the Pal Dinner. PAL is a great organization for the kids in this community.

Councilman Halby asked to speak about Public Comment and the purpose it is supposed to serve. I love the spirit of it, to come in here and raise issues. But at no point should the City Manager or City employees be publicly ridiculed. If that were to happen again, I will ask you to leave.

PUBLIC COMMENT:

Rick Vasquez of 2409 of Florence Blvd. discussed an issue he had connecting his property to City water service. It was during the summer, and Public Works hours are 6am to 2pm. I could not connect to the box. It cost me about \$170. The Interim City Manager said the Council was behind policy, so I am coming to you to get my money back. Councilman Halby stated you have to provide the plumbing to the connection.

Troy Love of 831 Aurora Lane reported on the restrooms at Todd Park. We need to rethink the idea of leaving the restrooms unlocked. The City is doing their job, I know what they look like after they are cleaned on Friday, and what they look like Monday morning. I am not here to complain. The Little League Restrooms are locked at night, and I think we need to revisit that for

the park restrooms. Locks are a lot cheaper than the destruction that is occurring. The Blythe Strom is a travel basketball team, and they need a place to practice. I am looking for 1-2 days a week they can use the Rec Center, College or Highschool. I think we should get together and find places for them to practice. They are representing us, and they are homeless in Blythe. Interim City Manager Crecelius stated she would be happy to work with Mr. Love.

ADJOURN: The City Council meeting was adjourned at 6:48pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk