

**Minutes of the Blythe City Council Meeting
February 9, 2021**

The February 9, 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 Rodriguez, Halby and Burton. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director Elms, Police Chief Coe, Building Official Brown, Fire Chief Hasler and City Attorney Roberto.

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

REPORT FROM CLOSED SESSION: City Attorney Roberto stated as to item 1, with a vote of 5-0 the Council authorized the initiation of litigation in the case. The defendant will be identified when the case is filed. As for item 2, Council discussed the items and 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. Councilman Rodriguez moved approval of the Consent Calendar. The motion was seconded by Councilman Burton 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, February 5, 2021.

2. Approval of the Warrant Register.

Recommendation: Approve **2/9/2021**, warrants numbered 72804 through 72863 in the amount of \$1798,622.92; **2/9/2021**, Utility Billing Refund warrants numbered 72864 through 72875 in the amount of \$12,011.50; **2/9/2021**, warrants numbered 72876 through 72931 in the amount of \$506,332.79.

3. Approval of the Payroll Register.

Recommendation: Approve **2/9/2021**, warrants numbered 52107 through 52121 and Direct Deposits numbered 49401 through 49456 in the amount of \$227,126.27; **2/9/2021**, warrants numbered 52122 through 52135 and Direct Deposits numbered 49457 through 49513 in the amount of \$238,674.74; **2/9/2021**, warrants numbered 52136 through 52137 in the amount of \$861.99 and **2/9/2021**, warrants numbered 52138 through 52142 and Direct Deposits numbered 49514 through 49616 in the amount of \$70,812.14.

4. Minutes of the January 12, 2021 City Council Meeting.

Recommendation: Approve the Minutes of the January 12, 2021 meeting.

5. City of Blythe Permits issued for the Month of January 2021.

Recommendation: Receive and file this monthly report.

6. City of Blythe Fire Department Monthly Activity Report for January 2021.

Recommendation: Receive and file this monthly report.

7. City of Blythe Police Department Monthly Activity Report for January 2021.

Recommendation: Receive and file this monthly report.

8. Notice of Completion- Date Road Rehabilitation Project.

Recommendation: Accept work performed by Pyramid Construction and Aggregates, Inc. for the Date Road project, authorize the Mayor and City Clerk to execute and file the Notice of

Completion and authorize the Interim City Manager to release the retention and project bonds once appropriate.

9. Amended and Restated Finance Director Employment Agreement.

Recommendation: Authorize the Interim City Manager to execute the Amended and Restated Finance Director Employment Agreement between the City and Christa Elms.

10. LEAP Grant.

Recommendation: Adopt Resolution No. 2021-008 authorizing the application for and receipt of the Local Early Action Planning Grant (LEAP) Program Funds.

RESOLUTION NO. 2021-008. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.

Public Comment. Richard Phipps reported on the graffiti problem. Mayor Reynolds asked him to speak during Public Comment for items not on the Agenda.

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

PUBLIC HEARING:

Tentative Parcel Map 38058. Interim City Manager Crecelius stated Jack Schuringa with his agent, The Holt Group request approval to allow the division of one, 1.06± acre site into three separate parcels. The project site is located at 1191 E. Hobsonway, which is on the corner of Hobsonway and Acacia Street. The site is legally described as Assessor's Parcel Number 851-072-010. Proposed Parcel No. 1 is 0.19± acres in size, Proposed Parcel No. 2 is 0.32± acres in size and Proposed Parcel No. 3 is 0.55± acres in size. Each parcel has access from an improved dedicated right-of-way. No variances or exceptions are required for this Parcel Map. The General Plan Land Use Designation of the site is General Commercial. The proposed project is consistent with existing zoning regulations. Surrounding land uses include a motel, mobile home park residential homes and other commercial uses. It is recommended the City Council, subsequent to the public hearing thereon adopt Resolution No. 2021-004 approving the Notice of Exemption with De Minimis Impact Finding for Tentative Parcel Map 38058 and Resolution No. 2021-005 approving Tentative Parcel Map 38058 with conditions.

Mayor Reynolds opened the Public Hearing. No public comment. The Public Hearing was closed. Vice Mayor DeConinck moved approval of staff's recommendation. The motion was seconded by Councilman Burton with a unanimous aye vote.

RESOLUTION NO. 2020-006. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION WITH DE MINIMIS IMPACT FINDING FOR TENTATIVE PARCEL MAP 38058.

RESOLUTION NO. 2020-007. RESOLUTION NO. 2021-007. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE PARCEL MAP 38058 TO ALLOW THE DIVISION OF ONE (1) 1.06± (GROSS) ACRE PARCEL INTO THREE (3) SEPARATE PARCELS ON PROPERTY LOCATED AT 1191E. HOBSONWAY (ASSESSOR'S PARCEL NUMBER 851-072-010).

Tentative Parcel Map 37983. Interim City Manager Crecelius stated Dilip Patel with his agent, The Holt Group Inc. request approval to allow the division of one 2.26± acre site into two separate parcels. The project site is the Subway/Comfort Suites development located at 700 W. Donlon, legally described as Assessor's Parcel Number 848-100-035. Proposed Parcel No. 1 is 0.61± acres in size and Proposed Parcel No. 2 is 1.65± acres in size. Parcel No. 1 has access

from an improved dedicated right-of-way. Parcel No. 2 has an access easement with another parcel. Conditions of approval require additional and irrevocable access and parking agreements between Proposed Parcels 1 and 2. No variances or exceptions are required for this Parcel Map. The General Plan Land Use Designation of the site is General Commercial. The proposed project is consistent with existing zoning regulations. Surrounding land uses include other motels, restaurants, and service stations. It is recommended the City Council, subsequent to the public hearing thereon adopt Resolution No. 2021-006 approving the Notice of Exemption with De Minimis Impact Finding for Tentative Parcel Map 37983 and Resolution No. 2021-007 approving Tentative Parcel Map 37983 with conditions.

Mayor Reynolds opened the Public Hearing. No Public Comment. The Public Hearing was closed. Vice Mayor DeConinck moved approval of staff's recommendation. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

RESOLUTION NO. 2020-006. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION WITH DE MINIMIS IMPACT FINDING FOR TENTATIVE PARCEL MAP 37983.

RESOLUTION NO. 2020-007. RESOLUTION NO. 2021-007. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE PARCEL MAP 37983 TO ALLOW THE DIVISION OF ONE (1) 2.26± (GROSS) ACRE PARCEL INTO TWO (2) SEPARATE PARCELS ON PROPERTY LOCATED AT 700 W. DONLON STREET (ASSESSOR'S PARCEL NUMBER 848-100-035).

CONTINUED BUSINESS:

Cannabis Dispensary License Conditionally Issued to HAH 1, LLC. Interim City Manager Crecelius stated Mr. Kunkel submitted a written report on February 2, 2021 stating the Caltrans permit was issued, with curb, gutter, and sidewalk installation on Intake Blvd. underway. Interior paint, tile, flooring, and cabinetry have been installed and/or completed. We are looking forward to a final inspection upon Edison's implementation of permanent power which should be completed today. We have started recruiting employee candidates as well. Although Mr. Kunkel has made a tremendous amount of progress at the site, Council should be aware the 6-month extension granted in August will expire on February 24, 2021. Staff does not anticipate issuing a Certificate of Occupancy by that date. It is recommended Council provide the applicant with an extension to allow for the completion of the project.

No public comment. Councilman Halby moved approval of staff's recommendation for a 60-day extension. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

Bolted Steel Water Tank Project. Interim City Manager Crecelius stated The Holt Group submitted a proposal for Design and Construction Administration of a replacement water tank at Palo Verde College. The proposal includes engineering services for the design which the City will use to bid the project for construction, bidding services and construction management throughout the project. The total cost of the proposal is \$97,400. The design will include an Engineers Opinion of probable cost for construction. Staff will use this figure to develop a project budget. From that we will have future discussions on funding options available for construction. The attached proposal references removal of the existing tank. After discussion staff believes the best option is to leave the tank for use in emergency situations as a back up to the Mesa Ranch water system. Therefore, Staff recommends Council authorize a purchase order to the Holt Group in an amount not to exceed \$97,400 for the design, bidding services and

construction management for the Bolted Steel Water Tank Project. It is further recommended Council authorize the Interim City Manager to execute a professional services agreement between City and Holt Group once reviewed and approved by the City Attorney.

Vice Mayor DeConinck asked what the tank will cost. It was estimated about \$300,000 for the tank, \$500,000 for the project.

Vice Mayor DeConinck asked about keeping the existing tank as a backup. Interim City Manager Crecelius thought it may be necessary to keep the tank online as a backup for emergencies or if/when the new tank needed repair.

Rob Holt stated after the new tank is in service, we will drain the old tank and clean it up. At that point we will come back with recommendations on what to do with the old tank. We could fix the structural imperfections and add a liner to extend the life of the tank.

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

NEW BUSINESS:

Audited Financial Statements for FY 2019/20. Finance Director Elms stated normally Teaman, Ramirez, and Smith, would present the results of the audit and provide a quick run through of the financial statements. With COVID restrictions in place, we would have been doing the presentation virtually, and staff felt that might have been a little challenging under the circumstances. Tonight, I will present the results of the audit in their place and hopefully next year we can resume as normal. Do let it be noted that City Staff, Management from Teaman, Ramirez and Smith, and Finance Committee members Councilman Halby and Mayor Reynolds met prior to this, for a comprehensive review of the audit and financial statements. The audit and financial statements presented to you tonight are for year ending June 30, 2020. Staff is pleased to report that, the auditor's opinion on the City's financial statements is an "Unmodified Opinion". Also known as a "Clean Opinion" and is the best level of an audit opinion the City may receive. This opinion means that, that the financial statements present themselves fairly, in all respects and in accordance with generally accepted account principals. As with prior years, unfortunately, the financial statements do continue to be prepared assuming the City will continue as a "Going Concern". This is due to the financial condition of some of the City's other funds, such as Golf Course and Lighting, as well as the City's growing unfunded liabilities and inadequate reserve balances to pay those liabilities. Teaman, Ramirez and Smith. also provide the City with a Management Report. The purpose of the report is to disclose significant audit matters, difficulties encountered, corrected or uncorrected misstatements, disagreements with management, audit findings, and other compliance issue. I am happy to report the Auditor's report disclosed no difficulties, findings, or noncompliance matters as result of their tests. They did note a corrected material misstatement resulting in a prior period adjustment in financial reporting as it relates to the interest for the Golf Course and former RDA loan. The auditors consider the City's internal controls over financial reporting to determine the audit procedures that are appropriate for the purpose of expressing an opinion of the financial statements and identify deficiency in internal controls that may result in material weaknesses. Again, I am pleased to report the Auditor's report on internal controls reports no deficiency or

noncompliance of the City's internal controls. Before we conclude there are a few notable changes within the financial statements over the prior year. In the looking at the financial statements on page 1 you will find the statement of net position for the city as a whole, Governmental Activities ends the year with a net position of \$2.5 million while business type activities ends the year with a net position of \$13.3 million, the consolidated year end net position for all funds for the city as whole is \$15.8 million. Page 4 provides the balance sheet for the General Fund. I wanted to note that the General fund has ended the year once again with a positive change in fund balance ending the year at just over 2 million. The change in the financial statements implements the Council approved reserve policy which sets aside reserves and assigns a portion of the General fund balance in the amount of \$556,000. As noted earlier, the statements include a prior period adjustment to record the accrued interest for the Golf Course Loan from the former RDA in the amount of \$572,000. Moving to the note section of the financials, note 18 on page 51 is the city's pension liability which has increased over the prior year and is currently estimated at \$20.9 million. Note 19 on page 53 is the city's OBEP liability which also increased over prior year and is currently at \$10.5 million.

No Public Comment. The item was received and filed.

Traffic Signal Repair at Lovekin and Chanslorway. Interim City Manager Crecelius stated On December 16, 2020 the traffic signal located at the S.W. Corner of Lovekin and Chanslorway sustained damaged after being struck by a semi-truck. Econolite visited the site and prepared an estimate of \$30,000 on a time and materials basis. The City will be billed for hours spent and materials used for repair. It is recommended Council authorize the Interim City Manager to execute a purchase order to Econolite Systems in an amount not to exceed \$30,000 for repair of the traffic signal at the S.W. corner of Lovekin and Chanslorway.

No Public Comment. Councilman Rodriguez moved approval of staff's recommendation. The motion was seconded by Councilman Burton with a unanimous aye vote.

Letter of Public Convenience and Necessity- Dollar General #21972. Interim City Manager Crecelius stated Dolgen California, LLC applied to the ABC for an Off-sale Type 20 license for their new Dollar General Store located at 121 S. Solano. The proposed license site is located within Census Tract No. 462 which has twelve active off-sale licenses with only one license allowed in the census tract. In order for Dollar General to receive a license, the Business and Professions Code requires a letter from the City Council specifically addressing the over concentration issue, and the justification for issuance of the license. Census Tract No. 462 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, Census Tract 462 includes a larger number of commercial and agricultural properties over developed residential properties. The lower 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. The issuance of this license will provide another retail option for those residing in West Blythe. The availability of alcohol with the sale of staple groceries and other consumer products makes this store a one stop shop, where they would otherwise be obligated to travel to other

locations to purchase these items. Therefore, the establishment of off-site alcohol at this location serves a public convenience. It is recommended Council approve the attached letter supporting the issuance of an Off-Sale Alcoholic Beverage License within Census Tract No. 462 to Dolgen California with the full knowledge of the undue concentration provision as outlined by the Alcoholic Beverage Control Board.

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

ORAL REPORTS:

Interim City Manager Crecelius stated the County is applying for Prop 68 Park Grant funds and are conducting a survey to see what amenities the Community would like to see at Mayflower Park. The survey may be found on the City's website.

Mayor Reynolds attended the vaccination clinic. I have to commend Riverside County Public Health, Bruce Barton, Kim Saruwatari and the Supervisor. Clinicas De Salud Del Pueblo is working on a vaccine clinic this weekend for their patients. Clinicas has applied for more vaccines, which will be split between each of the 4 locations. The hospital has also applied for additional doses. We were under the assumption all 1500 doses were given. Yesterday we learned 1387 were administered. I have asked for clarification. They are working on another clinic for second doses.

Vice Mayor DeConinck would like to echo that. The school district did a fantastic job. Some people showed up on the last day without a reservation to see if they could get an extra shot. If the County had some left over, why didn't they give them out?

PUBLIC COMMENT:

Richard Phipps stated I am here about the graffiti, tagging all the way from 95 to Balszburgh. There are signs as big as that wall. I don't understand how they are not being caught. Steaks and Cakes was recently hit and the new Dollar Store before the doors opened, that's bad. The other dollar store was tagged as well. I think we might have caught one, and I covered about 40 of his spots. I am tired of using my paint and my time to cover this stuff up. It's ridiculous we can't catch them. The guy they caught, he was let out and back to doing it again. I think the PD needs to step it up and the DA needs to step it up. One of the buildings I am really disturbed with is the Elks building. It has been tagged multiple times. The back of it needs to be fenced off so they can't climb up there. We need to take care of our community and take care of our graffiti. Its discouraging to live in this once beautiful town, and its not anymore. The freeways have been cleaned up. Caltrans stepped up, and it looks better now.

Deborah Powel donated books of hope to the City Council and leaders of our City. Please accept them with love. With everything going on, I came to encourage you and bring hope from my heart to yours.

Councilman DeConinck stated regarding Mr. Phipps, we have a lot of illegal dumping occurring again too and its terrible. Every day by the cemetery we have another washing machine, couch or

mattress show up. There is a car still sitting there. I am getting tired of the dumping. Everyday there is something new and nobody gets caught. The Caltrans sign on the freeway gets tagged, nobody sees that? I have had a lot of stuff done, with evidence and nobody gets arrested. Even when you do catch them, nobody goes to jail. I don't know what the answer is, but we need to get something done.

Mayor Reynolds stated the Chief and Lieutenant and officers will come up with something to take care of the situation. I know a lot of it is due to the changes in the law. It caused issues for the police officers who arrest them, to be able to keep them in jail. It boils down to a lot of cite and release. Maybe we can have a discussion about this and see what we can come up with.

Vice Mayor DeConinck asked the District Attorney what could be done.

Tom Daly stated I understand everybody's frustration. I am just as frustrated as a prosecutor. The situation in the last five years are the propositions that have come down from Sacramento. They have eviscerated any teeth we had to enforce the law. Props 47, 67, 64, 57, going down the line have rendered the police department almost helpless. They will catch these fellows and bring them to what we hope would be justice. With COVID and Federal kicking of prisoners in County jails, we may catch them, and they will be kicked right out of jail. The criminals know this, and that is the problem. There is talk in Riverside of a new approach. To answer your question, when we get them, we will file and try to prosecute. However, since June, the bail schedules are reduced. There is no bail set for most misdemeanors. The bail is set at zero, we arrest them, and they are out. The felony bail schedule was also greatly reduced unless it's a strike offense. A lot of the penal code sections I would use to send people to prison 10-20 years ago, such as methamphetamine possession, that no longer happens. I have been here 18 years and I love this town; the people are fabulous. We don't deserve to have the character of this city decimated by the vandalism and tagging. I hate to give you more bad news, but for a lot of the misdemeanors they have a new strategy to put them on diversion vs. jail time. Its up to the judge to decide. If it were up to me, I would send them to jail for a year for disgracing the City.

Councilman Burton stated we are looking at this backwards. We need to look at our strategy. Kids have been tagging for years, we need to look at a designated place, so if they want to tag, they have a place to do it. Some people look at it as tagging, some people look at it as art.

Mayor Reynolds would like to agenize this item to look at is as a group and look for solutions. Interim City Manager Crecelius recommended setting a Study Session to discuss graffiti.

Councilman Halby stated this has been an issue since Chief Wade was here, where someone was arrested and back out on the street the next day. I see the challenges. I know we are all trying to make the City look better. I publicly ask these young men/people to please stop. You proved your point and you pissed everyone off. We are trying to make this City look beautiful, so we need you to stop the graffiti.

ADJOURN: The City Council meeting was adjourned at 7:03pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk