

**Minutes of the Special Blythe City Council Meeting  
February 23, 2022**

The February 23, 2022 Special meeting of the Blythe City Council was called to order at 2:10pm in the Council Chambers by Mayor Reynolds. Also in attendance were Vice Mayor DeConinck and Council Members Rodriguez and Burton. Councilman Halby was absent. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer Elms, City Attorney Roberto and Police Chief Dale.

The Pledge of Allegiance was led by Mayor Reynolds.

The Invocation was offered by Councilman Burton.

**PROCLAMATION:**

**American Red Cross Month- March 2022.** Interim City Manager Crecelius stated we will make sure the Red Cross receives the Proclamation recognizing March as American Red Cross Month.

**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, February 18, 2022.

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

**NEW BUSINESS:**

**Issuance of Commercial Cannabis Permits to Puffzy, Inc.** Interim City Manager Crecelius stated Artour Zadourian and Berta Hovanesian, Principles of Puffzy, Inc. submitted applications for Commercial Cannabis business permits for Cultivation, Distribution and Manufacturing to be located on vacant land at 675 W. Wells Street. The site is zoned General Commercial, which allows for the development of commercial cannabis structures on lots of at least 5,000 square feet. Puffzy, Inc. has completed the PRC process for the development of this property which includes the construction of one 18,000 sq ft. building. The building has a mezzanine for a total floor space of 21,000 sq ft. Principles for Puffzy, Inc. completed the owner background investigation with nothing found to preclude them from being issued a Commercial Cannabis Permit. It should be noted that Ms. Hovanesian is also a principle of the Gr&Be/Lotus Cultivation, Manufacturing and Distribution facility located on W. Hobsonway. Lotus opened in the fall of last year. On February 17, 2022, staff met with Principles of Puffzy, Inc. for the Phase III interview required of the application process. After the interview staff recommends the award of Commercial Cannabis Business permits to Puffzy, Inc. for Cultivation, Distribution and Manufacturing for a Cannabis facility to be located at 675 W. Wells. Street.

Public Comment. Travis Pollock of AZ Premiere Management stated I was hired by the clients to

help them through the local and state application process and am also a local operator. This is for a project at 675 W. Wells Street for a 21,000 sq. ft. new building. Puffzy Inc. is comprised of two sole members, one of which is in the audience today. The property is zoned correctly and meets all typical development standards. Puffzy has made charitable donations throughout the community and is planning to hire strictly from the community. Puffzy is associated with another cultivation facility here and will have support with staffing. We appreciate staff and ask that you approve this project.

Councilman Rodriguez moved approval of the cannabis permits. The motion was seconded by Councilman Burton with a unanimous vote.

**Sewer Repair at Hobsonway and Lovekin Blvd.** Interim City Manager Crecelius things are changing rapidly and have changed since the posting of the Agenda on Friday. As you know, no local contracts can make the repair. Today, Interim Public Works Director Hamblen was in contract with Rove Engineering who has worked in the City previously. They will provide a quote. Based on what was found, the area of the collapse is very close to the fiber optic hub that runs the east and west coast. The risk factor is very high working in this area. The request would be to relocate this sewer line away from that hub, so they are not working near it. Due to this, the repair may be above my authority of \$200,000. Per the purchasing policy, anything above \$200,000 requires a formal bid. We were hoping we could do this within \$200,000 which only requires obtaining 3 quotes. Formal bidding takes time, we must prepare a bid package, release it for Request for Proposals, allow at least one month for them to prepare their bids, and bring it to a Council meeting for approval. We are looking at 2-3 months before we can even start the repair. Due to that, the temporary sewage pumps in place to keep the sewer flowing, complaints from businesses in the area, and the impacts from the road closure we deemed this an emergency. We need to get this repaired as soon as possible. I would like to change the recommendation to ask Council to deem this an emergency. This action requires a 4/5<sup>th</sup> vote of Council. This would allow us to obtain quotes, still find the most responsible and responsive bidder, but would waive the formal bidding process. Once we have a few quotes, we can move forward with the repair. This would remove the cap on my authority. I would keep Council apprised as we move forward.

City Attorney Roberto stated in addition to the finding that there is an emergency, we need Council to make a finding that the emergency will not permit a delay resulting from a competitive solicitation for bids and the action is necessary to respond to the emergency. We need 4 votes for all items.

Interim City Manager Crecelius stated since we are deeming it an emergency, we can't waste time and delay the project. We want to deem it an emergency to save time by waiving the formal bidding process. We will perform our due diligence and get competitive quotes, but we don't have time to prepare bid specs and do a pre-bid meeting, a month of waiting on proposals, etc.

Mayor Reynolds asked if the blockage was detrimental to opening Hobsonway. Interim Public Works Director Hamblen stated yes, due to the amount of material that has been pulled out of the area, we will have a collapse if we open the road. We have pulled 4-5 yards of material out of the area which has created a void.

Council discussed one proposal for repair, relocating the line to move it away from the fiber optic hub. Construction is estimated at 1 month under this scenario.

City Attorney Roberto stated first, you will make a finding that an emergency exists. Second, you will make a finding that based on the facts presented in the record, the emergency will not permit a delay resulting from a competitive soliton for bids and the action is necessary to respond to the emergency.

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

**Resolution Authorizing Submission of a Notification of Intent to Comply with SB 1383 Pursuant to a Corrective Action Plan as Prescribed by SB 619.** Interim City Manager Crecelius stated over the past two years, the City has been working on an exemption to SB 1383, the methane emissions reduction targets set by Governor Brown in 2016. Due to a lack of infrastructure in the city and the distance to organic waste disposal sites, the collection of green waste will be difficult for the City and its waste hauler, CR&R to implement. After the City was unsuccessful in obtaining a waiver from SB 1383, planning for its implementation began. The current plan includes a three-cart collection system, with green and organic waste being collected in a green cart. The green waste would be transported to a composting facility in Yuma, Arizona. To facilitate this, a transfer station is necessary to move waste from the trash hauler to a truck for transporting. CR&R is currently working with Riverside County Planning to build this station in their yard on S. Broadway. In October, Governor Newsom signed SB 619 to provide punitive relief for local agencies that are not compliant with SB 1383. As the deadline to comply was January 1, 2022, SB 619 will provide some relief to the city, as we work through the challenges of implementation. Pursuant to SB 619, agencies who are not in compliance with SB 1383 may submit to CalRecycle by March 1, 2022, a Notification of Intent to Comply. The NOIC requires the City to provide an overview of SB 1383 compliance efforts, identify the sections that are not in compliance and provide a timeline for implementation. Should CalRecycle approve the submission, the agency would be relieved from civil penalties associated with noncompliance. It is anticipated a new solid waste service will be implemented within the next year, and with approval of the SB 619 action plan, the City's deadline to fully comply with SB 1383 would be extended to June 30, 2023. There are several other requirements of SB 1383 in addition to the collection of organic waste. The other significant impact to the City is the procurement of organic material, such as mulch or compost. The City is required to procure .08 times the City's population. Per this calculation, the City must procure 1,120 tons per year. So, once we truck our organic waste to Yuma for composting, we will be required to purchase 1,120 tons of it back for use as the City sees fit. I am not sure at this time what the City will do with 1,120 tons of compost. Approval of the proposed resolution will authorize staff to submit the required documentation to CalRecycle to request extended timelines for implementation of SB 1383. This request, which is consistent with SB 619, will allow staff to continue the efforts associated with implementing the new solid waste program services and policies with temporary relief from penalties. Therefore, it is recommended Council Adopt Resolution No. 2022-005 and direct the Interim City Manager to execute and file the Notification of Intent to Comply with Senate Bill 1383 by March 1, 2022. In the agenda packet there was a Resolution and a NOIC. Since the

Agenda was published, CR&R has finalized the NOIC and a copy of the final draft was provided to you this afternoon. Copies were also made available to the publish. The recommendation is to adopt the Resolution along with the NOIC as provided to you today.

The Council asked questions related to the procurement piece of the legislation.

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

***RESOLUTION NO. 2022-005. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AUTHORIZING SUBMITTAL OF A NOTIFICATION OF INTENT TO COMPLY WITH SENATE BILL 1383 REGULATIONS TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).***

**ORAL REPORTS:**

Interim City Manager Crecelius stated we discussed holding a Study Session related to the APRA funding coming in two tranches. We are in possession of the first with the second coming sometime in July. As we are starting the budget process, we would like some direction on the use of these funds. If amenable, staff would like to schedule the Study Session for next Tuesday, March 1<sup>st</sup> at 2:30pm.

**MEMBER COMMENT:**

Mayor Reynolds reminded everyone of the upcoming fair.

**PUBLIC COMMENT:** None

**ADJOURN:** The City Council meeting was adjourned at 2:52pm.

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Dale Reynolds, Mayor

**ATTEST:**

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Mallory Crecelius, City Clerk