

# BLYTHE CITY COUNCIL



## AGENDA

**AUGUST 25, 2020**

**6:00 P.M.**

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**Dale S. Reynolds, Mayor**  
**Eric Egan, Vice Mayor**  
**Joseph DeConinck, Council Member**  
**Johnny Z. Rodriguez, Council Member**  
**Joseph Halby, III, Council Member**  
**Mallory Crecelius, Interim City Manager/City Clerk**  
**Brittany Roberto, Deputy City Attorney**

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**MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBER, 235 NORTH BROADWAY, BLYTHE, CA**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain requirements of the Brown Act relating to the conduct of public meetings.

Due to the ongoing COVID-19 emergency, public health officials continue to encourage people living in California to remain in their residences wherever practicable. On June 18, 2020, the California Department of Public Health issued guidance mandating that people in California wear cloth face coverings in specified circumstances, including when they are inside of, or in line to enter, any indoor public space.

Pursuant to State health directives, all persons attending the City Council meeting are required to wear cloth face coverings and observe social distancing protocols.

In lieu of attending the meeting in person, members of the public can participate in the meeting in the following ways:

1. **E-MAILED PUBLIC COMMENT.** Members of the public that wish to address the Council during public comment may submit public comments via e-mail to the City Clerk at [msutterfield@cityofblythe.ca.gov](mailto:msutterfield@cityofblythe.ca.gov) with the subject "Public Comment - 8/25/20". Please include your full name and address in your e-mail. The City Clerk will read e-mails received by 3:00 p.m. the day of the Council meeting out loud into the public record. All comments received will be made part of the official public record of the meeting.
2. **TELEPHONIC ACCESSIBILITY.** Members of the public may access the City Council meeting telephonically by utilizing the following conference call-in information:

Conference Call-In Number: (800) 719-7514  
Conference Code: 133500

Please be aware that all rules of procedure and decorum will apply when participating in the meeting and addressing the City Council by teleconference. If attending the meeting by teleconference, please set your phone to "mute" to eliminate background noise or other interference from telephonic participation.

If you are participating telephonically and would like to address the City Council during public comment at the Council meeting, please contact the City Clerk by e-mail at [msutterfield@cityofblythe.ca.gov](mailto:msutterfield@cityofblythe.ca.gov) or by telephone at (760) 922-6161 by 3:00 p.m. the day of the Council meeting to advise the City Clerk that you would like to address the City Council during public comment. When it is time for public comments, the City Clerk will call your name when it is your turn to speak. Please do not speak until your name is called. You will be provided one opportunity to speak, and your comments will be limited to three (3) minutes in duration.

3. **LIVE STREAM.** The Palo Verde Valley Times (PVVT) will live stream the Council meeting via Facebook Live on its Facebook page, [www.facebook.com/blythenews/](http://www.facebook.com/blythenews/). Members of the public may watch the meeting live online by accessing PVVT's Facebook page.

If you are experiencing symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, or sore throat, the City requests that you participate in the meeting from home by watching the meeting via the [PVVT Facebook page](#) and/or providing public comments by e-mail or telephone. If you are in the group of individuals who are at high-risk for severe illness from COVID-19, including those over the age of 65 and those with underlying health conditions, please consider participating in the meeting from home.

The City of Blythe thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.



**CITY OF BLYTHE  
CITY COUNCIL MEETING  
August 25, 2020  
5:00pm**

**CALL TO ORDER**

**ROLL CALL**

Mayor Reynolds	Interim City Manager/City Clerk Crecelius
Vice Mayor Egan	City Attorney Bettenhausen
Councilman DeConinck	City Treasurer/Finance Director Elms
Councilman Rodriguez	Interim Police Chief Coe
Councilman Halby	Public Works Director Baldizzone

**PUBLIC COMMENT:** Public comments will be allowed on matters not appearing on the agenda, but within Council/Successor Agency's jurisdiction. Speakers are asked to identify themselves by stating their name and address for the record. Comments shall be limited to 3 minutes in duration.

**CLOSED SESSION:**

1. **LABOR NEGOTIATIONS**, Pursuant to Government Code Section 54957.6, Agency representative: Mallory Crecelius, Employee Organizations: All Units.
2. **Public Employment**, Title: Fire Chief pursuant to Cal. Gov't Code 54957.

**NOTE TO THE PUBLIC:**

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact City Clerk Mallory Crecelius at (760)922-6161 EXT. 1237. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.104 ADA Title II).



**Meeting of  
The Blythe City Council  
August 25, 2020  
6:00pm**

**CALL TO ORDER**

**ROLL CALL**

Mayor Reynolds  
Vice Mayor Egan  
Councilman DeConinck  
Councilman Rodriguez  
Councilman Halby

Interim City Manager/City Clerk Crecelius  
City Treasurer/Finance Director Elms  
Police Chief Coe  
Chief Building Official Brown  
Deputy City Attorney Roberto

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ADDED STARTER**

The City Council may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the City Council and/or staff subsequent to the posting of the Agenda. An action adding an item to the Agenda requires a 2/3 vote of the City Council (4 of 5 Council Members). If less than 2/3 of the City Council is present, adding an item to the Agenda requires a unanimous vote.

**REPORT FROM CLOSED SESSION:**

**CONSENT CALENDAR-** (Items 1-5)

All matters listed under Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time of voting on the motion unless members of the Council or staff request specific items be discussed and/or removed from the Consent Calendar for separate action.

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, August 21, 2020.

2. **Approval of the Warrant Register.**

Recommendation: Approve **08/25/2020**, warrants numbered 72149 through 72212 in the amount of \$604,376.98; **08/25/2020**, warrants numbered 72231 through 72230 in the amount of \$1,626.74 and **08/25/2020**, warrants numbered 72231 through 72240 in the amount of \$20,758.15.

3. **Approval of the Payroll Register.**

Recommendation: Approve **8/25/2020**, warrants numbered 51833 through 51846 and Direct Deposits numbered 48266 through 48319 in the amount of \$214,357.63.

4. **Minutes of the August 11, 2020 City Council Meeting.**

Recommendation: Approve the Minutes of the August 11, 2020 meeting.

5. **Side Letters to the Clerical, Laborers', Mid-Management and Sworn MOU's.**

Recommendation: Adopt Side Letter Agreements between the City and the Clerical Unit, Laborer's Union, Mid-Management Unit and Sworn Unit.

Any writings or documents provided to a majority of the City Council regarding any item on this Agenda will be made available for Public inspection in the City Clerk's Office at City Hall, 235 N. Broadway, Blythe, California during normal business hours. In addition such writings and documents will be posted on the City's website: [www.cityofblythe.ca.gov](http://www.cityofblythe.ca.gov).

**PUBLIC HEARING:** (Item 6)

**6. Cannabis Dispensary License conditionally issued to HAH, 1, LLC.**

Recommendation: Subsequent to the Public Hearing, determine if the provisional cannabis dispensary license issued to HAH 1, LLC on March 13, 2018 should be revoked. If the License is not revoked, it is recommended Council direct staff to prepare an agreement with Have A Heart memorializing the terms of a project extension.

**NEW BUSINESS:** (Item 7)

**7. Request to waive Project Review Committee fees- Sheltering Wings.**

Recommendation: Provide direction to staff.

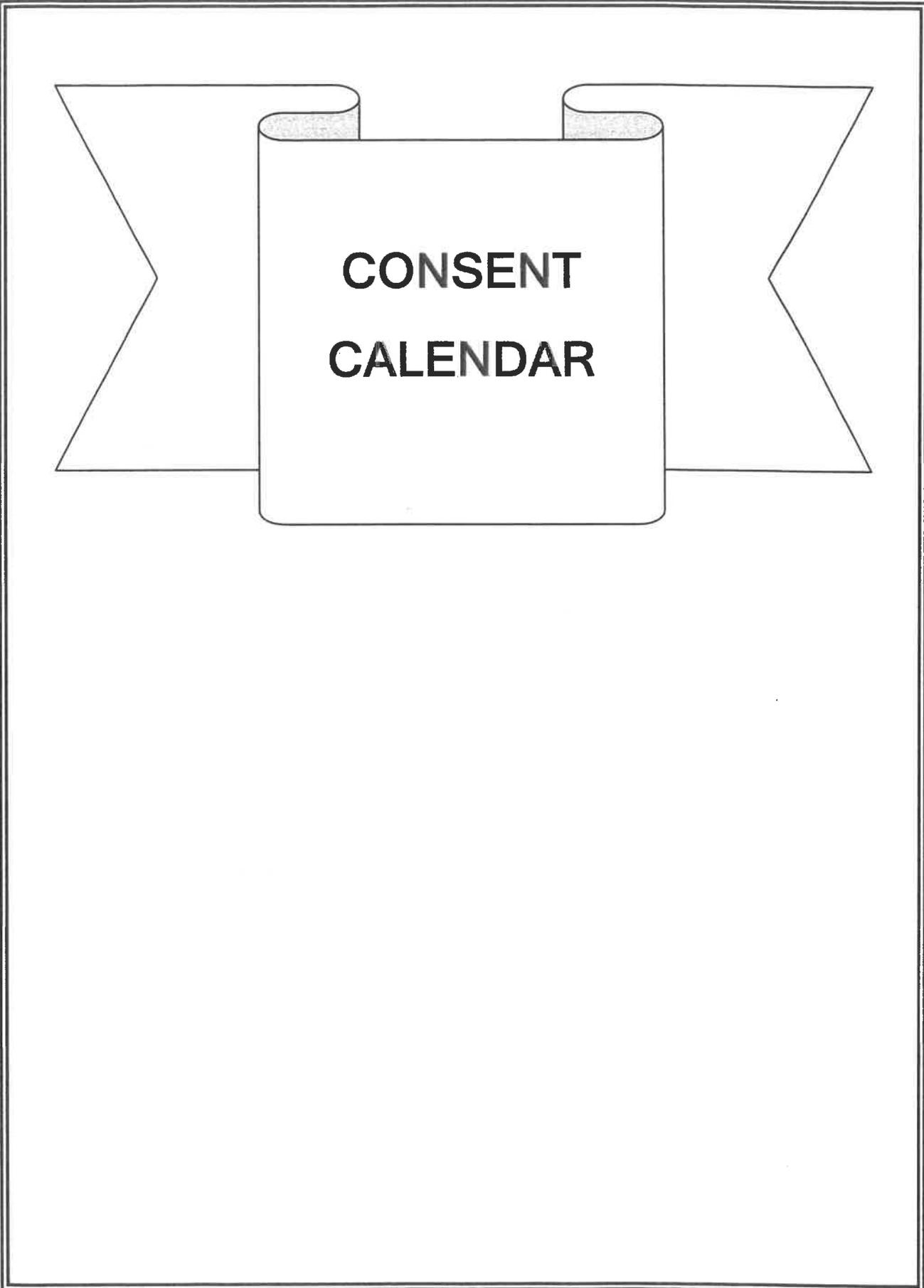
**ORAL REPORTS** (Council may ask a question for clarification, make a brief announcement, make a brief report on his/her own activities, request staff to report back at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.)

**PUBLIC COMMENT** Public comments will be allowed on matters not appearing on the agenda, but within Council/Blythe Successor Agency jurisdiction. Speakers are asked to identify themselves by stating their name and address for the record. Comments shall be limited to 3 minutes in duration.

**ADJOURNMENT** The next meeting will be held on September 8, 2020 at 6:00 p.m. in the Council Chamber, 235 N. Broadway, Blythe, California.

**NOTE TO THE PUBLIC:**

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact ADA Coordinator Mallory Creelius at (760) 922-6161 EXT. 1237 or by email at msutterfield@cityofblythe.ca.gov. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.104 ADA Title II).



**CONSENT  
CALENDAR**





Voucher List  
City of Blythe

Voucher	Date	Vendor	Bank code :	Invoice	PO #	Description/Account	Amount
72165	8/25/2020	007560	union	007560 AMAZON CAPITAL SERVICES, INC			
				(Continued)			
72166	8/25/2020	006873		001451434465 ARAMARK UNIFORM & CAREER	012989	UNIFORM SERVICE/MATS & TOWELS	254.47
				001451446769	012989	UNIFORM SERVICE/MATS & TOWELS	253.60
						<b>Total :</b>	<b>508.07</b>
72167	8/25/2020	005899		005899 ASAP CHECKS, FORMS & SUPPLIES	013096	CHECK STOCK - AP/PAYROLL	190.22
						<b>Total :</b>	<b>190.22</b>
72168	8/25/2020	003687		003687 BLANKS/USA	012986	BILLING STOCK	683.17
						<b>Total :</b>	<b>683.17</b>
72169	8/25/2020	002023		002023 BLYTHE FREEWAY TOWING & REPAIR	013043	REPAIR/MAINTENANCE SERVICES	720.13
					013088	REPAIR/MAINTENANCE SERVICES	84.71
					013088	REPAIR/MAINTENANCE SERVICES	136.60
						<b>Total :</b>	<b>941.44</b>
72170	8/25/2020	000048		000048 BURTRONICS BUSINESS SYSTEMS	013138	MAINT CONTRACT #24867-02 5/11-8/10/	255.89
						<b>Total :</b>	<b>255.89</b>
72171	8/25/2020	005998		005998 CA BLDG STANDARDS COMMISSION		SB1473 - GREEN FEES	261.90
						<b>Total :</b>	<b>261.90</b>
72172	8/25/2020	006368		006368 CHANDRA HOSPITALITY LLC	013139	ECONOMIC DEVELOPMENT INCENTIVE	13,173.35
						<b>Total :</b>	<b>13,173.35</b>
72173	8/25/2020	000896		000896 CITY OF BLYTHE		GOVERNMENT RETAINER - SB1473 GR	29.10
						GOVERNMENT RETAINER - STRONG M	22.20
						<b>Total :</b>	<b>51.30</b>
72174	8/25/2020	000667		000667 CITY OF BLYTHE:WATER UTILITIES	013140	COLLECTION ACCOUNTS	101.23
					013140	COLLECTION ACCOUNTS	84.27
					013097	WATER/SEWER BILLING - CITY FACILIT	4,057.07
						<b>Total :</b>	<b>4,242.57</b>
72175	8/25/2020	001086		001086 COPA INC	013001	FUEL - CITY VEHICLES/FIRE DEPT	121.68
					013001	FUEL - CITY VEHICLES/STREET DEPT	56.42
					013001	FUEL - CITY VEHICLES/SEWER DEPT	156.44





Bank code :	union	Date	Vendor	Invoice	PO #	Description/Account	Amount
72195	001460	8/25/2020	LAWSON PRODUCTS INC	(Continued)			1,439.17
72196	007369	8/25/2020	MJ3 INC	7	013093	BLOOD DRAWS/ON CALL FEES	1,175.00
						<b>Total :</b>	<b>1,175.00</b>
72197	007421	8/25/2020	MUNITEMPS STAFFING	129809	013146	INTERIM STAFFING/PW DIRECTOR - O.	8,000.00
						<b>Total :</b>	<b>8,000.00</b>
72198	002871	8/25/2020	NELSON, JON KEVIN	7/2020	012882	INSPECTION SERVICES 7/2020	3,697.50
						<b>Total :</b>	<b>3,697.50</b>
72199	001675	8/25/2020	OWSLEY, NOEL R.	07-20-003 08-20-002		GENERAL ENGINEERING SERVICES	2,650.00
						GENERAL ENGINEERING SERVICES	2,650.00
						<b>Total :</b>	<b>5,300.00</b>
72200	000216	8/25/2020	RAMSEY TOWING	14150	013100	AVA TOWING SERVICES	1,800.00
						<b>Total :</b>	<b>1,800.00</b>
72201	005981	8/25/2020	ROAD RUNNER SANITARY	135431 135565	013115 013115	SUPPLIES	245.96
						SUPPLIES	43.46
						<b>Total :</b>	<b>289.42</b>
72202	004289	8/25/2020	SOUTHERN CA ASSOCIATION OF	2020/21	013148	FY 2020/21 DUES	1,720.80
						<b>Total :</b>	<b>1,720.80</b>
72203	006110	8/25/2020	SOUTHWEST NETWORKS, INC	20-50365C 20-7048 20-7503	013156 013157 013157	ANNUAL BILLING - GUARDIANIT PREMI	52,848.00
						GUARDIAN IT - REPAIRS/MAINTENANC	498.75
						SERVICE CONTRACT ADDITION/PD	600.00
						COMPUTER EQUIPMENT	290.93
						OFFICE 365 BUSINESS PREMIUM	135.00
						<b>Total :</b>	<b>54,372.68</b>
72204	003392	8/25/2020	SPRINT	248009810-152 248009810-153	013167 013167	WIRELESS SERVICE/PD 6/15-7/14/2020	59.96
						WIRELESS SERVICE/PD 7/15-8/14/2020	59.96
						<b>Total :</b>	<b>119.92</b>
72205	001136	8/25/2020	STANDAGE TIRE & AUTOMOTIVE	192069 192214	012994 012994	TIRE SERVICE/SUPPLIES	27.16
						TIRE SERVICE/SUPPLIES	909.43



Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
72211	8/25/2020	000991 USA BLUEBOOK	(Continued) 318764 320254	012979 012979	PARTS/SUPPLIES PARTS/SUPPLIES	180.59 38.08 <b>1,700.79</b>
72212	8/25/2020	005011 WILLDDAN FINANCIAL SERVICES	010-45302	013164	PROFESSIONAL SERVICES - ANNUAL I	8,610.94 <b>8,610.94</b>
<b>64 Vouchers for bank code : union</b>						<b>604,376.98</b>
<b>64 Vouchers in this report</b>						<b>604,376.98</b>

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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CLAIMS VOUCHER APPROVAL

WE, THE UNDERSIGNED OFFICERS OF THE CITY OF BLYTHE, CA DO  
 HEREBY CERTIFY THAT THE WARRANTS NUMBERED 72149-72212  
 ARE HEREBY APPROVED IN THE AMOUNT OF \$604,376.98  
 ON THIS 25th DAY OF AUGUST, 2020.

\_\_\_\_\_  
DIRECTOR OF FINANCE

CHRISTA ELMS

\_\_\_\_\_  
MAYOR

DALE REYNOLDS

\_\_\_\_\_  
VICE-MAYOR

ERIC EGAN

\_\_\_\_\_  
COUNCILMAN

JOSEPH DECONINCK

\_\_\_\_\_  
COUNCILMAN

JOSEPH HALBY

\_\_\_\_\_  
COUNCILMAN

JOHNNY RODRIGUEZ





Bank code :	union	Date	Vendor	Invoice	PO #	Description/Account	Amount
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CLAIMS VOUCHER APPROVAL

WE, THE UNDERSIGNED OFFICERS OF THE CITY OF BLYTHE, CA DO HEREBY CERTIFY THAT THE UTILITY BILLING REFUND WARRANTS NUMBERED 72213-72230 ARE HEREBY APPROVED IN THE AMOUNT OF \$1,628.74 ON THIS 25th DAY OF AUGUST, 2020.

\_\_\_\_\_  
DIRECTOR OF FINANCE

CHRISTA ELMS

\_\_\_\_\_  
MAYOR

DALE REYNOLDS

\_\_\_\_\_  
VICE-MAYOR

ERIC EGAN

\_\_\_\_\_  
COUNCILMAN

JOSEPH DECONINCK

\_\_\_\_\_  
COUNCILMAN

JOSEPH HALBY

\_\_\_\_\_  
COUNCILMAN

JOHNNY RODRIGUEZ

Bank code :	Union	Date	Vendor	Invoice	PO #	Description/Account	Amount
72231		8/25/2020	002023 BLYTHE FREEWAY TOWING & REPAIR	8654	012814	REPAIR/MAINTENANCE SERVICES	404.62
						<b>Total :</b>	<b>404.62</b>
72232		8/25/2020	005603 CR&R INCORPORATED	0099613	013117	DISPOSAL SERVICES/PW 4/1-4/30/2020	573.74
				0100423	013117	DISPOSAL SERVICES/PW 5/1-5/31/2020	1,190.61
				0101330	013117	FINANCE CHARGE 6/1-6/30/2020	8.61
						<b>Total :</b>	<b>1,772.96</b>
72233		8/25/2020	003378 EMPIRE SOUTHWEST	EPWK0485082	012848	REPAIR/MAINTENANCE SERVICES	1,558.77
						<b>Total :</b>	<b>1,558.77</b>
72234		8/25/2020	000064 EMPLOYMENT DEVELOPMENT DEPT	L0426606304	013101	EMPLOYMENT TAX PERIOD 4/1/2020-6/	4,140.00
						<b>Total :</b>	<b>4,140.00</b>
72235		8/25/2020	006122 GREENSHINE NEW ENERGY, LLC	GS20200703CB	012787	SOLAR STREET LIGHTING EQUIPMENT	6,463.12
						<b>Total :</b>	<b>6,463.12</b>
72236		8/25/2020	003183 HARRINGTON IND PLASTICS INC	012K4766	012648	REPAIR/MAINTENANCE SUPPLIES	2,761.24
						<b>Total :</b>	<b>2,761.24</b>
72237		8/25/2020	006591 INFOSEND, INC	175536	013102	WATER QUALITY REPORTS/MAIL SER	2,045.33
						<b>Total :</b>	<b>2,045.33</b>
72238		8/25/2020	003377 KIMBALL-MIDWEST	7991166	012792	PARTS/SUPPLIES	446.30
						<b>Total :</b>	<b>446.30</b>
72239		8/25/2020	000224 RIVERSIDE CNTY WASTE MGMNT	202004000385	013103	LANDFILL FEES - APRIL 2020	560.52
				202005000385	013103	LANDFILL FEES - MAY 2020	133.85
				202006000385	013103	LANDFILL FEES - JUNE 2020	455.60
						<b>Total :</b>	<b>1,149.97</b>
72240		8/25/2020	005981 ROAD RUNNER SANITARY	134278	012825	SUPPLIES	15.84
						<b>Total :</b>	<b>15.84</b>
						<b>Bank total :</b>	<b>20,758.15</b>
						<b>Total vouchers in this report</b>	<b>20,758.15</b>

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
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Bank code : union

CLAIMS VOUCHER APPROVAL

WE, THE UNDERSIGNED OFFICERS OF THE CITY OF BLYTHE, CA DO  
 HEREBY CERTIFY THAT THE WARRANTS NUMBERED 72231-72240  
 ARE HEREBY APPROVED IN THE AMOUNT OF \$20,758.15  
 ON THIS 28th DAY OF AUGUST, 2020.

\_\_\_\_\_  
DIRECTOR OF FINANCE

CHRISTA ELMS

\_\_\_\_\_  
MAYOR

DALE REYNOLDS

\_\_\_\_\_  
VICE-MAYOR

ERIC EGAN

\_\_\_\_\_  
COUNCILMAN

JOSEPH DECONINCK

\_\_\_\_\_  
COUNCILMAN

JOSEPH HALBY

\_\_\_\_\_  
COUNCILMAN

JOHNNY RODRIGUEZ

CITY OF BLYTHE

PAYROLL LISTING

Pay period 07/24/2020 to 08/06/2020

Payday 08/14/2020

We the undersigned officers of the City of Blythe, CA, do hereby certify that Warrants numbered 51833 to 51846 and Direct Deposits numbered 48266 to 48319 are hereby approved in the amount of \$214,357.63 this 25<sup>th</sup> day of August 2020.

  
Director of Finance

\_\_\_\_\_  
Mayor Reynolds

\_\_\_\_\_  
Vice Mayor Egan

\_\_\_\_\_  
Councilman De Coninck

\_\_\_\_\_  
Councilman Rodriguez

\_\_\_\_\_  
Councilman Halby

**Minutes of the Blythe City Council Meeting  
August 11, 2020**

The August 11, 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 Council Members DeConinck, Rodriguez and Halby. Vice Mayor Egan participated via teleconference. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer Elms, Police Chief Coe, Chief Building Official Brown and Deputy City Attorney Roberto.

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

**REPORT FROM CLOSED SESSION:**

Deputy City Attorney Roberto stated there was nothing to report.

**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.*

**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, August 7, 2020.

**2. Approval of the Warrant Register.**

Recommendation: Approve **08/11/2020**, warrants numbered 71979 through in the amount of \$458,326.99; **08/11/2020**, warrants numbered 72041 through 72087 in the amount of \$1,999,411.38; **08/11/2020**, Utility Billing Refund warrants numbered 72088 through 72098 in the amount of \$992.51; **08/11/2020**, warrants numbered 72099 through 72100 in the amount of \$386.00; **08/11/2020**, warrants numbered 72101 through 72110 in the amount of \$13,946.20; **08/11/2020**, warrants numbered 72111 through 72121 in the amount of \$17,510.00 and **08/11/2020**, warrants numbered 72122 through 72148 in the amount of \$67,695.42.

**3. Approval of the Payroll Register.**

Recommendation: Approve **8/11/2020**, warrants numbered 51797 through 51809 and Direct Deposits numbered 48047 through 48106 in the amount of \$222,790.65; **08/11/2020**, warrants numbered 51810 through 51815 in the amount of \$1,729.55; **08/11/2020**, warrants numbered 51816 through 51825 and Direct Deposits numbered 48107 through 48159 in the amount of \$189,472.76; **08/11/2020**, warrants numbered 51826 through 51827 in the amount of \$2,409.61 and **8/11/2020**, warrants numbered 51828 through 51832 and Direct Deposits numbered 48160 through 48265 in the amount of \$82,613.17.

**4. Minutes of the July 14, 2020 City Council Meeting.**

Recommendation: Approve the Minutes of the July 14, 2020 meeting.

**5. City of Blythe Permits issued for the Month of July 2020.**

Recommendation: Receive and file this monthly report.

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

Recommendation: Receive and file this monthly report.

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

Recommendation: Receive and file this monthly report.

**8. Addendum to the Third Amendment and Restatement of the CVAG JPA.**

Recommendation: Authorize and approve the Mayor to execute the addendum to the Third Amendment and Restatement of the CVAG Joint Powers Agreement which establishes the Torres Martinez Desert Cahuilla Indians as formal members

**9. Biennial Review of the Conflict of Interest Code.**

Recommendation: Adopt Resolution No. 2020-038, directing the review of the Conflict of Interest Code for designated employees and Elected Officials.

***RESOLUTION NO. 2020-038. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DIRECTING THE REVIEW OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES AND OFFICIALS.***

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

**PUBLIC HEARING:**

**Notice of Exemption- UKPE Development, LLC** Interim City Manager Crecelius stated UPKE Development, LLC proposes to develop an indoor cannabis cultivation facility on a 0.36 acre parcel located at 360 S. Solano in Blythe. The proposed site is zoned General Commercial which allows for cannabis development. The project includes construction of a 4,000 sq. ft. warehouse building 20 feet high, divided into three rooms. The project site is level with little vegetation and no existing structures. Based upon review of the CEQA Guidelines, the City has determined that the proposed project qualifies for an Urban Infill Exemption from CEQA as it meets each of the five criteria set forth in the CEQA Guidelines, section 15332:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The Site has no value as habitat for endangered, rare, or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water supply.
- (e) The Site can be adequately served by all required utilities and public services.

Therefore, it is recommended after the Public Hearing Council adopt a Notice of Exemption for the UKPE Development, LLC indoor cultivation project and direct staff to file the Notice of Exemption with the County Clerk.

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

**Initial Study and Negative Declaration for the West Valley Commercial Property General Plan Amendment and Zone Change.** Interim City Manager Crecelius stated the proposed West Valley Commercial Property involves three parcels totaling approximately 182 acres located in western Blythe, bound on the north by Riverside Avenue, on the south by Hobsonway, on the west by Neighbors Boulevard, and on the east by Arrowhead Boulevard. The City's General Plan and zoning land use classification for these three parcels is currently designated Agriculture. The parcels have been in continual agricultural production since at least 1948. The applicants have proposed a General Plan Amendment and rezone to the General Commercial designation with a goal to attract new commercial development in this location although there are no proposed development plans at this time. As the Lead Agency under the California Environmental Quality Act, the City of Blythe had determined that an Initial Study and Negative Declaration is adequate documentation to satisfy CEQA requirements for this project, because the proposed project could not have a significant impact on the environment. The IS/ND 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 IS/ND evaluates the proposed projects' potential effects on the following resources topics: Aesthetics, Agricultural resources, Air Quality and Greenhouse Gas, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population

and Housing, Public Services, Recreation, Transportation and Circulation, Tribal Cultural Resources and Utilities and Service Systems. The results of the Initial Study conclude that all potential impacts are less than significant. The Initial Study meets the requirements of the CEQA Statute and Guidelines, and the City of Blythe Guidelines for the Implementation of CEQA. Prior to approving the project, the City Council shall consider the proposed Negative Declaration together with any comments received during the public review process. The Environmental Review Process commenced July 1, 2020 and closed July 31, 2020 without comment. Therefore, after the public hearing it is recommended Council adopt Resolution No. 2020-034 approving the Initial Study and Negative Declaration prepared for General Plan Amendment 1901-001 and Zone Change 2008-001 and Adopt Resolution No. 2020-035 for General Plan Amendment No. 1901-001 and conduct the first reading by title only, waiving further reading of Ordinance No. 902-20 for Zone Change 2008-001.

Mayor Reynolds opened the public hearing.

Public Comment. Kenny Kalian of 149 Heflin Dr. stated I am across the street and never received any information. We have a lot of commercial land and empty buildings. I don't know what they have proposed; but I don't want to give a free ticket to change lands when we already have a lot of commercial land in this area. We don't need to take up farmland for commercial buildings.

John Osborne stated 157 of the 182 acres is under contract for a cannabis project, pending the zone change being approved. They do not want to move forward until the zoning is approved.

Councilman Halby asked why it states there is no proposed development if there is. Mr. Osborne said there isn't any development as they won't move forward unless this is approved.

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 Ordinance No. 902-20 into the record.

***RESOLUTION NO. 2020-034. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 1901-001 AND ZONE CHANGE 2008-001.***

***RESOLUTION NO. 2020-035. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING THE GENERAL PLAN LAND USE DESIGNATION FROM A (AGRICULTURE) TO C-G (GENERAL COMMERCIAL) FOR 182 ACRES LOCATED IN WESTERN BLYTHE.***

***ORDINANCE NO. 902-20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE APPROVING ZONE CHANGE 2008-001 BEING A CHANGE OF ZONE FROM A (AGRICULTURE) TO C-G (GENERAL COMMERCIAL) FOR THE 182± ACRE WEST VALLEY COMMERCIAL PROPERTY.***

**Initial Study and Negative Declaration for the Realty Investment Team General Plan Amendment and Zone Change.** Interim City Manager Crecelius stated The proposed Realty Investments project involves three parcels totaling approximately 20 acres located in eastern Blythe, bound on the north by Chanslorway, on the south by the extension of East Barnard Street, on the west by an agricultural field, and on the east by Intake Boulevard. The City's General Plan and zoning land use classification for these three parcels is currently designated Planned Development. The parcels have been in continual agricultural production since at least the 1950's. There is an existing house on the .87 acre parcel in the northwest corner of the project site and an existing storage shed on the 2.89 acre parcel located in the northeast corner of the project site. The applicant has proposed a General Plan Amendment and rezone to the General Commercial designation with a goal to attract new commercial development in this location. As the Lead Agency under the California Environmental Quality Act the City of Blythe had determined that an Initial Study and Negative Declaration is adequate documentation to satisfy CEQA

requirements for this project, because the proposed project could not have a significant impact on the environment. The IS/ND 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 IS/ND evaluates the proposed projects' potential effects on the following resources topics: Aesthetics, Agricultural resources, Air Quality and Greenhouse Gas, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Circulation, Tribal Cultural Resources and Utilities and Service Systems. The results of the Initial Study conclude that all potential impacts are less than significant. The Initial Study meets the requirements of the CEQA Statute and Guidelines, and the City of Blythe Guidelines for the Implementation of CEQA. Prior to approving the project, the City Council shall consider the proposed Negative Declaration together with any comments received during the public review. The Environmental Review Process commenced July 1, 2020 and closed July 31, 2020 without comment. Therefore, after the public hearing it is recommended Council adopt Resolution No. 2020-036 approving the Initial Study and Negative Declaration prepared for General Plan Amendment 2008-001 and Zone Change 1910-001, Resolution No. 2020-037 for General Plan Amendment 2008-001 and conduct the first reading by title only, waiving further reading of Ordinance No. 903-20 for Zone Change 1910-001.

Mayor Reynolds opened the Public Hearing.

Lindsay Holt of The Holt Group stated it is true both notices of determination state there are no proposed development plans for the property. Technically, there would have to be something submitted to the City for the environmental document to take that into consideration. As there were no development plans considered in the environmental documentation, once plans are submitted another environmental review will take place. To be a project under CEQA, it has to be submitted to the City.

Councilman Rodriguez moved approval of staff's recommendation. The motion was seconded by Vice Mayor Egan with a unanimous aye vote. City Clerk Crecelius read the title of Ordinance 903-20 into the record.

***RESOLUTION NO. 2020-036. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT 2008-001 AND ZONE CHANGE 1910-001.***

***RESOLUTION NO. 2020-037. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE AMENDING THE GENERAL PLAN LAND USE DESIGNATION FROM P-D (PLANNED DEVELOPMENT) TO C-G (GENERAL COMMERCIAL) FOR 20 ACRES LOCATED IN EASTERN BLYTHE.***

***ORDINANCE NO. 903-20. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE APPROVING ZONE CHANGE 1910-001 BEING A CHANGE OF ZONE FROM P-D (PLANNED DEVELOPMENT) TO C-G (GENERAL COMMERCIAL) FOR THE 20± ACRE REALTY INVESTMENT TEAM PROPERTY.***

**Cannabis Dispensary License Conditionally issued to HAH 1, LLC.** Interim City Manager Crecelius stated HAH 1, LLC applied for a commercial cannabis dispensary license in November 2017. A dispensary license was awarded to HAH 1, LLC by the City Council on March 13, 2018. The license was issued with the provision that a Certificate of Occupancy be obtained before the cannabis license would be issued. HAH 1, LLC started the development process for their proposed dispensary in 2018, shortly after they were issued the provisional license. In July 2019 HAH 1, LLC was issued building permits to construct a dispensary at 1894 E. Hobsonway. Construction commenced soon thereafter. In January 2020 an inspection for the site was conducted by the City's Building Official. When the City inspector arrived for a re-inspection in February, nobody was on site and the project looked to be abandoned. The building permit issued in 2019 has since expired. No requests to extend the permit have been made by HAH 1, LLC. Over the past six months the site has become a dumping ground for debris and vehicles, and a place

for the homeless to congregate. The building was left unsecured and is a regular call for service for police and code enforcement. City officials have made contact with agents for HAH 1, LLC and the construction company hired by HAH 1, LLC to inquire about the status and state of the property. In May, staff learned of a possible merger between HAH 1, LLC and Harvest Health and Recreation, Inc. At that time, staff was assured by an attorney representing HAH 1, LLC that no ownership interest in HAH 1, LLC had been transferred and stated "HAH 1, LLC continues its efforts to complete the buildout of the Blythe Dispensary". At the time of that correspondence, the HAH 1, LLC site had been vacant for 5 months. On August 5<sup>th</sup>, a crew arrived on site to clear some of the debris, remove a travel trailer left on site and board up the building. On or around July 23, 2020 a letter was mailed to the applicant and posted on site notifying HAH 1, LLC of this hearing. A Public Hearing Notice was also published in the Palo Verde Times on July 29, 2020. Due to the length of time HAH 1, LLC has had to obtain their Cannabis Dispensary License, compiled with the state of their construction site and the lack of progress made to develop their dispensary to obtain the necessary Certificate of Occupancy over the past eight months, it is recommended Council revoke the provisional cannabis license issued to HAH 1, LLC.

Public Comment. Ryan Kunkel, owner of 1894 E. Hobsonway apologized for the lack of communication and halt at that location. We did go through a merger. I am not here to offer excuses, but as of last Saturday a crew was sent down to clean and secure the property. We can have it completed in 3-6 months. I ask for a temporary timeframe of 3-6 months to try to get it open.

Councilman DeConinck asked for some guarantees.

Ryan Kunkel stated I am \$1.3 million into the project. We tore down the building when we probably didn't have to. I made poor choices in architects. I own the property outright and prefer to have a store there so the guarantee is mine. Previously I had a company to back me, today I stand before you financed by myself. Its more meaningful because it's me and my money and my property.

Interim City Manager asked him to elaborate on the merger and that he retains 100% ownership in this dispensary. Ryan Kunkel stated during the merger I kept my operation in Hawaii, San Bernardino, Blythe along with Iowa and my 5 stores in Washington.

Councilman DeConinck asked him why the project hasn't moved forward. Mr. Kunkel stated we went through a Merger on March 8<sup>th</sup>, negotiations for which started last summer. People involved in development with the company de-prioritized the construction of the Blythe store to open other stores. I am currently in litigation over some of these damages. There are several properties I owned that were de-prioritized. I was able to get them back and that is where we are at today. I believe there have been attempts to contact me, but they have all gone to my previous company. I should have reached out, but things were murky and I didn't know where I stood legally until recently. I believe I can get it open in short order. There was an outstanding bill with the contractor I made whole today.

Councilman Rodriguez would like to see more guarantees in writing to ensure what you are saying is correct. I would like to table this decision.

Councilman Halby stated if we are going to table this, I would recommend having another Council meeting in two weeks. The clock starts now if you want 3-6 months. I personally tired to reach out to you via Instagram last year, there was no response. The fact that you have not communicated with the City whatsoever is unacceptable.

Interim City Manager Crecelius stated two weeks from tonight is August 25<sup>th</sup>. Even if you choose to continue the hearing, I would recommend taking public comment tonight from anyone wishing to speak on this matter. I have one written public comment to read into the record.

Mayor Reynolds stated you have had the building permit since of July 2019. I have an issue with you not communicating with us. Here we are a year and a month later and we are at this point. I don't have an issue continuing the decision, but you need to give us guarantees before we give you an extension.

Councilman Halby asked for their status with CalTrans. Mr. Kunkel reported they built a new retaining wall and brand-new sidewalks.

Councilman DeConink stated I brought the CalTrans issues to your attention. He asked the City Attorney if there was a way to bond the project.

Councilman Halby stated I get it, sometimes we spread ourselves too thin. We want to see this project done and the quickest way now is to let you finish. The ball is in your court.

Councilman DeConinck stated we have other people waiting in line. We only gave two of these out.

Vice Mayor Egan wants this permanently on the agenda to review his progress. What can he tell us is going to happen in the next 30, 60, 90 days and if nothing happens, we can vote to rescind this. Give us a timeline. We want to see something happening, and progress on the site.

Ryan Kunkel stated a timeline could be prepared by Friday.

Chief Building Official Brown stated Mr. Kunkel would need to stop by Development Services to fill out paperwork to address his expired building permit.

City Clerk Crecelius read a written statement received by the Law Offices of Omar Figueroa on behalf of their Client Tavis Pollock. The letter states Mr. Pollock applied for one of the available dispensary licenses, and currently operates a cannabis distribution and manufacturing business in Blythe. It is their position the City would be best served by the revocation of the conditional license issued by Have a Heart and urge council to adopt staff's recommendation. They list the reasons outlined in the staff report. The explicable abandonment of the site and general lack of transparency by the owner illustrate Have A Heart has been disingenuous with the City. Council should be aware of the seller's agreement between Have a Heart and Core Competencies which lists Blythe as an asset. Mr. Kunkel has been named in a lawsuit and Blythe is not alone if suffering Have A Heart's charade. Other sites have been abandoned. Even if Have A Heart's intent is to complete the project, their financial ability to do so is called into question with their on-going legal problems and ability to pay leases in other areas. The City should not have to chase down Have A Heart. We believe Ryan Kunkel submitted an application to Blythe for a project he never intended to complete. His only intention was to win licenses and to sell off for a profit. His intentions to benefit himself and not the City is not good business and should not be rewarded.

Travis Pollock, owner of Flora Holding at 332 S. Lovekin stated it is blatant that Have A Heart has never had any plans of operating here. With the history of disregarding their projects in other communities and re-selling their operations multiple times further demonstrates they have no intention to operate here. I was the first operator to complete the local and state licensing in the City of Blythe and ranked second behind Have a Heart to be recommended for a retail license. It has not been easy with a manufacturing and distribution. A retail license would greatly help my business. I believe it has been shown it's in the best interest of the community to revoke the license, but when making the decision also keep in mind the operators who have been and have been supporting the City.

Leslie Jessop-Watkins of 117 E. Hobsonway stated there were many concerns with this vendor in the beginning and whether he should be awarded a license. Now those concerns have come to fruition in our community. I drive by that site between 4-6 time per day. I have personally called code enforcement when

it has been unsecured. I have seen homeless in there. The fact that we have gotten to this point to provoke change is the foundation of what you have to come with this provider. Please go back and reminisce about what you thought before and the concerns you had because they have come full circle and will only get worse.

Kim Kelly of 245 N. Main St. stated as someone who has invested in Blythe, I think it is outlandish to single out this building owner as he is working on it, it in comparison to all of the other blighted buildings. 90% of residents won't do anything. They will not clean up their weeds, do any repairs or anything to improve their property. As they have their building  $\frac{3}{4}$  of the way done we should look at the bright side and be proud and welcome someone with experience. I believe giving them the time to finish would be the best bet.

Tiffany with the Law Offices Omar Figueroa made further public comment based on the letter submitted and previously read into the record.

The Public Hearing was continued to the next City Council meeting on August 25, 2020 at 6pm.

#### **NEW BUSINESS:**

**Census 2020.** Interim City Manager Crecelius stated as of yesterday, the City had a response rate of 48.2%. All responses to the 2020 Census must be received by September 30<sup>th</sup>. As we are hoping for a complete and accurate county of the City, we have a little over half the population that still needs to be counted. A complete count is necessary to ensure our community receives our fair share of federal dollars allocated based on Census data. It is also important to have accurate population data to attract and retain businesses and services important to our citizens. When trying to get new businesses to Blythe they always want population data. If half of our residents are not counted, that's very bad for us and our economic development. We have been struggling to get the information out due to Covid. To respond, please visit [2020census.gov](https://2020census.gov).

No public comment. The item was received and filed.

**Petition to Attract a Walmart Store to Blythe.** Mayor Reynolds stated I have approached the City Manager with an idea to be a little more aggressive in getting a big box store. We are starting with Walmart. In 2017 I went to Bentonville Arkansas and met with some of their staff. I understand we are in a pandemic and this may be premature; but what I have in mind is starting a petition. We will be asking people to support our request to Walmart once again. I am tired of hearing thanks for your information and we will get back to you. We need to take a more aggressive approach. I give kudos to the stores that have stepped up and tried to fill the gap, but they are limited on shelf space. Whether I am re-elected or not, this must continue. I am here to help and will do whatever I can for the best opportunity for my community.

Councilman Halby stated people say stores like Halby's don't want Walmart. That is not true. We want Walmart, bring them on. There may have been other business owners against it, but it wasn't the Halby family.

Michelle VanDyke of 14271 W. Riverside Dr. thinks it's a great idea, but am concerned about what happened before. We were ready to issue permits and the lawsuit happened.

Vice Mayor Egan stated we need to have a goal of 20,000 signatures or more or we don't send it in. If we send in anything less than 20,000, we are going to reaffirm our decision to now come here.

The item was received and filed.

**ORAL REPORTS:** None

**PUBLIC COMMENT:**

Larry Williams of 1200 Wells Rd. stated for the past few weeks I have been going around getting people to register to vote. Everyone was talking about Walmart. I asked them what they think about Blythe. Do you feel safe, do the police bother you, do you have peace of mind? They all stated they feel safe, but the one thing we need is a Walmart. We live in the best city in America. When you look at all the chaos going on and defunding police, we don't want to defund police here. We want to fund the police. We need to let people know how unique Blythe is. We should change the name of Blythe to Serenity which means peace of mind. There is not one person in this town that does not have peace of mind when they leave their house. Serenity will tell the whole world what type of town this is. We need to promote Walmart to come here.

Ronnie Hasler provided an update on the Fairgrounds. We are working tirelessly to keep it going.

**ADJOURN:** The City Council meeting was adjourned at 7:23pm.

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Dale Reynolds, Mayor

**ATTEST:**

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Mallory Crecelius, City Clerk



**CITY OF BLYTHE  
CITY COUNCIL MEETING**

**STAFF REPORT**

**MEETING DATE:** August 25, 2020

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**SUBJECT:** Adoption of a Side Letter to the Clerical, Laborers', Mid-Management and Sworn Unit's MOU for FY 2019/20.

**PRESENTED BY:** Mallory Crecelius, Interim City Manager

**PREPARED BY:** Mallory Crecelius, Interim City Manager

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**RECOMMENDATION:** It is recommended Council adopt the attached Side Letter Agreements between the City and the Clerical Unit, Laborers' Union, Mid-Management Unit and Sworn Unit.

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**FISCAL IMPACT:** None.

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**BACKGROUND:** During the FY 2019/20 contract negotiations all Units and the City agreed to the addition of a floating holiday. The floating holiday was to be used in the during the fiscal year and was non-accruable.

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**STAFF REPORT:** Due to Covid-19, some city employees were unable to use their floating holiday. As management denied certain time off requests to ensure appropriate staffing levels during the pandemic, it was only fair to extend the time frame for use of the floating holiday. The expiration date of the FY 19/20 floating holiday was June 30, 2020. That date has been extended to December 31, 2020. This affects 10 employees in 4 of the 6 bargaining units. These employees will have until December 31<sup>st</sup> to use their FY 19/20 floating holiday. If it is not used by that date, it will expire. Going forward, all floating holidays will be used or lost each fiscal year.

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**ATTACHMENTS:**

1. Side Letter Agreements

**SIDE LETTER AGREEMENT  
TO THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF BLYTHE AND CLERICAL/PARA  
PROFESIONAL/RECREATION UNIT**

**WHEREAS**, the City of Blythe ("City") and members of the Clerical/Para Professional/Recreation Unit entered into a Memorandum of Understanding ("MOU") on August 13, 2019 for the period of July 1, 2019 through June 30, 2020;

**WHEREAS**, Since adoption of the MOU there was a need for the City and the Unit to engage in a meet and confer negotiation regarding an extension to the use of the floating holiday.

**WHEREAS**, the MOU provides that the floating holiday is non-accruable and must be used by June 30<sup>th</sup> of each fiscal year; and

**WHEREAS**, the parties have met and conferred and reached an agreement to extend the date in which the FY 2019/20 Floating Holiday may be used.

**NOW, THEREFORE, THE PARTIES** do hereby agree as follows:

- FY 19/20 Floating Holiday:** The time in which to use the FY 19/20 Floating Holiday has been extended from June 30, 2020 to December 31, 2020.

This agreement is subject to ratification by the membership of the Clerical/Para Professional/Recreation Unit and adoption by the Blythe City Council.

**PARTIES TO THE AGREEMENT**

**CITY OF BLYTHE**

**UNIT REPRESENTATIVES**

\_\_\_\_\_  
Mallory Crecelius,                      Date

\_\_\_\_\_  
Cynthia Butler                      Date

\_\_\_\_\_  
Jennifer Aguilar                      Date

**SIDE LETTER AGREEMENT  
TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF BLYTHE AND THE LABORERS INTERNATIONAL UNION**

**WHEREAS**, the City of Blythe ("City") and members of the Laborers' International Union of North America, Local 1184 entered into a Memorandum of Understanding ("MOU") on August 13, 2019 for the period of July 1, 2019 through June 30, 2020;

**WHEREAS**, since adoption of the MOU, there was a need for the City and the Union to engage in a meet and confer negotiation regarding an extension to use the floating holiday.

**WHEREAS**, the MOU provides that the floating holiday is non-accruable and must be used by June 30<sup>th</sup> of each fiscal year; and

**WHEREAS**, the parties have met and conferred and reached an agreement to extend the date in which the FY 2019/20 Floating Holiday may be used.

**NOW, THEREFORE, THE PARTIES** do hereby agree as follows:

- FY 19/20 Floating Holiday:** The time in which to use the FY 19/20 Floating Holiday has been extended from June 30, 2020 to December 31, 2020.

This agreement is subject to ratification by the membership of the Laborers' Union and adoption by the Blythe City Council.

**PARTIES TO THE AGREEMENT**

**CITY OF BLYTHE**

**UNIT REPRESENTATIVES**

\_\_\_\_\_  
Mallory Crecelius,                      Date

\_\_\_\_\_  
Mauricio Andrade                      Date

\_\_\_\_\_  
Steve Foley                              Date

**SIDE LETTER AGREEMENT  
TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF BLYTHE AND THE MID-MANAGEMENT UNIT**

**WHEREAS**, the City of Blythe ("City") and members of the Mid-Management Unit entered into a Memorandum of Understanding ("MOU") on October 8, 2019 for the period of July 1, 2019 through June 30, 2020;

**WHEREAS**, since adoption of the MOU, there was a need for the City and the Mid-Management Unit to engage in a meet and confer negotiation regarding an extension to use the floating holiday.

**WHEREAS**, the MOU provides that the floating holiday is non-accruable and must be used by June 30<sup>th</sup> of each fiscal year; and

**WHEREAS**, the parties have met and conferred and reached an agreement to extend the date in which the FY 2019/20 Floating Holiday may be used.

**NOW, THEREFORE, THE PARTIES** do hereby agree as follows:

- 1. FY 19/20 Floating Holiday:** The time in which to use the FY 19/20 Floating Holiday has been extended from June 30, 2020 to December 31, 2020.

This agreement is subject to ratification by the membership of the Mid-Management Unit and adoption by the Blythe City Council.

**PARTIES TO THE AGREEMENT**

**CITY OF BLYTHE**

**UNIT REPRESENTATIVES**

\_\_\_\_\_  
Mallory Crecelius,                      Date

\_\_\_\_\_  
Jason Brown                              Date

\_\_\_\_\_  
Phillip Hamblen                              Date

**SIDE LETTER AGREEMENT  
TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CITY OF BLYTHE AND THE SWORN UNIT**

**WHEREAS**, the City of Blythe ("City") and members of the Sworn Unit entered into a Memorandum of Understanding ("MOU") on August 13, 2019 for the period of July 1, 2019 through June 30, 2020;

**WHEREAS**, since adoption of the MOU, there was a need for the City and the Sworn Unit to engage in a meet and confer negotiation regarding an extension for the use of the floating holiday.

**WHEREAS**, the MOU provides that the floating holiday is non-accruable and must be used by June 30<sup>th</sup> each fiscal year; and

**WHEREAS**, the parties have met and conferred and reached an agreement to extend the date in which the FY 2019/20 Floating Holiday may be used.

**NOW, THEREFORE, THE PARTIES** do hereby agree as follows:

- 1. FY 19/20 Floating Holiday:** The time in which to use the FY 19/20 Floating Holiday has been extended from June 30, 2020 to December 31, 2020.

This agreement is subject to ratification by the membership of the Sworn Unit and adoption by the Blythe City Council.

**PARTIES TO THE AGREEMENT**

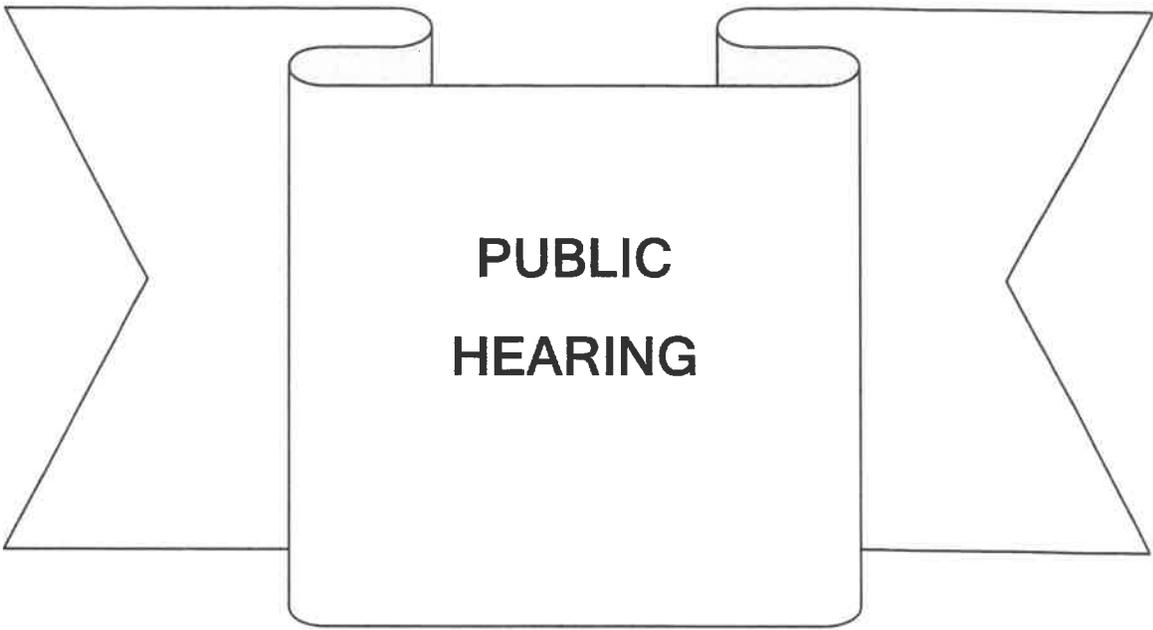
**CITY OF BLYTHE**

**UNIT REPRESENTATIVES**

\_\_\_\_\_  
Mallory Crecelius,                      Date

\_\_\_\_\_  
Wayne Mogg                              Date

\_\_\_\_\_  
Robert Jakobsen                      Date

A graphic for a public hearing. It features a central rectangular box with rounded corners containing the text "PUBLIC HEARING". This box is flanked by two stylized banners that appear to be part of a larger scroll or ribbon structure. The banners have a pointed right side and a horizontal left side. The entire graphic is enclosed within a double-line rectangular border.

**PUBLIC  
HEARING**



**CITY OF BLYTHE  
CITY COUNCIL MEETING**

**STAFF REPORT**

**MEETING DATE:** March 24, 2020

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**SUBJECT:** Cannabis Dispensary License conditionally issued to HAH 1, LLC

**PRESENTED BY:** Mallory Crecelius, Interim City Manager

**PREPARED BY:** Mallory Crecelius, Interim City Manager

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**RECOMMENDATION:** Subsequent to the Public Hearing, Council determine if the provisional Cannabis Dispensary License issued to HAH 1, LLC on March 13, 2018 should be revoked. If the License is not revoked, it is recommended Council direct staff to prepare an Agreement memorializing the terms of an extension.

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**FISCAL IMPACT:** Potential loss of cannabis revenue from one of the two available dispensary licenses in the City not being utilized.

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**BACKGROUND:** HAH 1, LLC applied for a commercial cannabis dispensary license in November 2017. At that time 8 applications were submitted for the two available dispensary licenses. A dispensary license was awarded to HAH 1, LLC by the City Council on March 13, 2018. The license was issued with the provision that a Certificate of Occupancy be obtained before the cannabis license would be issued for the business.

On August 11, 2020 Council held a public hearing to determine if the provisional license issued to Have a Heart should be revoked. At the meeting, the owner of the project Mr. Ryan Kunkel assured staff he was ready to continue to project. He estimated 3-6 months to complete the buildout.

Council continued the Public Hearing to August 25, 2020.

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**STAFF REPORT:** At the meeting staff asked Mr. Kunkel to renew his expired building permit and provide written confirmation that he was in fact the owner of the project/property. Council asked Mr. Kunkel to provide a timeline for project completion. Councilman DeConinck asked about a bond for the project should Mr. Kunkel fail to complete the project in a timely fashion.

Since the August 11<sup>th</sup> meeting, Mr. Kunkel has provided a Secretary of State filing for HAH 1, LLC which lists Mr. Ryan Kunkel as Manager/Member of the LLC. The filing was made on August 22, 2019. Mr. Kunkel provided State Cannabis Licensing information which states Ryan Kunkel is the controlling manager of 1894 E. Hobsonway. Also provided was the HAH 1 LLC Limited Liability Company Agreement. These documents have been reviewed by staff and the City Attorney and seem to fulfill the request to show the ownership interest in the provisional Dispensary Licenses issued to Have a Heart for 1894 E. Hobsonway.

Attached to the staff report is the timeframe for completion of the project. The amount of time needed to complete the buildout is three months and two weeks. Due to Covid 19 restrictions by

third party vendors and subcontracts and a permit needed from Caltrans, it could possibly take up to 6 months to complete the project.

At the August 11<sup>th</sup> meeting Councilman DeConinck asked about bonding the project should the developer fail to complete it. The City Attorney has researched the issue and found no way to place a bond on the construction. She does however recommend the developer place a deposit with the City to recover any work spent by the City on this project. Items to be billed to the deposit would include the time spent to prepare these public hearings, city attorney time and public noticing costs. Staff would recommend a deposit of \$10,000.

Should Council continue this discussion, or allow Mr. Kunkel more time to finish the project it is recommended Council direct staff and the City Attorney to prepare an agreement memorializing the terms Mr. Kunkel must meet or risk revocation of his provisional license.

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**ATTACHMENTS:**

1. Pending Work at Have A Heart Dispensary

**La Rocca Builders, Inc.**

Email: [la.roccabuilders.inclll@gmail.com](mailto:la.roccabuilders.inclll@gmail.com)

Phone: 323-627-7984

A Notice of Cancellation may be sent to La Rocca Builders, Inc., at the following address:

1894 Hobson Way, Blythe, California, 92225

California Contractor's License No. 934161

**PENDING WORK AT HAVE A HEART DISPENSARY**

**NEW CONSTRUCTION:**

- 1) GRADING COMPLETED:
- 2) TRENCHING COMPLETED:
- 3) REBAR COMPLETED:
- 4) CONCRETE FOUNDATION COMPLETED:
- 5) FRAMING COMPLETED:
- 6) ROOFING COMPLETED:
- 7) ELECTRICAL COMPLETED:
- 8) PLUMBING COMPLETED:
- 9) AC DUCTING & UNIT INSTALLATION COMPLETED:
- 10) WINDOWS & STOREFRONT & INTERIOR DOORS:
  - a. Will commence immediately. Anticipating it will take two weeks.
- 11) INSULATION:
  - a. Will commence upon passing all rough electrical and rough plumbing. Anticipate installation taking three days.

12) DRYWALL:

- a. Hanging Drywall will commence once insulation inspection is passed. Anticipating it will take one week.

13) STUCCO:

- a. Apply scratch cement and brown coat to the exterior of the building. Anticipating it will take two weeks.
- b. Upon brown coat curing, stucco will be applied. Anticipating this process will take one week.

14) DRYWALL FINISH:

- a. Upon drywall inspection passing, plaster all interior and apply smooth finish on walls. Anticipating it will take two weeks.

15) INDOOR PAINTING:

- a. Indoor painting of building will commence and should be completed within one week.

16) FLOORING:

- a. Install all flooring as indicated by plans. Anticipating it will take two weeks.

17) SALES DISPLAYS INSTALLATION:

- a. Install all sales displays, kitchen cabinets, office shelves, desks and vanities. Anticipating it will take one week.

18) COUNTER TOPS INSTALLATION:

- a. Install all counter tops. Anticipating it will take one week.

19) ELECTRICAL FINISH/PLUMBING FINISH:

- a. Install all electrical and plumbing finishes. Anticipating it will take one week.

\*\*\*\*\*NOTE: TOTAL AMOUNT OF TIME TO COMPLETE BUILDING IS THREE MONTHS TWO WEEKS AND 3 DAYS.

THE FOLLOWING WORK WILL CONCURRENTLY TAKE PLACE WHILE WORKING  
ON THE INTERIOR OF THE BUILDING

20) PARKING LOT GRADING:

- a. Level and compact all dirt as indicated by the plans. Anticipating it will take one week.

21) CONCRETE FORMATIONS:

- a. Form all planters, walkways, parking lot divisions, sewer drains, and concrete pour. Anticipating it will take 2 weeks.

22) ASPHALT INSTALLATION:

- a. Install all asphalt on parking lot as indicated on plans. Anticipating it will take two weeks.

23) CURBSIDE IMPROVEMENTS & CONCRETE POUR:

- a. Pour sidewalk concrete once Caltrans approves permit. Anticipating it will take two weeks.

24) LANDSCAPING:

- a. Install all landscaping as indicated on plans. Anticipating it will take three weeks

\*\*\*\*\*NOTE: TOTAL AMOUNT OF TIME TO COMPLETE EXTERIOR WOULD  
NORMALLY TAKE 2 MONTHS AND ONE WEEK.

\*\*\*\*\*HOWEVER, DUE TO COVID 19 RESTRICTIONS BY THIRD PARTY VENDORS AND  
SUBCONTRACTORS IN ADDITION TO A CALTRANS REQUEST FOR A SECONDARY  
PERMIT FOR CURBSIDE IMPROVEMENTS, COMPLETION COULD POSSIBLY TAKE  
ANOTHER 3 MONTHS FOR A TOTAL OF 6 MONTHS.



**NEW BUSINESS**



**CITY OF BLYTHE  
CITY COUNCIL MEETING**

**STAFF REPORT**

**MEETING DATE:** August 11, 2020

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**SUBJECT:** Request to waive Project Review Committee fees- Sheltering Wings

**PRESENTED BY:** Mallory Crecelius, Interim City Manager

**PREPARED BY:** Mallory Crecelius, Interim City Manager

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**RECOMMENDATION:** Council provide direction to staff.

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**FISCAL IMPACT:** The fee for the requested PRC is \$500. This fee is based on the staff time necessary to process the request and subsequent project conditions.

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**BACKGROUND:** Sheltering Wings Corporation is a non-profit organization serving adults with developmental disabilities. They currently operate their supported employment, thrift store, warehouse, lawn crew, janitorial service, and administration at 1445 W. Hobsonway. They were provided with an opportunity to move their operation next door, into a portion of the former Kmart building.

Staff received a request from Sheltering Wings Corporation asking for the PRC review fee of \$500 to be waived for their project.

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**STAFF REPORT:** Any reduction or waiver of fees must be approved by the City Council. Although City staff supports this organization and their activities in the community, staff is not generally in favor of waiving fees.

The fee schedule was adopted by Council to recover the cost to provide services that benefit individuals vs. the community as a whole. At \$500, the City is subsidizing the cost of PRC review by 47%.

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**ATTACHMENTS:**

1. **Written request submitted by Sheltering Wings**

# Sheltering Wings Corporation

P.O. Box 565 • Blythe, CA 92226

August 13, 2020

City of Blythe  
Mallory Crecelius, Manager  
235 N. Broadway  
Blythe, Ca 92225

Re: Sheltering Wings Tenant Improvement Project  
1455 W. Hobsonway (formerly Kmart building)

Hello Mallory!

Thank you for meeting with us this morning to establish the city's basic requirements for our project. Attached herein is our application for PRC with a preliminary drawing of the internal layout. Our description of our use of the space is:

Sheltering Wings Corporation serves adults with developmental disabilities with two segments: supported employment and day program. We currently house our supported employment, thrift store, warehouse, lawn crew, janitorial service, and administration at 1445 W. Hobsonway at the rear of the former Kmart building. We have been given a rare opportunity to move this operation next door to the front northeast corner (approximately 10,000sqft) of the former KMart building plus a fenced/secure parking area in front of the building by the property owner, Fifth Street Funding, Inc. Our operations in this building would not change from our present use.

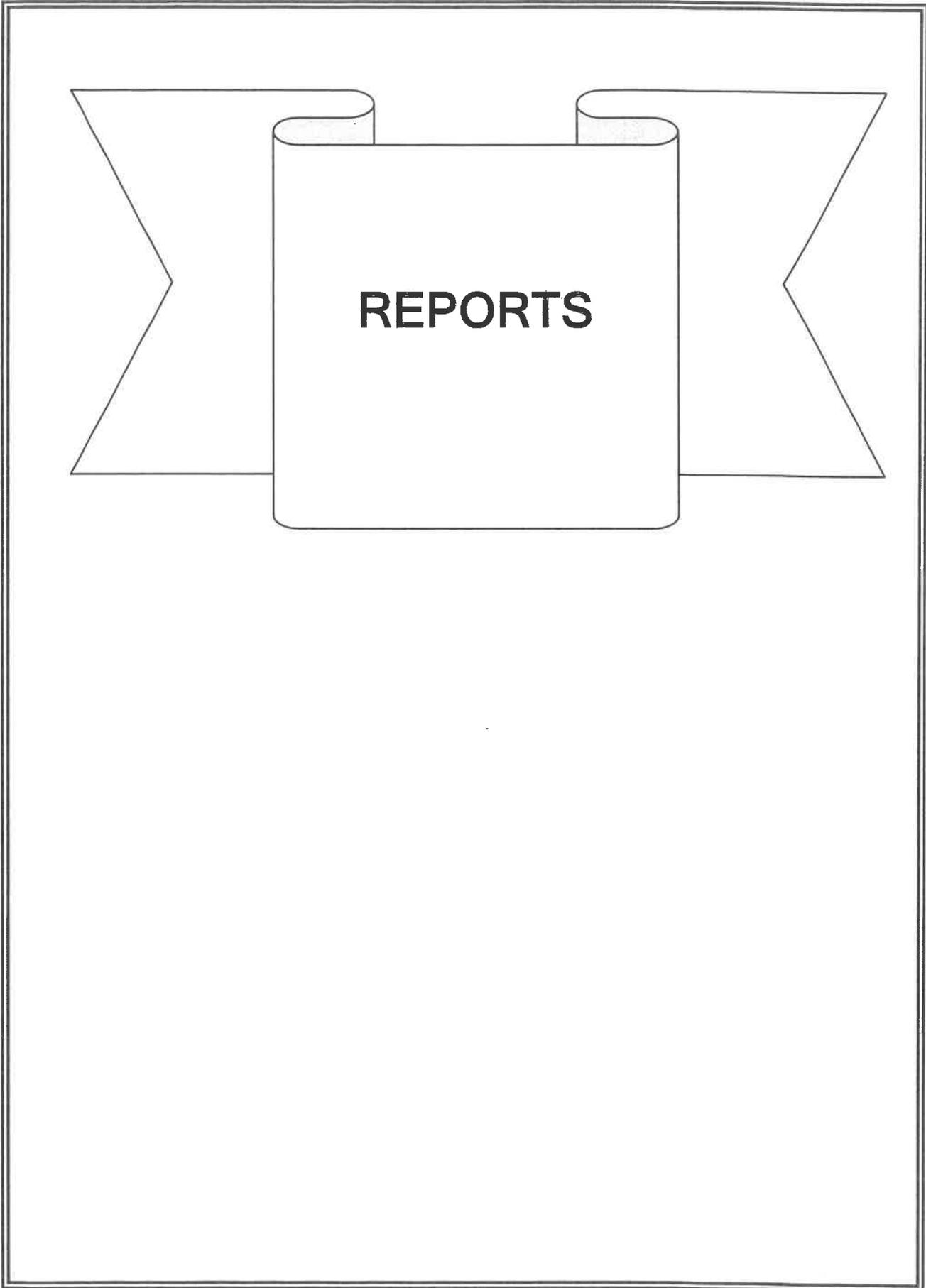
We are requesting a waiver of the PRC fees for this Tenant Improvement project for our non-profit organization. We would require a new address or for us to have the existing address and the remainder of the building to be re-addressed.

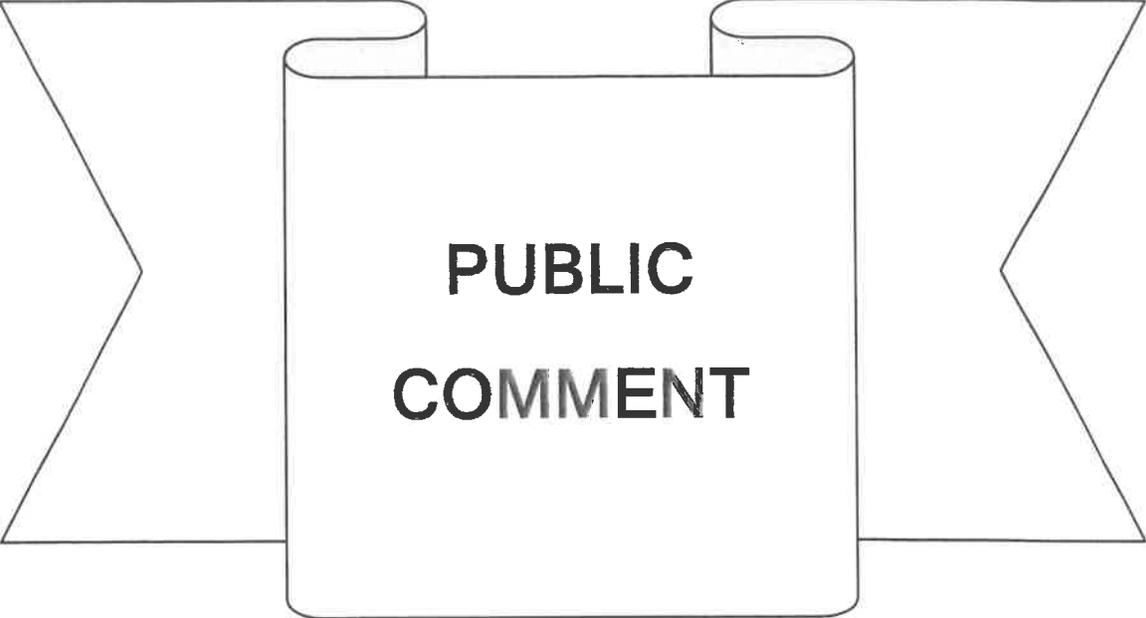
We appreciate the city's work toward the betterment of our community and look forward to our completion of this project.

Sincerely,

  
Leslie Jessop-Watkins,  
Secretary

Administration Office: 1445 West Hobsonway • 760-922-3139 • Fax 760-922-6630  
Vocational Rehabilitation: 1445 West Hobsonway • 760-922-3139 • Fax 760-922-6630  
Supported Employment: 1445 West Hobsonway • 760-922-3139 • Fax 760-922-6630  
Adult Day Program: 1503 East Hobsonway • 760-922-0399 • Fax 760-922-0306  
Thrift Store: 1445 West Hobsonway • 760-922-9327



A graphic consisting of a central rectangular box with rounded corners, containing the text "PUBLIC COMMENT". This box is flanked by two large, stylized arrowheads pointing towards each other, which together form a shape resembling a banner or a scroll. The entire graphic is enclosed within a double-line rectangular border.

**PUBLIC  
COMMENT**



**ADJOURN**