

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

The January 12, 2021 meeting of the Blythe City Council was called to order at 6:00pm in the Council Chambers by Vice Mayor DeConinck. Also in attendance were Vice Mayor DeConinck and Council Members Rodriguez, Halby and Burton. Mayor Reynolds participated via teleconference. 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 Vice Mayor DeConinck. The Invocation was offered by Councilman Burton.

Vice Mayor DeConinck asked for a moment of silence for Dr. Pagliniwan who recently passed away. He did a lot of good for the town. I had a lot of respect for him and we are going to miss him.

REPORT FROM CLOSED SESSION: City Attorney Roberto stated Council discussed the item 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.*

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, January 8, 2021.

2. Approval of the Warrant Register.

Recommendation: Approve **1/12/2021**, Utility Billing Refund warrants numbered 72657 through 72670 in the amount of \$1,199.34; **1/12/2021**, warrants numbered 72671 through 72735 in the amount of \$704,731.20; **1/12/2021**, warrants numbered 72736 through 72777 in the amount of \$47,132.86 and **1/12/2021**, warrants numbered 72778 through 72803 in the amount of \$34,444.45.

3. Approval of the Payroll Register.

Recommendation: Approve **1/12/2021**, warrants numbered 52052 through 52075 in the amount of \$116,156.74; **1/12/2021**, warrants numbered 52076 through 52089 and Direct Deposits numbered 49185 through 49241 in the amount of \$228,352.74; **1/12/2021**, warrants numbered 52090 through 52100 and Direct Deposits numbered 49242 through 49296 in the amount of \$196,925.49 and **1/12/2021**, warrants numbered 52101 through 52106 and Direct Deposits numbered 49297 through 49400 in the amount of \$74,636.31.

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

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

5. Minutes of the December 22, 2020 Special City Council Meeting.

Recommendation: Approve the Minutes of the December 22, 2020 Special Meeting.

6. City of Blythe Permits issued for the Month of December 2020.

Recommendation: Receive and file this monthly report.

7. City of Blythe Fire Department Monthly Activity Report for December 2020.

Recommendation: Receive and file this monthly report.

8. City of Blythe Police Department Monthly Activity Report for December 2020.

- Recommendation: Receive and file this monthly report.
9. **Investment Report- Second Quarter FY 2020/21.**
Recommendation: Receive and file the quarterly investment report.
10. **Repair of Aeration Lines of Biolac System- Wastewater Treatment Plant.**
Recommendation: Approve the issuance of a purchase order in the amount of \$40,880.00 to R.E. Hoover for the cost to repair aeration lines in the Biolac system at the Wastewater Treatment Plant.
11. **Purchase of Patrol Vehicles.**
Recommendation: Authorize the Interim City Manager to issue Purchase Order(s) in an amount not to exceed \$100,211.00 for the purchase of two Ford Police Interceptor vehicles for the Blythe Police Department.
12. **Patrol Vehicle Replacement.**
Recommendation: Authorize the purchase of one (1) replacement patrol vehicle in the amount of \$50,105.20, of which \$43,435.47 will be reimbursed by insurance.
13. **Lease Agreement- Sewer Lift Odor Scrubbers.**
Recommendation: Authorize the Interim City Manager to sign a three-year lease agreement with Syneco Systems, inc. for Peacemaker Odor Scrubbers for Sewer Lift Stations #3, #5, #11, #13 and #14 in the amount of \$249,530.71, in substantially the form as attached and in such final form as approved by the City Attorney.
14. **Adoption of an MOU for the Management Unit.**
Recommendation: Adopt Resolution No. 2021-001, an addendum to the Management Unit's Memorandum of Understanding for the period of July 1, 2021 through June 30, 2021.
RESOLUTION NO. 2021-001. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING AN ADDENDUM TO THE MANAGEMENT UNIT'S MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021.
15. **Continuation of Local Emergency Resolution Due to COVID-19.**
Recommendation: Adopt Resolution No. 2021-002 extending the local emergency.
RESOLUTION NO. 2021-002. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DETERMINING THE NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 20, 2020 AND PREVIOUSLY CONTINUED ON MAY 12, 2020, JULY 14, 2020, SEPTEMBER 8, 2020 AND NOVEMBER 10, 2020.

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

CONTINUED BUSINESS:

Cannabis Dispensary License Conditionally Issued to HAH 1, LLC. Interim City Manager Crecelius stated on January 6th Mr. Kunkle provide a written report stating Caltrans is in receipt of the permit application and payment and should distribute a permit any day. The parking lot has been filled with fill dirt and graded in preparation for paving. Interior paint and exterior smooth stucco are complete. Edison is scheduled this week for permanent power installation.

No public comment. The item was received and filed.

NEW BUSINESS:

Committee Appointments. Interim City Manager Crecelius stated it is recommended the Mayor appoint members of the City Council to various city committees and establish and appoint a member and alternate to a 2+2+2+2 Committee. In 2019 an Economic Development Planning Brief was created for the City and Palo Verde Valley. The brief was presented at the 2019 Community Outlook Conference. The report provided several recommended actions, one of

which was to create a 2+2+2+2 Committee comprised of representatives of the City, School District, College and Hospital. The committee would include one elected member of each and the administrative chief of each to meet at least twice per year to discuss items of mutual concern. Staff believes it is time to implement this step, to have an open dialog between these agencies.

Mayor Reynolds made the following Committee Appointments:

Standing Committees:

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|---------------------------|------------------|------------------|
| Economic Development | Johnny Rodriguez | Sam Burton |
| Budget and Finance | Joseph Halby | Dale Reynolds |
| Parks and Recreation | Johnny Rodriguez | Joey DeConinck |
| Art in Public Places | Johnny Rodriguez | Dale Reynolds |
| Energy Development | Joey Deconinck | Johnny Rodriguez |
| Planning PRC | Joey Deconinck | Dale Reynolds |
| Palo Verde Transit Agency | Joseph Halby | Johnny Rodriguez |

Ad Hoc Committees:

| | | |
|--------------------|----------------|------------------|
| Mesa Bluffs | Joey DeConinck | Johnny Rodriguez |
| Blight Elimination | Joseph Halby | Johnny Rodriguez |
| Open Communication | Joey DeConinck | Johnny Rodriguez |
| 2+2+2+2 Committee | Joey DeConinck | Sam Burton |

Other Government Agency Meetings:

| | | |
|------------------------|------------------|------------------|
| MDAQMD | Joey DeConinck | Johnny Rodriguez |
| RCTC | Joey DeConinck | Johnny Rodriguez |
| League of CA Cities | Dale Reynolds | Joey DeConinck |
| CVAG | | |
| - Executive | Joey DeConinck | Dale Reynolds |
| - Transportation | Joey DeConinck | Sam Burton |
| - Environment & Energy | Joey DeConinck | Joseph Halby |
| -Homeless Committee | Johnny Rodriguez | Sam Burton |

No public comment.

Appeal of the Standard Separation form Off-site Uses for Cell Towers submitted on behalf of AT&T. Interim City Manager Crecelius stated staff received a request from Chris Doheny on behalf of AT&T to construct a new 75' Mono-palm cell site facility at 1006 North Broadway, a residentially zoned parcel. The Blythe Municipal Code states a tower cannot exceed 60' feet in height and requires the base of a tower to be a minimum of 300' feet from all property lines in residentially zoned lands. Project plans placed the tower 78 feet from N. Broadway and only 10 ten feet from the north property line. After the applicant was informed of these regulations, an amended project with a tower height of 60' with palm fronds slightly above 60' was submitted. The revised plan detailed a Lot Line Adjustment to enhance the size of the parcel. Although the Applicant has taken all actions available at the selected location, the project is unable to meet required separation from off-site uses. Per BMC section 17.47.080D, the applicant may appeal the City Council to reduce the standard separation from off-site uses to a minimum of one hundred twenty-five percent of the tower height if the goals of this section would be better served thereby. This would reduce the required 300-foot separation to 81.25 feet. The applicant proposed an off-site separation of 90-100 feet from the property line to the proposed tower and equipment once the Lot Line Adjustment has been approved and recorded.

Staff recommends Council approve the request to reduce the standard separation from off-site uses to a minimum of one hundred twenty-five percent of the tower height to enable AT&T to develop a new 65' mono-palm cell site at 1006 N. Broadway to correct a gap in service in this area.

Vice Mayor DeConinck asked if this would landlock a parcel in the back. It was reported no parcels would be landlock through this process. There will be a small driveway to that parcel in the back. We are required to comply with the subdivision map act which would not allow a parcel to be recorded without access.

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

Rejection of Bids- Acacia Street Rehabilitation Project. Interim City Manager Crecelius stated the Acacia Street Rehabilitation project consists of major reconstruction including grinding, removal and overlay of asphalt pavement on Acacia from Hobsonway to Barnard. After the bid opening, staff noticed irregularities in the bidding process. Staff believes rejecting all bids, reviewing project documents and re-advertising the project will result in more competitive bids for the City. Pursuant to the Public Contract Code and the Blythe Municipal Code, it is within Council's discretion to reject any and all bids received and provide direction to staff on future action, which may include abandoning the project, re-advertising for bids, or, by passage of a resolution by four-fifths (4/5) vote of the Council, declaring the project can be performed more economically by City employees. Staff is recommending Council reject all bids and direct staff to re-advertise the project. Once Council has rejected the bids, staff will prepare new bid documents, which will be distributed in accordance with the requirements of the Public Contract Code and Blythe Municipal Code and to all contractors who routinely work on street related projects in the City. After new bids are received and reviewed, staff will report to Council and ask for direction/award of the contract for this project.

Mayor Reynolds asked who would review the bids documents to ensure no more issues. Interim City Manager Crecelius said the plans will be sent to NRO Engineering for review. The City also contracts with former employee Kevin Nelson for inspection services during construction. He is also available to review the plans and submit comment to make sure the project is done the way the City had intended.

Vice Mayor DeConinck said the road will get done, but we need to watch our dollars to make things happen. Mr. Nelson has a lot of experience and will do us right.

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

Bolted Steel Water Tank Project. Interim City Manager Crecelius stated a 500,000 gallon water tank servicing Palo Verde College and Mesa Ranch was installed 20+ years ago. The tank has been repaired several times; the last of which was a significant leak repaired at the end of last year. Staff has concluded the tank has reached its useful life and should be replaced to maintain water utility operations in this area. Staff asked the Holt Group to prepare a project design the City may use to obtain bids for installation of a new bolted steel water tank. The Holt Group has extensive knowledge of this tank, and like tanks in the area. The design proposal will

be brought to Council for approval at a future meeting. Before The Holt Group can finish their proposal, they require a geotechnical report. As LandMark serves as the City's geotechnical consultant, they were asked to prepare a proposal for geotechnical investigation services for the proposed new bolted steel water tank to be located next to the existing water tank. Staff recommends Council authorize a purchase order to Landmark Consultants, Inc. in the amount of \$8,150 for Geotechnical Investigation Services for the proposed new bolted steel water tank and authorize the Interim City Manager to execute an agreement in substantial form to the attached once it has been reviewed and approved by the City Attorney.

Councilman Halby asked if we could get a better-quality tank this go around. Interim City Manager Crecelius stated we are going to work to ensure the tank is properly maintained which will extend its life. There have been issues with this tank for a long time. The tank was maintained and for some reason that maintenance was cut out of the budget by past public works directors. Former Public Works Director Baldizzone reimplemented the maintenance schedule which has been a band-aid. We are at the point now that we need a new tank.

Vice Mayor DeConinck stated the well was installed by the College and then given to the City. I believe the issues started after it was first built. Either the tank was not lined properly, or something was missed in construction. You are supposed to send divers in annually to look for issues.

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

Vice Mayor DeConinck asked Rob Holt to discuss welded vs. bolted tanks. Rob stated we have done some research and a welded tank is about double the cost of a bolted tank. In speaking with the Public Works Director in Quartzsite, they have bolted tanks performing past 20 years. They are diligent with their maintenance. I think at this time, it is in the City's best interest to go with a bolted tank and will make sure maintenance procedures are followed.

ORAL REPORTS:

PUBLIC COMMENT:

Angie Patel of the Comfort Suites of Blythe asked Council to waive the penalties assessed to the February TOT returns. We pay the February tax in March. Due to this we were under the impression February was waived. Then we got a letter from the City there was a penalty for that.

Councilman Halby stated we discussed this. You collect this tax from the people that stay in your hotel. That money should never be put into use, it should be set aside to pay the tax. We have gone over this. The shutdown didn't happen until March so you should have had the money set aside for February.

There was back and forth discussion between Councilman Halby and Mrs. Patel.

Vice Mayor DeConinck stated we have discussed this in past council meetings. We offered a lot of leeway and the timeframe to pay. If you did not pay, a penalty would be assessed.

Vice Mayor DeConinck would like the numbers to see how much we are talking about. Interim City Manager Crecelius stated the penalties are 10% once late and 20% if more than 30 days late. So, the penalties can be significant. However, staff told the motel owners in February that if they did not pay, they would be doing so at their own risk as the Council has not yet agreed to waive any fees or penalties. We had no direction to waive fees at that time and that was explained. We then had discussion at several Council meetings, and it was specifically expressed by Council that February should have been paid as the shutdown did not happen until March. This whole thing has pretty much been a nightmare for staff keeping track of who owes what. There were only about 5 hotels that took advantage of this.

James of Clarion Inn stated I am not trying to persuade you one way or another; but am here to explain how I feel. We did not pay February because in March we got up one morning to a shut down. I wasn't sure if the hotel was going to be open. We did not know where we were headed. Councilman Rodriguez understood why some of us didn't pay due to the uncertainty. We understood that March meant the payment due in March. We looked at it from a different angle.

Vice Mayor DeConinck stated we discussed this, we spent a lot of time on it and from what I recall what was due before COVID happened was due. That was what was discussed in a public meeting.

Councilman Halby stated I know we told them at the meeting to make sure they paid February.

ADJOURN: The City Council meeting was adjourned at 6:47pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk