

**Minutes of the Blythe City Council Meeting  
April 25, 2023**

The April 25, 2023 meeting of the Blythe City Council was called to order at 6:00pm in the Council Chambers by Mayor DeConinck. Also in attendance were Vice Mayor Rodriguez and Council Members Reynolds, Halby and Burton. Staff in attendance included: Interim City Manager and City Clerk Crecelius, City Attorney Roberto, Finance Director and City Treasurer Elms, Police Chief Dale, Fire Chief Hasler and Chief Building Official Brown.

The Pledge of Allegiance was led by Mayor DeConinck.

The Invocation was offered by Councilman Burton.

**REPORT FROM CLOSED SESSION:**

City Attorney Roberto stated there is no reportable action.

**PRESENTATION:**

**Presentation by the 2022-2023 Fair Ambassadors.** The Fair Ambassadors introduced themselves and reported on the 2023 Junior Livestock Auction.

**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, April 21, 2023.

**3. Approval of the Warrant Register.**

Recommendation: Approve **4/25/2023**, warrants numbered 10185 through 10187 and 76460 through 76515 in the amount of \$318,617.85; **4/25/2023** Utility Billing Refund warrants numbered 76516 through 76532 in the amount of \$2,897.28; **4/25/2023**, warrants numbered 10188 through 10213 and 76533 through 76576 in the amount of \$441,472.07; **4/25/2023**, warrants numbered 10214 through 10229 and 76577 through 76625 in the amount of \$399,572.64 and **4/25/2023**, Utility Billing Refund warrants numbered 76626 through 76639 in the amount of \$2,239.49.

**4. Approval of the Payroll Register.**

Recommendation: Approve **3/25/2023**, warrants numbered 53517 through 53536 and Direct Deposit warrants numbered 55408 through 55468 in the amount of \$260,967.70; **4/25/2023**, warrants numbered 53537 through 53555 and Direct Deposit warrants numbered 55469 through 55529 in the amount of \$257,444.58; **4/25/2023**, warrants numbered 53556 through 53557 in the amount of \$3,845.23; **4/25/2023**, warrants numbered 53558 to 53562 and Direct Deposit warrants numbered 55530 through 55628 in the amount of \$70,517.30; and **4/25/2023**, warrants numbered 53563 through 53581 and Direct Deposit warrants numbered 55629 through 55689 in the amount of \$262,433.58.

**5. Minutes of the March 14, 2023 City Council Meeting.**

Recommendation: Approve the Minutes of the March 14, 2023 Meeting.

**6. City of Blythe Permits Issued for the Month of March 2023.**

Recommendation: Receive and file this monthly report.

7. **City of Blythe Fire Department Monthly Activity Report for March 2023.**  
Recommendation: Receive and file the monthly report.
8. **City of Blythe Police Department Monthly Activity Report for March 2023.**  
Recommendation: Receive and file the monthly report.
9. **Quality of Life Program Activity Report for March 2023.**  
Recommendation: Receive and file the monthly report.
10. **Investment Report for Third Quarter FY 2022/23.**  
Recommendation: Accept and file the quarterly Investment Report.
11. **Acceptance of Donation- Edelweiss Sustainable Farms.**  
Recommendation: Accept donations from Edelweiss Sustainable Farms to be used by the Joe Wine Blythe Recreation Center.
12. **Acceptance of Work- Engevik Park Playground Improvement Project.**  
Recommendation: Accept the work performed by Ortco, Inc. for the installation of playground equipment at Engevik Park and authorize the Mayor and City Clerk to execute and file the Notice of Completion for the project. It is further recommended Council authorize the Interim City Manager to release retention payments once the Notice of Completion is recorded and release project bonds once appropriate.
13. **Grant Partnership between the City and WattEV.**  
Recommendation: Authorize the Interim City Manager to submit a grant for the Federal Highway Administration Notice of Funding Opportunity for FY 2022/23 for the U.S DOT Charging and Fueling Infrastructure Discretionary Grant Opportunity. It is further recommended Council authorize the Interim City Manager to execute any and all documents associated with the grant and grant application.
14. **Joint Use Agreement between the City and PVUSD.**  
Recommendation: Authorize the Interim City Manager to enter into a Joint Use Agreement between the City of Blythe and Palo Verde Unified School District.
15. **Purchase of Blythe Police Department Animal Control Vehicle.**  
Recommendation: Authorize the Interim City Manager to enter into an agreement with Finn Motor Group for the purchase of a new 2022 Dodge Ram 3500 Tradesman in the amount of \$72,5478.67.
16. **Ordinance No. 921-23 Amending Chapter 2.65 (Purchasing System) of the BMC to Outline Requirements to the Sale and Disposition of Surplus Property.**  
Recommendation: Adopt Ordinance No. 921-23.

*ORDINANCE NO. 921-23. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING CHAPTER 2.65 PURCHASING SYSTEM) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE BLYTHE MUNICIPAL CODE TO ADD A NEW SECTION 2.65.140 RELATING TO THE SALE AND DISPOSITION OF SURPLUS SUPPLIES AND EQUIPMENT AND FINDING THE ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).*

Councilman Reynolds asked to pull items 11 and 12 from the Consent Calendar.

No public comment. Councilman Reynolds moved approval of Consent Calendar items 1-10 and 12-16. The motion was seconded by Councilman Burton with a unanimous aye vote.

**Acceptance of Donation- Edelweiss Sustainable Farms.** Councilman Reynolds wanted more information on the donation and to publicly thank Edelweiss for the donation.

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

**Acceptance of Work- Engevik Park Playground Improvement Project.** Councilman Reynolds stated its nice to see it completed. Will there be any type of ceremony and asked about the name change.

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

#### **CONTINUED BUSINESS:**

**Save Chuck.** Interim City Manager Crecelius played the newest Save Chuck promotional video and provided an update on the Save Chuck Coalition, a meeting with the Governor's Legislative Secretary, and the progress of a follow up meeting to be scheduled with the Secretary of CDCR.

No public comment. The item was received and filed.

#### **NEW BUSINESS:**

**FY 2022/23 Budget Amendment and Third Quarter Financial Report.** Finance Director Elms stated the third quarter report is derived from a review of the City's financial activity during the first three quarters of the fiscal year. The review process provides the City with an opportunity to make any necessary amendments to its revenue and expenditure projections to better align budget to actuals. Today's review will focus mainly on the General Fund. At third quarter, the General Fund has recorded 61% of projected revenue and spent 75% of its adopted budget. Revenue estimates are developed prior to the start of the fiscal year and based on historical data, trends and actual receipts. Tax revenues make up the largest part of the General Fund's revenue. Sixty-one percent of the City's revenue is derived from taxes, including Measure K, VLF, Property Tax and Transient Occupancy Tax. Sales tax alone makes up thirty-three percent of the sixty-one percent. The third quarter review of actuals shows that these tax revenues are performing at or above budget projections. Based on timing of receipts, actuals in the third quarter are typically below 60% of projections, they are currently trending at 65%. Fiscal Year 2022 was the first full year since passing Measure K. Original assumptions expected Measure K to bring in a fraction of what was received from Bradley and Burns Sales Tax revenue. The City closed the 2022 year at \$3.7 million in Measure K revenue, almost double the Bradley Burns sales tax. With 42% of the distribution still outstanding, the forecast shows sales tax revenues should end the year on target. With two full years of data, Measure K's budget to actuals should begin to stabilize. Based on current trends, the City should experience another record year in TOT tax, making it the second largest tax source for the General Fund. As of March 2023, actual revenues received are at 104% of budget projections with 33% of the monthly reporting outstanding. This is the one tax charged to transient residents and not Blythe residents. Based on third quarter revenue, staff is recommending amendments to revenue estimates as identified in Exhibit A. The amendments will account for increases in the General Fund for TOT, franchise fees, grant funds and added revenue for service agreements. The amended General Fund Revenue Budget is proposed at \$14.6 million with a net increase of \$1.1 million. Operating expenditures should track close to 75% of the budget at third quarter. General Government expenditures trend above 75% due to timing of lump sum payments. Total year-end expenditures for all departments combined are anticipated to come under appropriations by a margin of 8%. As outlined in Exhibit A, staff is recommending amendments to appropriations in

the General Fund. The amended General Fund expenditure budget is proposed at \$12.4 million, with a net increase of \$533,000. Appropriations for operating transfers out are proposed to increase by \$130,000 from \$2.4 to \$2.5 million. No amendments are proposed for the water and sewer budget. It is recommended the Council receive and file the Third Quarter Report and adopt Resolution 2023-004 amending the FY 2022/23 budget as referenced in Exhibit A.

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

*RESOLUTION NO. 2023-004. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING THE OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2022-2023.*

**Partnership with Riverside County to Rehabilitate 6<sup>th</sup> Avenue.** Interim Public Works Director Hamblen stated Riverside County gave us three options to repave 6<sup>th</sup> Avenue. As you see in the exhibit, Alternative 1 is Defrain to the end of 6<sup>th</sup> Avenue at \$1.1 million. Alternative 2 is the center of Defrain with a cost of \$600,000. Alternative 3 includes the east end of 6<sup>th</sup> avenue with a cost of \$511,000. We own part of the road, and they own part of the road so they are asking if we would like to partner in the re-pavement. We have partnered with them in the past.

Interim City Manager Crecelius stated they are going to re-pave their portion of the road. To complete that street, we would need to partner with them. Due to the size of the project, we wanted Council to weigh in on this to determine if this was the priority. If we move forward with all three alternatives, its \$2 million, That will take most of next year's Measure A and SB 1 street funds. If there are other projects, they would be budgeted in the subsequent years.

Councilman Halby asked if we already had a plan for the streets, we were going to re-pave next year. Interim City Manager Crecelius stated no, we must do this now due to the timing of our MOE report that is due to RCTC. Through the budget process I was going to get your direction on what streets you would like to do next as all the projects that were designed have been completed. We still have Wells Street that is designed and funded, but we are waiting for some projects to develop there before we re-pave the street. The other design that is on the shelf but probably needs to be updated is Defrain. We need to pick out another few streets the Council would like to see repaved. The council has previously brought up Broadway from Juniper to Chanslorway. There is also 7<sup>th</sup> street, the area around the hospital is one area I would like to see repaved. There is Defrain, 14<sup>th</sup> Avenue, there are a lot of needs and not a lot of money. We have about \$2 million a year to spend on streets. What are your priorities? From here, during our budget study session we can outline the next priorities. The County is going to do their section rather we partner with them or not.

There was discussion amongst the Council related to which alternatives to move forward with.

Public comment. Rob Holt asked how deep are they going and what are they doing with the cracks? If you don't do it right, the cracks will come back.

Councilman DeConinck would like more information about the project. What are we getting for this kind of money?

Interim City Manager Crecelius stated if you don't like the County's plan the other option would be to do our section at a later date at a higher cost. A contract will come back to the Council. If we don't like something, we can negotiate with the County at that time.

Council discussed the costs of alternate 2 vs. alternate 3. It was determined there was an error in the math and would clarify costs with the County.

Interim City Manager Crecelius stated also included here is a small section of 10<sup>th</sup> avenue with the City's share just under \$60,000. We have the funding to do this pavement section along with whatever you decide on 6<sup>th</sup> Avenue. It sounds like you would like to move forward with this project if we can flush out some of the details. Can we go ahead and plug it in the MOE to submit to RCTC by May 1<sup>st</sup> , and at the May 9<sup>th</sup> meeting we will bring back the correct numbers and answer the questions about the type of project they are going to do? This assumes you want to do the whole project.

Councilman Reynolds stated we need to quit doing patchwork. If we are going to do it, let's do the whole thing and get it done.

Interim City Manager Crecelius stated if there is an error on the spreadsheet, that funding could be used to design a few other projects next year with them going out to bid the following year. Our projects are costing about \$1 million each. We can get projects ready and plug them into the budget the following year for construction.

Mayor DeConinck stated let's move forward as the Interim City Manger stated. We can make changes later if we need to.

Councilman Reynolds motioned that staff move forward with the project as presented. The motion was seconded by Councilman Burton with a unanimous aye vote.

**Abatement of 1203 E. Hobsonway.** Interim City Manager Crecelius stated The City has worked to have the property located at 1203 E. Hobsonway abated by the property owner since it was severely damaged in a fire. As the owner continuously failed to act, the City completed all thirteen steps necessary to turn this case over to the City Attorney's office to obtain an abatement warrant from the court which would allow the City to abate the property. Last week, the abatement warrant was granted, giving the City only fourteen days to abate the property. As the last abatement warrant took over a year to obtain, staff was not prepared to have this awarded and abated so quickly. With the help of R&L Watkins, who has been working on this project tirelessly since late last week, the City should be able to complete the cleanup with one minor time extension. The abatement should be completed under the City Manager's signing authority of \$60,000 but the City Manager will report back to Council with final costs once the project is completed. It is therefore recommended Council authorize the City Manager to take any and all actions necessary to abate 1203 E. Hobsonway including but not limited to entering into agreements and executing purchase orders for the project. All costs incurred by the City to abate this nuisance property will be placed as a lien against the property. Leslie, she jumped into this feet first, she worked through the weekend getting dumpsters lined up, waivers from the landfill, getting everything ready so they could start the project today and have it completed within the

timeframe provided. There is no way we could have had this done without her help. I want to say thank you Leslie for caring about our community and helping the City get this property cleaned up. She has been very instrumental in helping the City clean up blighted properties. She was awarded the bid for the last abatement warrant that was issued to the City and she has worked with other property owners with code enforcement issues. She has done a lot and I would like to recognize her for that. The last abatement warrant took well over a year. City staff had no idea we were going to court to ask for a warrant, and the court was going to give it to us that day, with 14 days to execute. It has been a learning experience. As we prepare our next one, the house on S. Main Street, we will put it out to bid ahead of time with notice that the job won't begin until the warrant is issued so we are not in the predicament next time. It's not a bad predicament to be in, because we can get this property cleared much sooner than we originally thought, but we were caught off guard when he came out of the court with the abatement warrant and we were left scrambling.

Councilman Halby asked what was different this time that got the warrant signed so quick?

Interim City Manager Crecelius stated I think the key with this one was the property owner is alive. He's had a chance and failed to do anything. The last property owner was deceased, so the judge wanted death certificates, for us to track down next of kin and I also think judge. It's the luck of the draw so that probably had a lot to do with it as well.

Public comment. Leslie Watkins would like to commend Mallory and Jason, their efforts over the last few days have been tremendous. Between themselves and Michelle at the front counter they have towed the line to get us mobilized. In addition to that, Julie and John at CR&R and all of their drivers. I saw drivers running, they were hustling, and they were on it. They deserve recognition. Mallory mentioned getting the County to approve our landfill bins. It's always been a challenge with the County; but today I think we passed a hurdle. Our bins have been approved and we are thankful for that. Our utility partners and public works got everything marked. There is an active gas line on the property that is being taken care of. Blythe Police Department irradiated the homeless that were living in the debris pike yesterday. I would also like to thank the girls in my office. I don't think we are going to need an extension.

Interim City Manager Crecelius stated I don't think we understand how much work she has put into this. To get all of this done since last Thursday evening, I don't think anyone but Leslie could have accomplished that.

Councilman Halby stated I have been asking about this property for months, so it was a pleasant surprise when I saw this on the Agenda last Friday.

Councilman Reynolds moved approval of staff's recommendation. The motion was seconded by Vice Mayor Rodriguez with a unanimous aye vote.

**Request to Waive Temporary Use Permit Fees for the Chamber of Commerce's Cinco De Mayo Spring Street Festival.** Interim City Manager Crecelius stated the Chamber of Commerce will host their annual Cinco De Mayo Spring Street Festival on May 6, 2023. To accommodate the event, the City will close Spring Street from Hobsonway to Barnard. There is

no fee for the Street Closure. This year the Chamber would like to utilize the pads of the former Sears and Ashley Furniture Home Store located at 155 and 175 N. Spring Street respectively. The use of private property for this event requires a Temporary Use Permit to be submitted to the City. The TUP has an adopted fee of \$222.00. The Blythe Chamber of Commerce respectfully requests Council waive the Temporary Use Permit fee for their event on May 6, 2023.

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

**ORAL REPORTS:**

Councilman Burton reported on the Prime Community Event and the dunk tank he participated in along with Councilman Halby, Interim City Manager Crecelius and Chief Building Official Brown. He also reported on the Crime Victims event being held at ISP tomorrow.

Councilman Halby stated the Dunk Tank was ran by the Blythe Baseball club, so all the proceeds went to them. Prime Leaf put on the event and I don't have a final tally, but they raised \$50,000 or more. Most of the sponsors are not from Blythe but do business in Blythe. All the money raised is generously donated to youth groups, social clubs, sports, and various other causes.

Mayor DeConinck stated the funds collected at that event are held by the Chamber. I take my hat off to all involved.

**PUBLIC COMMENT:**

Mr. Brookins stated you know what I am here for. I shouldn't have to be up here again, but politics as usual. I feed into the process, so it's known that I did. I have been here three times this week and each time the police are called. I should be able to talk to you all on a consistent basis. This is ridiculous. I have everything on film. You have a rogue police force. I am tired of it. I have done nothing, yet you treat me like a king pin. I come from great standing but am treated like trash.

**ADJOURN:** The City Council meeting was adjourned at 7:20pm.

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Joseph DeConinck, Mayor

**ATTEST:**

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Mallory Crecelius , City Clerk