

**Minutes of the Blythe City Council Meeting
August 9, 2022**

The August 9, 2022 meeting of the Blythe City Council was called to order at 6:00pm in the Council Chambers by Mayor Reynolds. Also in attendance were Vice Mayor DeConinck and Council Members Rodriguez, Halby and Burton. Staff in attendance included: Interim City Manager and City Clerk Crecelius, Finance Director and City Treasurer Elms, City Attorney Roberto, Chief Building Official Brown, Fire Chief Hasler and Police Chief Dale.

The Pledge of Allegiance was led by Mayor Reynolds.

The Invocation was offered by Councilman Burton.

PRESENTATION:

Recognizing the Blythe Little League All-Star Teams. Mayor Reynolds stated we are here to recognize the Blythe Little League All-Star Teams. You represented Blythe and all came out champions. The Coaches introduced their teams and players starting with the 9–11 year-old boys All Star team, Senior 13-16 year old girls All-Star team, Senior 16 and under boys All Star team, Majors 10-12 girls All Star team and the 12 and under boys All-Star team.

Mayor Reynolds said I hope this tradition continues. We appreciate each of you and Troy Love would be very happy tonight.

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.*

Councilman Halby moved approval of the Consent Calendar. The motion was seconded by Councilman Burton with a unanimous aye vote.

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, August 5, 2022.

3. Approval of the Warrant Register.

Recommendation: Approve **8/9/2022**, warrants numbered 75523 through 75574 in the amount of \$457,243.01; **8/9/2022**, warrants numbered 75513 through 75522 in the amount of \$310,064.13; **8/9/2022**, Utility Billing Refund warrants numbered 75497 through 757512 in the amount of \$2,042.50; **8/9/2022**, warrants numbered 75442 through 75496 in the amount of \$3,431,317.18 and **8/9/2022**, warrants numbered 75391 through 75441 in the amount of \$440,337.35.

4. Approval of the Payroll Register.

Recommendation: Approve **8/9/2022**, warrants numbered 53082 through 53083 in the amount of \$629.76; **8/09/2022**, warrants numbered 53084 through 53102 and Direct Deposit warrants numbered 53950 through 53648 in the amount of \$254,347.31; **8/9/2022**, warrant numbered 53103 and Direct Deposit warrant numbered 53649 in the amount of \$1,557.86; **8/9/2022**, warrants numbered 53014 through 53119 and Direct Deposit warrants numbered 53650 through 53706 in the amount of \$228,500.79 and **8/9/2022**, warrants numbered 53707 through 53810 in the amount of \$85,017.87.

5. Minutes of the July 12, 2022 City Council Meeting.

Recommendation: Approve the Minutes of the July 12, 2022 Meeting.

6. **City of Blythe Permits issued for the Month of July 2022.**
Recommendation: Receive and file this monthly report.
7. **City of Blythe Fire Department Monthly Activity Report for July 2022.**
Recommendation: Receive and file the monthly report.
8. **City of Blythe Police Department Monthly Activity Report for July 2022.**
Recommendation: Receive and file the monthly report.
9. **Quality of Life Pilot Program Activity Report for July 2022.**
Recommendation: Receive and file the monthly Report.
10. **Notice of Completion- Lovekin/Barnard Street Rehabilitation Project.**
Recommendation: Accept the work performed by Rove Engineering, Inc. for the Lovekin/Barnard project, authorize the Mayor and City Clerk to execute and file the Notice of Completion and authorize the City Manager to release retention payments once the Notice of Completion is recorded and release project bonds once appropriate.
11. **Financial Audit Engagement for Fiscal Year 2021/22.**
Recommendation: Authorize an Engagement Letter with Teaman, Ramirez and Smith for audit services in an amount not to exceed \$69,100.
12. **Voting Delegate- League of California Cities Annual Conference.**
Recommendation: Authorize the Mayor to serve as the City's voting delegate to place votes on behalf of the City at the Annual League Conference.
13. **Consideration of Resolution Determining the Need to Continue the Local Emergency Due to May 23, 2022 Fire on Spring Street.**
Recommendation: Adopt the following Resolution:
RESOLUTION NO. 2022-028. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DETERMINING THE NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MAY 24, 2022 AND PREVIOUSLY CONTINUED ON JULY 12, 2022 DUE TO THE FIRE THAT STARTED ON MAY 23, 2022.
14. **Ordinance adding Chapter 15.64 to Title 15 of the Blythe Municipal Code Relating to EV Charging Station Permits.**
Recommendation: Adopt Ordinance No. 916-22:
ORDINANCE NO. 916-22. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ADDING A NEW CHAPTER 16.64 (ELECTRIC VEHICLE CHARGING STATION PERMITS) TO TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE BLYTHE MUNICIPAL CODE.
15. **Ordinance Repealing and Replacing Chapter 8.28 of the Blythe Municipal Code Relating to Nuisances and Nuisance Abatement.**
Recommendation: Adopt Ordinance No. 917-22:
ORDINANCE NO. 917-22. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, REPEALING AND REPLACING CHAPTER 8.28 (NUISANCES) OF TITLE 8 (HEALTH AND SAFETY) OF THE BLYTHE MUNICIPAL CODE RELATING TO PUBLIC NUISANCES AND NUISANCE ABATEMENT PROCEDURES.

Interim City Manager Crecelius requested to pull Item No. 12, Voting Delegate from the Consent Calendar.

No public comment. Councilman Halby moved approval of Consent Calendar items 1-11 and 13-15. The motion was seconded by Councilman Burton with a unanimous aye vote.

Voting Delegate- League of California Cities Annual Conference. Interim City Manager Crecelius stated when the staff report was written there was only one Council representative attending the conference, which was Mayor Reynolds. Since then, Councilman Rodriguez has registered to attend. I will leave it up to you to decide who would like to be the voting delegate.

Councilman Rodriguez nominated Mayor Reynolds.

No public comment.

PUBLIC HEARING:

Certification of Environmental Impact Report (EIR) Prepared for the Edelweiss Sustainable Farms Project. Interim City Manager Crecelius stated In April 2021, Edelweiss Sustainable Farms, LLC filed an application to develop a cannabis cultivation facility on 34 acres in western Blythe. In November of 2021 the city entered into a MOU with MSA Consulting for preparation and handling of an Environmental Report for the proposed project to satisfy requirements of the California Environmental Quality Act, known as CEQA. The City also retained its Environmental Consultant Dr. Jeff Harvey of Harvey Consulting Group to coordinate with MSA and represent the City's interests and requirements through the development of the Draft and Final EIR documents. The action this evening is Certification of the Environmental Impact Report for the Edelweiss Sustainable Farms Project. The City is required to evaluate potential environmental effects of the project under CEQA. In preparation of the EIR, the City's staff and consultant independently reviewed, evaluated and exercised judgment on the project and the project's environmental impacts. Potentially significant impacts were identified in the following resource areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Green House Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Public Services, Transportation, Tribal Cultural Resources and Utilities. Mitigation measures have been designed and are included in the EIR to reduce all identified potential adverse impacts to a level of less than significant. Representatives of the Edelweiss Sustainable Farms Project are here this evening to provide a brief overview of the project. After their presentation, it is recommended the City Council open the public hearing. Subsequent to the public hearing it is recommended Council adopt Resolution No. 2022-026 certifying an Environmental Impact Report, adopting and making certain findings relating to the Edelweiss Sustainable Farms Project located south of Hobsonway, north of Interstate 10, west of Lovekin Boulevard and east of Defrain Boulevard in the City of Blythe; direct staff to file the Notice of Determination for the project and adopt Resolution No. 2022-027 approving the Site Plan for the proposed project.

Mike Rowe of MSA Consulting has worked with Edelweiss on this project. He provided an overview of the project. The project will be built in three phases with all infrastructure built in Phase 1. We are trying to make the budgets work to build as we go. We hope to break ground later this year. He thanked Interim City Manager Mallory Crecelius and Dr. Jeff Harvey who helped his staff put this document together.

Patrick Kelly, Project Manager and Shaina Adamson, Compliance for Edelweiss stated they are excited about the project and working with Blythe.

Councilman Burton asked how many jobs this would create. Mr. Kelly stated each facility is mandated to have 75 full time employees. There will be a float crew that goes from building to building as well. The trim and processing crew is 150. We do non-volatile extract. That is a 35-person crew. So once its fully up and running we are looking at 400-500 people. We also do technology-based cultivation and look at automation. We certify and train all our employees.

No public comment. Vice Mayor DeConinck moved approval of Resolution No. 2022-026. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

RESOLUTION NO. 2022-026. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, ADOPTING AND MAKING CEQA FINDINGS RELATING TO THE EDELWEISS SUSTAINABLE FARMS PROJECT LOCATED SOUTH OF HOBSONWAY, NORTH OF INTERSTATE 10, WEST OF LOVEKIN BOULEVARD AND EAST OF DEFRAIN BOULEVARD.

Vice Mayor DeConinck moved approval of Resolution No. 2022-027. The motion was seconded by Councilman Rodriguez with a unanimous aye vote.

RESOLUTION NO. 2022-027. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVING SITE PLAN 2105-002 FOR THE EDELWEISS SUSTAINABLE FARMS PROJECT.

Proposed Ordinance No. 918-22 Amending Provisions of the Zoning Code Relating to Residential Care Facilities, Group Dwellings and the Definition of Family for Compliance with State and Federal Law. Interim City Manager Crecelius stated pursuant to State law, the City is required to treat various State-licensed residential care facilities serving six or fewer people no differently than other residential uses that are permitted by right. During the Housing Element update process, it came to staff’s attention that the City’s Zoning Code does not permit such facilities by right in residential zones. It also came to staff’s attention that the definitions of “family” and “group dwelling” are not consistent with State and Federal law. The proposed Ordinance amends the table set forth in Section 17.08.010 of Title 17 of the Blythe Municipal Code to reflect that small residential care facilities are permitted in all Residential zone as well as in the Agriculture, Planned Development, and Specific Plan Resort zones. It also amends the table set forth in Section 17.08.010 to reflect that large residential care facilities are permitted with a conditional use permit in the Residential Estates, Low-Density Residential, Medium- to Low-Density Residential Medium Density Residential, High-Density Residential, Planned Development and Rural Residential zones, consistent with the programs outlined in the draft Housing Element update. The proposed ordinance also amends Chapter 17.08 to add a new Section 17.08.625 to provide a definition for “residential care facility, small” and a new Section 17.08.628 to provide a definition for “residential care facility, large”. Finally, the proposed ordinance revises the definition of “family” set forth in Section 17.04.450 of Chapter 17.04 of Title 17 and the definition of “group dwelling” set forth in Section 17.08.370 of Title 17 for consistency with State and Federal law. This is the first of two public hearings regarding the proposed ordinance in accordance with the requirements of State law and the Blythe Municipal Code. The first hearing is being conducted by the City Council, acting as the City’s Planning Agency.

No Public comment.

ORDINANCE NO. 918-22. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE BLYTHE MUNICIPAL CODE RELATING TO RESIDENTIAL CARE FACILITIES AND THE DEFINITIONS OF GROUP DWELLINGS AND FAMILY FOR COMPLIANCE WITH STATE AND FEDERAL LAW

CONTINUED BUSINESS:

Emergency Sewer Repairs at Hobsonway and Lovekin Blvd. Interim City Manager Crecelius stated the sewer repairs at Hobsonway and Lovekin have been deemed an emergency since February 23rd. The City Council is required to review the emergency action at every regularly scheduled meeting until the action is terminated. Radco will finish the prescribed work

next week. As such, we anticipate terminating the emergency at the September meeting. It is recommended Council, by a 4/5 vote determine there is a need to continue the emergency repairs.

No public comment. Councilman Rodriguez moved to continue the emergency repairs. The motion was seconded by Councilman Burton with a unanimous aye vote.

NEW BUSINESS:

September City Council Meeting Schedule. Interim City Manager Crecelius stated due to staff and Council's attendance at the League of California Cities Conference September 7-9th it is recommended Council hold the September City Council meeting on Tuesday, September 27th and go dark the second Tuesday of September. The Council will resume its regular meeting schedule in October.

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

Response to the 2021-22 Grand Jury Report. Interim City Manager Crecelius gave a presentation of the contents of the City's draft response to the 2021-22 Grand Jury Report. The report highlights that Blythe is growing in projects, programs, development and in its financial health. The response also highlighted several inaccuracies and half-truths outlined in the Grand Jury's report related to the City's financial position as well as other statements made about the City, how the city operates, and statements made about its tax revenue. Blythe is not dying; Blythe is a market ripe for opportunity. We do not need to increase taxes; we need to grow our tax base with development. It is recommended that the City Council approve the response to the 2021-22 Grand Jury Report entitled "City Blythe is Dying" in substantially the form as attached. We may make minor edits before it is submitted. If the Council would like to add anything, we will do that before it is submitted to the Grand Jury. It is recommended Council authorize the Mayor to execute the response and direct staff to submit the response as required.

Vice Mayor DeConinck stated we are the State line. We have two prisons, but there was supposed to be five built here. MWD gets a reduction in property tax, they file for it every year. That takes away from our revenue. The Fish and Game received land through a conservatorship. They do not pay a dime in property taxes, but the City is required to provide police and fire protection and maintain the roads. Those revenue sources were taken away from Blythe. Those are some of my concerns related to the Grand Jury report.

Councilman Halby stated there were so many misstatements in their report. The facts are not true because they are not facts. The one that made me laugh right in the beginning was when they stated in the 1970's the small family farms sold out to the corporate farms. What are they talking about? The corporate farms all left in the 70's and 80's like Dole and Del Monte. That had to do with California regulations. It was easier for them to go to Yuma. Now those companies are huge down there. Every time I read it; it makes me sick. People who have spoken to me about it know how I feel.

Public comment. Mike Farrage of 2714 Colorado River Road stated speaking about farming in

the 70's, when Arizona was a right to work State and we had the labor strikes, that devastated Blythe. At the same time, I am not sure how that correlates with the freeway, but everyone traveling from Phoenix to LA came through Hobsonway. When the farming community left here, you can look at where Yuma was and where they are now. There has to be some liability. The County comes here, who are these people? They take everything away from us and come here once a year or when it's an election year to give the dog and pony show and after that they don't show up. I know they help with certain things, but I've even heard they say things like put them in Arizona. Did they even provide suggestions? I don't think so because I don't think they are even qualified. To run a City takes a lot. The last 5 or 6 years, people, unless they come to the meetings, don't see what has been done. Step up to the plate and change the tone of what's happening in Blythe from we can't, to how can we, because we are already doing it. It takes a long time for that to happen. To me, shouldn't be allowed to happen. We have investors that come here and then they see a report like this, that is devastating to Blythe.

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

ORAL REPORTS:

Police Chief Dale reported on a grant received by Animal Control through Cal Animals and UC Davis. The grant is in the amount of \$155,000 and will be used for spaying and neuter services, carriers, a transport vehicle, food and supplies and educational programs.

MEMBER COMMENT: None

PUBLIC COMMENT:

Mr. Brookins made public comment related to the same officer I am dealing with; he continues to harass and profile me. If he damages my property, I can damage his. He put his clipboard on the hood of my car. They threatened to take my car. He issued unlawful and lawful orders. If you won't do anything about it, I guess its status quo. I have requested an IA. I am asking for preservation of documents and body worn camera footage.

ADJOURN: The City Council meeting was adjourned at 7:12pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk