

**Minutes of the Blythe City Council Meeting
September 14, 2021**

The September 14, 2021 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 and Halby. Councilman Burton was excused from the meeting. 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 Acting Police Chief Walnoha.

The Pledge of Allegiance was led by Mayor Reynolds.

Mayor Reynolds asked for a moment of silence for 20-year anniversary of September 11th.

REPORT FROM CLOSED SESSION: City Attorney Roberto stated as to items #1 and #2, Council disused each item and provided direction. No actionable items were taken.

PROCLAMATION:

Deaf Awareness Month, September 2021.

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, September 10, 2021.

3. Approval of the Warrant Register.

Recommendation: Approve **9/14/2021**, warrants numbered 73791 through 73875 in the amount of \$754,372.75; **9/14/2021**, warrants numbered 73876 through 73895 in the amount of \$64,172.14; **9/14/2021**, Utility Billing Refund warrants numbered 73896 through 73906 in the amount of \$1,048.52; **9/14/2021**, warrant numbered 73908 in the amount of \$197,007.25 and **9/14/2021**, warrants numbered 73909 through 73972 in the amount of \$218,807.67.

4. Approval of the Payroll Register.

Recommendation: Approve **9/14/2021**, warrants numbered 52433 through 52447 and Direct Deposits numbered 50998 through 51056 in the amount of \$232,260.80; **9/14/2021**, warrants numbered 52449 through 52463 and Direct Deposits numbered 51057 through 51115 in the amount of \$235,172.64 and **9/14/2021**, warrants numbered 52464 through 52468 and Direct Deposits numbered 51116 through 51222 in the amount of \$71,735.67.

5. Minutes of the August 10, 2021 City Council Meeting.

Recommendation: Approve the Minutes of the August 10, 2021 Meeting.

6. City of Blythe Permits issued for the Month of August 2021.

Recommendation: Receive and file this monthly report.

7. City of Blythe Fire Department Monthly Activity Report for August 2021.

Recommendation: Receive and file this monthly report.

8. City of Blythe Police Department Monthly Activity Report for August 2021.

Recommendation: Receive and file this monthly report.

9. Purchase of Fire Department Respiratory Protective Equipment.

Recommendation: Authorize a purchase order in an amount not to exceed \$149,700 for

respiratory PPE, which includes the equipment cost of \$136,181.10 and a 10% contingency.

10. Police Chief Agreement- Garth Dale.

Recommendation: Authorize the Interim City Manager to execute the Employment Agreement with Garth Dale for the position of Police Chief.

11. Adoption of an MOU for the Mid-Management Unit.

Recommendation: Adopt Resolution No. 2021-036, an addendum to the Mid-Management Unit's MOU.

RESOLUTION NO. 2021-036. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING AN ADDENDUM TO THE MID-MANAGEMENT UNIT'S MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2023.

12. Designating Representatives Authorized to Apply and Execute Documents from State and Federal Agencies for the Purpose of Obtaining Emergency Funding.

Recommendation: Adopt Resolution No. 2021-037 designating the Mayor, City Manager and/or Finance Director as authorized agent(s) to obtain financial assistance for disaster relief.

RESOLUTION NO. 2021-037. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, DESIGNATING AN AGENT(S) FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE FOR DISASTER RELIEF.

13. Adoption of an MOU for the Laborer's Union.

Recommendation: Adopt Resolution No. 2021-038, an addendum to the Laborers' MOU.

RESOLUTION NO. 2021-038. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA ADOPTING AN ADDENDUM TO THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 1181 (LIUNA) MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2023.

14. Extension of Local Emergency due to COVID-19.

Recommendation: Adopt Resolution No. 2021-039.

RESOLUTION NO. 2021-039 – 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, NOVEMBER 10, 2020, JANUARY 12, 2021, MARCH 9, 2021, MAY 11, 2021 AND JULY 13, 2021.

15. Ordinance No. 909-21, Repealing and Replacing Chapter 12.08 of the BMC.

Recommendation: Adopt Ordinance No. 909.21.

ORDINANCE NO. 909-21. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, REPEALING AND REPLACING CHAPTER 12.08 (EXCAVATIONS) OF TITLE 12 (STREETS, SIDEWALKS AND PUBLIC PLACES) OF THE BLYTHE MUNICIPAL CODE.

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

Interim City Manager asked to take a moment to recognize Acting Chief Walnoha for his service the past few months. We have a new Chief starting tomorrow, with the adoption of Garth Dale's contract on the Consent Calendar. Chief Dale will be sworn in tomorrow, and we are looking forward to this next chapter. Thank you, Keith, and thank you Council for this direction.

Mayor Reynolds stated for Keith to take the position and do such an outstanding job is greatly appreciated by this Council.

PUBLIC HEARING:

Introduction of Ordinance No. 910-21, Relating to Permitted Uses in Each Zone for Consistency with California Law. Interim City Manager Crecelius stated this Ordinance was prepared for compliance of the Blythe Municipal Code with recent changes in State law regarding Mobile home parks and small and large home daycare centers. Government Code Section 65852.7 provides that a mobile home park shall be a permitted land use on all land planned and zoned for residential use as designated by general plan; provided, however, that a city may require a conditional use permit. Pursuant to the existing provisions of Section 17.08.010 of the Blythe

Municipal Code, permitted uses in each zone, mobile home parks are permitted either by right or through the CUP process in all residential zones except Medium- to Low-Density Residential and Rural Residential. The proposed ordinance will amend the BMC to permit mobile home parks in the medium to low density residential and Rural Residential zones by way of CUP. Senate Bill 234 provides that the use of a home for a small or large family daycare shall be considered a residential use of property and a use by right for the purposes of all local ordinances, including zoning ordinances. A day care is defined as a facility that provides care for 14 or fewer children. As written, the Blythe Municipal code allows home daycares servicing 6 or fewer children by right in all residential zones except for High Density Residential and Medium Density Residential which require a CUP. The proposed ordinance amends section 17.08.230 of the BMC to provide a definition of family day cares consistent with the Health and Safety code. It further provides, consistent with SB 234, that a family day care home is allowed by right in any residential use where the daycare provider resides. Therefore, Subsequent to the Public Hearing, it is recommended Council introduce for first reading, by title only, further reading waived, Ordinance No. 910-21.

No public comment. Councilman Rodriguez moved approval of staff's recommendation. The motion was seconded by Councilman Halby with a unanimous aye vote. City Clerk Crecelius read the title of the Ordinance into the record.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, AMENDING SECTION 17.08.010 (USES PERMITTED IN EACH ZONE) OF CHAPTER 17.08 (PERMITTED USES) OF DIVISION II (ZONES) OF TITLE 17 (ZONING) OF THE BLYTHE MUNICIPAL CODE.

Categorical Exemption- Desert Community Network Cultivation Project. Interim City Manager Crecelius stated Desert Community Network, LLC is proposing a greenhouse farm facility specialized for indoor cannabis cultivation. The project would be developed on a 4.99 acre site located at 1790 W. Hobsonway. The City's General Plan and zoning land use designation for the property is General Commercial which allows for commercial cannabis businesses. The project site has been either vacant or in agricultural production for decades. Surrounding land uses include a former bowling alley, vacant land, residential development to the west, Interstate 10 to the south and a mix of vacant and/or farmed lands and commercial/light industrial uses to the east. The proposed site plan would allow development of eight single-story greenhouses 108 feet long and 96 feet wide. Based upon information contained in the administrative record and review of CEQA Guidelines, the City has determined that the Desert Community Network greenhouse cultivation project is eligible for a Categorical Exemption. The project fits within the parameters included in CEQA Guidelines 15332 as an Urban Infill Exemption from CEQA as it meets each of the five criteria set forth in section 15332. Therefore, Subsequent to the Public Hearing, it is recommended Council adopt a Notice of Exemption- In-fill Development Project for the Desert Community Network Cultivation Project located at 1790 W. Hobsonway and direct staff to file the Notice of Exemption with the County Clerk.

Councilman Halby asked if the project included the building and who was involved in the project. It was reported the project is the land surrounding the former bowling alley. All owners had been vetted through the Commercial Cannabis Background process.

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

CONTINUED BUSINESS:

Cannabis Dispensary License Conditionally issued to HAH 1, LLC. Interim City Manager Crecelius stated the applicant or representative will provide a project update.

Public Comment. Jill Madsen with High Times stated their CalTrans Permit was issued yesterday.

NEW BUSINESS:

Sign Installation by the Blythe Chamber of Commerce. Interim City Manager Crecelius stated the Blythe Chamber of Commerce's Sign Committee has developed new signage for Blythe and the Palo Verde Valley which include Welcome to Blythe and Field Crop signs. Staff worked with the Chamber on the various City sign requirements. After review of the project and the Blythe Municipal Code, staff determined the signs can be approved by Council as directional, warning, or informational signs authorized by a government authority. The Chamber plans to install four Welcome to Blythe signs to be located near the east and westbound lanes of I10 and on HWYs 78 and 95. The signs will be 14x12 feet and similar to the existing welcome to Blythe sign located at the E. Hobsonway Offramp. Two large field crop signs will be placed on private property facing the east and westbound lanes of I10. The signs may be the same size as the Welcome to Blythe sign, or slightly smaller. The signs will show a listing of year-round crops produced in the valley. Small, individual crop signs will be placed along HWYs 78 and 95. These signs may be changed seasonally based on crop production. All signs will be placed on private property. Staff recommends Council, as the government authority, authorize the Welcome to Blythe and Field Crop signs to be directional/information signs per Chapter 17.26 of the Blythe Municipal Code, and treat them as exempt signs per Section 17.26.040 of the BMC.

Public Comment- A community member who was not identified asked who way paying for the signs as they are not a priority. It was reported the Blythe Chamber of Commerce was paying for the sign installation.

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

ORAL REPORTS: None

MEMBER COMMENT:

Vice Mayor DeConinck reported on the PAL Dinner scheduled for October 2nd .

Mayor Reynolds thanked the Fire Department for putting up the Flags on September 11th and to PVVTA for setting up the bus. It's a moment in time that we should never forget. I appreciate everyone's help on remembering.

PUBLIC COMMENT:

Billy Jo and Karen Preston of 260 E. Chaparral requested the code sections for safety reasons for the closure of Todd Park. Billy Jo requested a written request from Council only, related to who on Council was aware of the issue and gave no direction and stood by while the City Manager did not take care of the issue. If it was a safety issue, why did the Council not direct the City Manager to fix the safety issue when they occurred? Or was the Council complacent in waiting for a grant to be approved instead of fixing a state mandated safety closure immediately? There were discretionary funds available. A temporary fix would have been wood chips which I found for \$3,000, not the \$80,000 quoted by the City Manager. I do not feel the City Manager was transparent or honest with me on this issue. Is this what we can expect from our City Manager and Administration? Funds were denied for 17 months, and the community was deprived of its use. It was easier to close the park and wait for the grant money. 17 months and waiting and someone is waiting on their duff while the community is denied one of our few pleasures in Blythe families can enjoy together. You should enforce your Ordinances pertaining to the City Manager Position. She has been interim for 3 years. Is she just one of the good old boys? You are not letting stores come in. We have to buy everything on-line. We are not happy.

Kathy White of 200 N. 9 Street reported on a water issue she has been dealing with in her apartment. Council asked her several questions about the water issues. The issue was forwarded to staff.

ADJOURN: The City Council meeting was adjourned at 6:51pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk