

Minutes of the Blythe City Council Meeting September 27, 2022

The September 27, 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, 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.

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.

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, September 23, 2022.

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

Recommendation: Approve **9/27/2022**, warrants numbered 10000 through 10019 and 75575 through 75632 in the amount of \$296,565.37; **9/27/2022**, warrants numbered 10020 through 10022 and 75652 through 75724 in the amount of \$253,220.96; **9/27/2022**, warrants numbered 10023 through 10049 and 75737 through 75788 in the amount of \$443,279.58; **9/27/2022**, Utility Billing Refund warrants numbered 75633 through 75642 in the amount of \$918.34; **9/23/2022**, warrants numbered 75643 through 75651 in the amount of \$708,804.93 and **9/27/2022**, Utility Billing Refund Warrants numbered 75725 through 75736 in the amount of \$2,208.84.

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

Recommendation: Approve **9/27/2022**, warrants numbered 53126 through 53127 in the amount of \$654.30; **9/27/2022**, warrants numbered 53128 through 53148 and Direct Deposit warrants numbered 53811 through 53868 in the amount of \$262,084.12; **9/27/2022**, warrants numbered 53149 through 53168 and Direct Deposit warrants numbered 53869 through 53926 in the amount of \$253,831.44; **9/27/2022**, warrants numbered 53169 through 53170 in the amount of \$278.08; **9/27/2022**, warrants numbered 53171 through 53175 and Direct Deposit warrants numbered 53927 through 54028 in the amount of \$66,997.03 and **9/27/2022**, warrants numbered 53176 through 53195 and Direct Deposit Warrants numbered 54029 through 54087 in the amount of \$253,432.05.

4. **Minutes of the August 9, 2022 City Council Meeting.**

Recommendation: Approve the Minutes of the August 9, 2022 Meeting.

5. **Minutes of the August 23, 2022 Special City Council Meeting.**

Recommendation: Approve the Minutes of the August 23, 2022 Special Meeting

6. **City of Blythe Permits issued for the Month of August 2022.**

Recommendation: Receive and file this monthly report.

7. **City of Blythe Fire Department Monthly Activity Report for August 2022.**

Recommendation: Receive and file the monthly report.

8. **City of Blythe Police Department Monthly Activity Report for August 2022.**
Recommendation: Receive and file the monthly report.
9. **Quality of Life Pilot Program Activity Report for August 2022.**
Recommendation: Receive and file the monthly Report.
10. **Request to Waive Community Center Rental Fees- Rec-N-Crew.**
Recommendation: Waive Community Center Rental Fees, except for the \$100 labor fee for the Rec-N-Crew's Homecoming Fundraiser on October 7, 2022.
11. **Surplus Property- Joe Wine Blythe Recreation Center.**
Recommendation: Deem the items detailed in the report as surplus and excess and authorize staff to dispose of the items which have met their useful life.
12. **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. 2022-032. 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 AND AUGUST 9, 2022 DUE TO THE FIRE THAT STARTED ON MAY 23, 2022.

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

PUBLIC HEARING:

Categorical Exemption- Gr&Be Commercial Cannabis Expansion Project. Interim City Manager Crecelius reported in 2019 the City adopted a Notice of Exemption for the Gr&Be Commercial Cannabis facility. The project proposed to refurbish and repurpose a dilapidated hotel building on a 1.81± acre parcel located at 2473 W. Hobsonway. The project was completed in the fall of 2021. Gr&Be has maintained active Commercial Cannabis Licenses at this property for Cultivation, Distribution and Manufacturing since September 2021. Gr&Be now proposes to expand its commercial cannabis operation on the same parcel with the addition of a 15,000 square foot building to be located on the south side of the remodeled building. Based upon information contained in the administrative record and review of CEQA Guidelines, the City has determined that the Gr&Be, Inc. Commercial Cannabis Expansion Project is eligible for a Class 32 Categorical Exemption. Therefore, subsequent to the Public Hearing, it is recommended Council adopt a Notice of Exemption- In-fill Development for the Gr&Be Commercial Cannabis Expansion Project located at 2473 W. Hobsonway 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 Burton with the unanimous aye vote.

Vice Mayor DeConinck recused himself from the meeting due to a potential conflict of interest.

Tentative Parcel Map 38413. Interim City Manager Crecelius stated Brad Robinson and his agent, The Holt Group request approval of the division of one 35.28± acre parcel into two separate parcels and Lots A and B. The project site is located at 3453 W. Riverside Avenue and is legally described as Assessor's Parcel Number 821-140-004. Proposed Parcel No. 1 is 5.00± acres in size, Proposed Parcel No. 2 is 28.59± acres in size, Lot A is 0.80± acres in size and Lot B is 0.89± acres in size. Each parcel has access from an improved dedicated right-of-way. The General Plan Land Use and Zoning Designation of the site is Agricultural. The existing zoning

designation allows for a minimum lot area of 5 acres. As the smallest proposed parcel is 5.00± acres, the proposed project is consistent with existing zoning regulations. The project is categorically exempt from the California Environmental Quality Act pursuant to Guidelines Section 15315-Minor Land Divisions, and a Notice of Exemption with De Minimis Impact Finding will be filed. It is therefore recommended Council, subsequent to the Public Hearing, adopt Resolution No. 2022-029 approving the Notice of Exemption with De Minimis Impact Findings for Tentative Parcel Map 38413 and Resolution No. 2022-030 approving Tentative Parcel Map 38413 with conditions. This evening you were provided with an updated Staff Report and attachments with minor corrections. In the Staff Report it should say Parcel Map, not a Parcel Merger. In Resolution No. 2022-029 Section 1. the CEQA Guideline should read 15315. In the Conditions of Approval, it is 5 acres, not 5,000 acres. There was also some old language carried over that was removed. All that is required in Condition No. 4 is that the map be prepared by a CA registered Land Surveyor or Civil Engineer. The corrections were made, and an updated copy was provided. It is recommended that you adopt the recommendations as revised.

No public comment. Councilman Rodriguez moved approval of Resolution No. 2022-029 as revised. The motion was seconded by Councilman Burton with a unanimous aye vote.

RESOLUTION NO. 2022-029. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS IN SUPPORT OF APPROVAL OF A NOTICE OF EXEMPTION WITH DE MINIMIS IMPACT FINDING FOR TENTATIVE PARCEL MAP 38413

Councilman Rodriguez moved approval of Resolution No. 2022-030. The motion was seconded by Councilman Burton with a unanimous aye vote.

RESOLUTION NO. 2022-030. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVING TENTATIVE PARCEL MAP 38413 TO ALLOW THE DIVISION OF ONE (1) 35.28± (GROSS) ACRE PARCEL INTO TWO (2) SEPARATE PARCELS AND LOTS A AND B ON PROPERTY LOCATED AT 3453 W. RIVERSIDE AVENUE (ASSESSOR'S PARCEL NUMBER (821-140-004).

Vice Mayor DeConinck rejoined the meeting.

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 reported 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 second of two public hearings regarding the proposed ordinance in accordance with the requirements of State law and the Blythe Municipal Code. The first hearing was conducted by the City Council, acting as the City’s Planning Agency on August 9, 2022. It is therefore recommended, subsequent to the Public Hearing, Council conduct the first reading, by title only, further reading waived of Ordinance No. 918-22.

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.

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 reported in February, Council deemed the repair of the collapsed sewer line at Hobsonway and Lovekin an emergency. In April, the City entered into an agreement with Radco Inc. to make the necessary repairs and crews mobilized in early May. The project initially included the relocation of the sewer line and manhole and compaction and repair of the street damage caused from the initial sewer line break. At completion, the project consists of the sewer line and manhole relocation, installation of an 8-inch replacement water line, insertion of three water valves, repair of a collapsed storm water drain and repair of Frontier’s fiber optic cable vault along with the necessary roadway repairs so that the street may safely re-open to traffic. All work was complete as of September 2, 2022 and the project was completed to the satisfaction of the Public Works Department. Therefore, it is recommended Council terminate the emergency action declared by the Council on February 23, 2022 for the repairs to the collapsed sewer line at Hobsonway and Lovekin Blvd. It is further recommended Council accept the work performed by Radco Inc. and authorize the Mayor and City Clerk to execute and file the Notice of Completion for the project and authorize the Interim City Manager to release retention payments once the Notice of Completion is recorded and release project bonds once appropriate.

No public comment. Councilman Halby moved staff’s recommendation. The motion was seconded by Vice Mayor DeConinck with a unanimous aye vote.

NEW BUSINESS:

Biennial Review of the Conflict of Interest Code. Interim City Manager Crecelius reported the Political Reform Act requires every local agency to adopt a Conflict of Interest Code. The code identifies positions that involve the making or participation in making of decisions that may foreseeably have a material effect on any financial interest; assigns disclosure categories to these positions; and indicates the types of economic interest which must be reported. The Political Reform Act requires every local government agency to review its Conflict of Interest Code every two years to determine if the Code needs to be amended. On June 14,

2022, Council, as the code reviewing body for the City and City agencies, directed the review of the City's Conflict of Interest Code. Staff has completed its review of the City's Code and determined that amendments are required to update outdated provisions, incorporate the City Engineer position, which was not previously included in the list of designated positions, and update the disclosure categories. The proposed resolution adopts the City's revised Conflict of Interest Code and repeals the prior version. Therefore, it is recommended Council adopt Resolution No. 2022-031, updating the City's Conflict of Interest Code.

No public comment. Councilman Rodriguez moved to adopt Resolution No. 2022-031. The motion was seconded by Councilman Burton with a unanimous aye vote.

RESOLUTION NO. 2022-031. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLYTHE, CALIFORNIA, ADOPTING A REVISED CONFLICT OF INTEREST CODE FOR THE CITY OF BLYTHE.

Acceptance of the UC Davis Koret Shelter Medicine Program Grant. Police Chief Dale reported in June of this year, Vice Mayor DeConinck located and made management aware of this grant opportunity. On June 22nd a grant application was submitted for the UC Davis Koret Shelter Medicine Program Grant. On June 27th staff learned the City was successful and awarded \$150,500 in grant funding. This funding will assist with animal control service such as spay and neuter clinics, vaccination clinics and public education projects. It will also help with the purchase of an animal control vehicle and equipment and funding for a part-time temporary clerical position to provide more animal control services to our community.

Mayor Reynolds thanked staff for continually chasing after grants. This is another step forward for the Animal Shelter and what we need to do for the City of Blythe.

Vice Mayor Deconinck stated we also have Mr. Mays in the audience from the County. He does a good job and has been helpful in getting things done.

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

ORAL REPORTS: None

MEMBER COMMENT:

Vice Mayor DeConinck asked Ronnie Hasler for an update on the racetrack at the Fairgrounds.

Ronnie Hasler stated races will start in February, with the first open practice in late January. The promoter is out of Las Vegas. They are working on bids to fix the retaining wall and resurface the track. He also reported there is no Blue Grass Festival this year. The fair is March 16th-19th.

Councilman Burton invited the public to attend the CVSP and ISP Citizen Advisory Committee Meeting on Wednesday at 2pm at City Hall. Everyone is welcome.

Vice Mayor DeConinck asked about a new bill the Governor approved related to green waste.

Mayor Reynolds reported on the Annual League of California Cities Conference. He recognized the City Manager, Mallory Crecelius for her presentation during her session at the Conference. She represented our community very well. She was very informative in speaking to over 100 people and captured their attention with what she was saying about the City of Blythe. Thank you Mallory for representing our City. We look forward to better things to come. I attended the PAL Dinner this weekend and it was a great success. Everyone did a bang-up job. Another great presentation from PAL. Thank you to Joey, Robin and crew for the prime rib dinner and for what you do for the PAL organization.

PUBLIC COMMENT:

Dwight Kelly of 231 N. Spring Street thanked Interim City Manager Crecelius for the time she took to speak to me. I would also like to thank publicly Chief Building Official Brown. Thank you for having awesome people who are taking care of things.

Jennifer Hope of 158 N. Broadway stated she was born and raised in Blythe. I am a Real Estate Agent at Blackbird Real Estate Group and owner of Clean Sweep Professional Cleaning Services. I appreciate and respect our city, Council and staff. I had an idea ten years ago, which I have been sitting with. I have heard our homeless problem is a community problem and that is absolutely right. The community means all of us, our officials, residents, businesses and the homeless. I have an idea to make the lives of our homeless a little more bearable while facilitating reconnecting of our transients with their out-of-town support systems. We have a transient problem but we also have a local homeless problem. I am working on an idea with a local non-profit and grant writer which will be presented shortly.

ADJOURN: The City Council meeting was adjourned at 6:34pm.

Dale Reynolds, Mayor

ATTEST:

Mallory Crecelius, City Clerk