

# STAFF REPORT

August 23, 2005

**To: City Council via City Manager**  
**From: Finance Director**  
**Subject: Amendment of Measure I Five-Year Plan**

## **Recommendation:**

The City Council adopt Resolution No. 05-26, amending the Measure I Five-Year Plan for the Years 2004-2005 through 2008-2009.

## **Discussion:**

The Measure I Five-Year Plan for fiscal years 2004-2005 through 2008-2009 was approved by the City Council in June 2004.

The Five-Year plan was adopted in June of 2004. The paving project on Lupine Avenue was not included. In order to qualify this project for Measure I funding, it has to be added to the Plan.

Staff has re-written the plan to incorporate this project. The Local Streets and Roads section of the Plan for 2004-2005 is the only part of the plan that has been changed.

**RESOLUTION NO. 05 - 26**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS AMENDING THE FIVE-YEAR MEASURE I CAPITAL IMPROVEMENT PROGRAM FOR PLAN YEARS 2005 THROUGH 2009**

**WHEREAS**, the City of Twentynine Palms by Resolution No. 04-08 on June 8, 2004 adopted the Measure I Five-Year Plan for Fiscal Years 2004-2005 through 2008-2009; and

**WHEREAS**, the City of Twentynine Palms has expended funds under that Plan during fiscal year 2004-2005; and

**WHEREAS**, it became necessary to expend funds for projects not included in the original Plan; and

**WHEREAS**, the Plan may be amended for such contingencies;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Twentynine Palms hereby adopts the Measure I Five-Year Capital Improvement Program, as amended, a copy of which is attached to this resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of Twentynine Palms this 23rd day of August 2005.

\_\_\_\_\_  
Dawn Benton Jr., Mayor

Attest:

\_\_\_\_\_  
Charlene Sherwood, City Clerk

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Twentynine Palms at a regular meeting thereof, held on the 23rd day of August 2005, by the following vote of the Council:

AYES:           COUNCILMEMBERS:  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:

\_\_\_\_\_  
Charlene Sherwood, City Clerk



## STAFF REPORT

August 23, 2005

**TO:** CITY COUNCIL AND CITY MANAGER

**FROM:** COMMUNITY SERVICES DIRECTOR

**SUBJECT:** SURPLUS OF 15 PASSENGER VAN

### **RECOMMENDATION**

The City Council declare it surplus and direct the City Manager to convey 1997 Ford 15 Passenger Van to Reach Out 29 for the amount of \$1.

### **DISCUSSION**

In the 2005-06 budget the City Council allocated funds for the purchase of a used 15-passenger van to be used by the City's Community Services and Recreation Departments. Staff has put out the bid specifications for the van, with the purchase coming to the Council for approval in September.

As part of the purchasing the new van, the City needs to dispose of the existing 15-passenger van, which is a 1997 model with approximately 110,000 miles. Staff has reviewed the various options and best usage of the vehicle. The options include trading in the van for the newer model, surplus the van out to the highest bidder, donating it, or using the van to help support other City programs.

The trade in value for the 1997 van is approximately \$2,000 - \$3,500, per Kelly Blue Book. Putting the van up for sale as surplus, way garner more or less than the trade in value. With the City receiving very to little benefit from the selling of the vehicle, Staff looked at the possibility of using the vehicle to benefit other programs. Staff has looked at two programs, which benefit the City and the Community of Twentynine Palms, the 29 Palms Youth Club and Reach Out 29.

The 29 Palms Youth Club has been considering the possibility of starting a morning/before school program for the families and children who need the services. Reach Out 29 has a 7-passenger van that has more miles than the City's, but is in need of additional transportation for their programs, especially since they have moved in the Senior Center and started more programs and trips for the seniors. Staff considered allowing each organization to use the van as needed, but keeping the van with the City. Due to the liability issues, this avenue is not recommended.

Staff then contacted the City Attorney about donating the van to either organization. The City Attorney recommended that the City sell the vehicle to either organization for a dollar versus donating the vehicle due to the ramifications regarding the giving away of City funds. Because

each organization serves the residents of Twentynine Palms, and with each organization serving as the conduit for the City, and uses City facility to run programs which other wise would have to done with City Staff or volunteers, the City Attorney recommended, to sell the van to either organization for a \$1.

After talking to both organizations, and discussing the usage of the van, Staff made a recommendation to both organizations that they share the van. Reach Out 29 would be sold the van for a \$1, would train and provide the drivers, maintain the vehicle, for both organizations to use. The Youth Club would need the van and driver during the morning to take children to school, and Reach Out 29 would use the van after that for their programs. This would serve the needs of both organizations, and the Community.

Therefore, Staffs recommendation for the Council, is to approve the selling of the 1997 15-passenger van to Reach Out 29 for a \$1, for the use by Reach Out 29, and 29 Palms Youth Club.

*“We Create Community Through People, Parks, and Programs.”*



# STAFF REPORT

August 9, 2005

**To: City Council via City Manager**  
**From: Finance Director**  
**Subject: Public Employees Retirement System (PERS) Contract Ordinance**

## **RECOMMENDATION**

Receive the Staff Report, conduct a second reading by title only and adopt Ordinance No. 196.

## **BACKGROUND**

The City Council adopted Resolution No.05-17 at their regular meeting on June 28. This action notified PERS of the City's intent to change the retirement calculation basis from three years to one year. A public hearing was held on August 9. Tonight the City Council may adopt Ordinance No. 196 on second reading, and it will take effect in 30 days.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS  
AUTHORIZING AMENDMENTS TO THE CONTRACT TO PROVIDE SECTION 20042  
(ONE-YEAR FINAL COMPENSATION) FOR LOCAL MISCELLANEOUS MEMBER  
BETWEEN THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS AND THE BOARD OF  
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

**ORDINANCE NO. 196**

An Ordinance of the \_\_\_\_\_ of the  
(Name of Governing Body)  
\_\_\_\_\_ authorizing an amendment  
(Name of Public Agency)  
to the contract between the \_\_\_\_\_ of the  
(Name of Governing Body)  
\_\_\_\_\_ and the  
(Name of Public Agency)  
Board of Administration of the California Public Employees' Retirement System.

The \_\_\_\_\_ of the  
(Name of Governing Body)  
\_\_\_\_\_ does ordain as follows:  
(Name of Public Agency)

**Section 1.**

That an amendment to the contract between the \_\_\_\_\_  
(Name of Governing Body)  
of the \_\_\_\_\_  
(Name of Public Agency)  
and the Board of Administration, California Public Employees' Retirement System is hereby  
authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such  
reference made a part hereof as though herein set out in full.

**Section 2.**

The \_\_\_\_\_ of the \_\_\_\_\_  
(Title of Presiding Officer) (Name of Governing Body)  
is hereby authorized, empowered, and directed to execute said amendment for and on behalf of  
said Agency.

**Section 3.**

This Ordinance shall take effect \_\_\_\_\_ days after the date of its adoption, and prior to the  
expiration of \_\_\_\_\_ days from the passage thereof shall be published at least \_\_\_\_\_  
in the \_\_\_\_\_, a newspaper of general circulation,  
(Name of Newspaper)  
published and circulated in the \_\_\_\_\_ and thenceforth and  
(Name of City or County)  
thereafter the same shall be in full force and effect.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

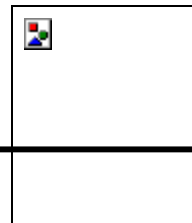
\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Clerk



GARY PENROD, SHERIFF



August 23, 2005

**TO:** City Council via the City Manager  
City of Twentynine Palms

**FROM:** Chief of Police  
City of Twentynine Palms Police

**SUBJECT:**

AB 3229 (Brulte) Supplemental Law Enforcement Services Fund

**RECOMMENDATION:**

The city council approves the spending recommendations as suggested.

**BACKGROUND:**

AB 3229 declares that there is a need for additional resources at the local level to fight crime and protect public safety. To do so, AB 3229 creates the Citizens Option for Public Safety Program (COPS). The bill allocates money to cities and counties for law enforcement and public safety purposes. The city was awarded SLESF funds in the amount of \$100,489.92 for the year 2005.

**FUNDING PROCEDURE:**

The city council is responsible for appropriating SLESF funds. This money may only be spent on "front Line law enforcement services". The appropriation must be in response to a written request by the chief of police.

**SPENDING RECOMMENDATION:**

It is the recommendation from the chief that the funds be allocated for the following purposes:

1. Establish and enhance crime prevention involving cooperation between Community residents and law enforcement personnel to control detect and investigate crime and the prosecution of criminals.

Continue to enhance, support and participate in the following programs:

- Crime Free Multi-Housing.
- Business Watch.
- Neighborhood Watch.
- Operation Clean SWEEP.
- Off-Highway Vehicle Education & Enforcement.
- Citizens on Patrol.
- Traffic Enforcement Programs.
- Target Specific Community Oriented Policing Projects, as needed, (COPPS).

2. Continue with establishing multi-jurisdictional parole/probation compliance operations, juvenile crime reduction programs and drug task forces.

Once the city council has actually allocated SLESF moneys, appropriation cannot later be altered during the same fiscal year.

COPS funds must be used on front line law enforcement services and may not be used to supplant existing law enforcement services. "Front line law enforcement services" is not specifically defined, but it includes "anti-gang" and "community crime prevention programs". There is no provision in AB 3229 permitting requests for funding to be made directly by community activists to the town council.

Staff is recommending that the city council approve the spending recommendations as outlined above for the FY 2005/2006 Supplemental Law Enforcement Services Fund.

Respectfully submitted,

Jim Williams, Captain  
San Bernardino County Sheriff's Department

JW/rlb



## **STAFF REPORT**

**To:** City Council

**From:** City Manager

**Date:** 08092005

**Subject:** Twentynine Palms Highway in the Downtown

**Recommendation:** Receive and file

**Discussion:** The Council is concerned that several issues including parking, visibility and safe pedestrian movement exists in the Downtown on the South side of the Highway and requested that we take action to alleviate the conditions:

Parking will be eliminated in the downtown on the south side of the highway between Desert Queen and Smoketree. This will be done soon and hopefully before the end of August; the actual timing is dependent on the demands placed on our crews to respond to storms and storm cleanup which have already delayed our prompt action. Public Works will place 'no parking' signs and 'red' the curbs on the Highway. CalTrans consultation is not necessary for the elimination of parking. We expect to have this completed as soon as our crews are freed from storm recovery duties.



**STAFF REPORT**

**To:** City Council

**From:** City Manager

**Date:** 08232005

**Subject:** Twentynine Palms Highway Circulation and Parking in the Downtown

**Recommendation:** Discuss, Give direction:

**Discussion:** At the last meeting the Council received a routine report on the proposed staff action to eliminate parking in the downtown.

The Council requested that we place this activity in abeyance to enable the opportunity to consider whether it wished to deem the matter urgent and proceed or to hold off on action pending the development of a comprehensive plan for the downtown.

No action has been taken. Staff requests the Council make the above determination and give direction.

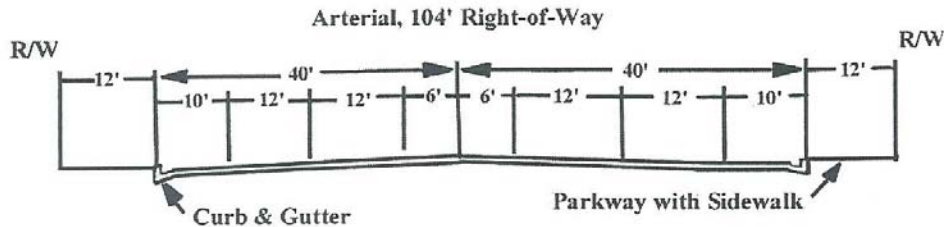
Attached find prior staff reports from the City Manager, City Engineer and Police Lieutenant.

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TO: Michael Swigart, City Manager  
FROM: Richard Pedersen, City Engineer  
SUBJECT: Highway 62 traffic issues  
DATE: June 20, 2005

Per your request, this memo is in response to traffic safety concerns along Highway 62 in the Downtown area. The current City's traffic Circulation Element indicates that Highway 62 should be an "Arterial", which is a 4-lane facility, that includes a center turn lane and 2, 10' wide parking lanes, with a right-of-way width of 104' as show below:



The existing street section for the Highway in the Downtown area was constructed using an older County standard and excludes the center lane.

Over the past several years, the City has expressed concern regarding the amount traffic on Highway 62 and its impact to pedestrian safety and parking for the adjacent businesses. To address all issues, a detailed traffic safety analysis, which includes traffic accident history, traffic counts, and a field investigation, is recommended. Any recommendations from this analysis will need to be coordinated with Caltrans for their approval and with any affected business owners. The results of this analysis would provide the Council with various options to achieve its goals.

A few years ago, at the request of the City Council, I met with the Director of Caltrans District 8 to discuss the possibility of changing the 4-lane highway to a 2-lane highway with a center turn lane. This proposed lane configuration was to provide additional room for parking, and provide pedestrians with only one lane in each direction to cross. The Director, Ann Mayer indicated that the City would have to hold public hearings and petition Caltrans after it was clear that the City was unified in this solution. However, even with the City's support, she did not commit to allowing the proposed lane configuration.

Richard Pedersen, P.E.  
City Engineer