

# CITY OF TWENTYNINE PALMS

## CRIME & TRAFFIC STATISTICS

- *CRIME STATISTICS & MONTHLY MANAGER'S REPORT*
- *BURGLARY, GTA, & ROBBERY*
- *SELECTED CRIME MAP & GRAPH*
- *CITATIONS, ACCIDENTS, & CALLS FOR SERVICE*
- *ACCIDENT MAP & GRAPH*
- *SCHOOL RESOURCE OFFICER REPORT*
- *TRAFFIC OFFICER REPORT*
- *DETECTIVE MONTHLY STATISTICS*
- *DISTRICT ATTORNEY MONTHLY REPORT*
- *CITIZEN PATROL VOLUNTEER STATISTICS*
- *MET/POP MONTHLY RECAP*



**MARCH 2007**  
**CRIME & TRAFFIC STATISTICS**

**CITY OF TWENTYNINE PALMS  
POLICE DEPARTMENT  
MONTHLY MANAGER'S REPORT**

**STATISTICS FOR MARCH 2007**

	<i>Current Month</i>	<i>Previous Year</i>	<i>%Deviation</i>	<i>Avg. Month</i>	<i>FYTD</i>
<b>PATROL STATISTICS</b>					
<b>CALLS FOR SERVICE</b>	1659	1601	3.6%	1520	13677
<b>REPORTED CRIMES</b>					
Part I	86	71	21.1%	67	600
Part II	175	175	0.0%	153	1379
Total	261	246	6.1%	220	1979
<b>CASE CLEARED</b>					
Total	63	102	-38.2%	105	949
Percentage	24.1%	41.5%	-41.8%	47.7%	48.0%
<b>ARRESTS-ADULT</b>					
Part I	17	25	-32.0%	21	190
Part II	34	72	-52.8%	69	620
<b>ARRESTS-JUVENILE</b>					
Part I	4	1	300.0%	4	32
Part II	8	4	100.0%	12	107
<b>TRAFFIC STATISTICS</b>					
P.D.O	11	4	175.0%	10	87
Injury	11	5	120.0%	4	33
Fatal	0	0	0.0%	0	1
Private Property	1	1	0.0%	1	13
TOTAL	23	10	130.0%	15	134
<b>TRAFFIC CITATIONS</b>					
Hazard	66	23	187.0%	50	446
Non-Hazard	9	59	-84.7%	55	498
TOTAL	75	82	-8.5%	105	944
<b>D.U.I. ARRESTS</b>					
	2	6	-66.7%	5	44
<b>RESPONSE TIMES</b>		<b>CURRENT YEAR</b>		<b>PREVIOUS YEAR</b>	
Emergency Response	3.18 MIN		6.48 MIN		
Non-emergency Response	7.25 MIN		10.18 MIN		
Average Handling Time	40.48 MIN		39.07 MIN		
		<b>Emergency Calls</b>		<b>5</b>	
		<b>Non Emergency Calls</b>		<b>673</b>	
<b>VOLUNTEER HOURS:</b>	<b>TOTAL =</b>		<b>283</b>		

Twentynine Palms

	Burglaries	GTA'S	Robberies
Oct	10	4	1
Nov	15	5	1
Dec	13	4	3
Jan	16	4	2
Feb	9	1	0
Mar	13	1	2

	Oct	Nov	Dec	Jan	Feb	Mar
Calls For Service	1584	1435	1262	1502	1452	1659

	Oct	Nov	Dec	Jan	Feb	Mar
Citations	106	170	125	84	86	75

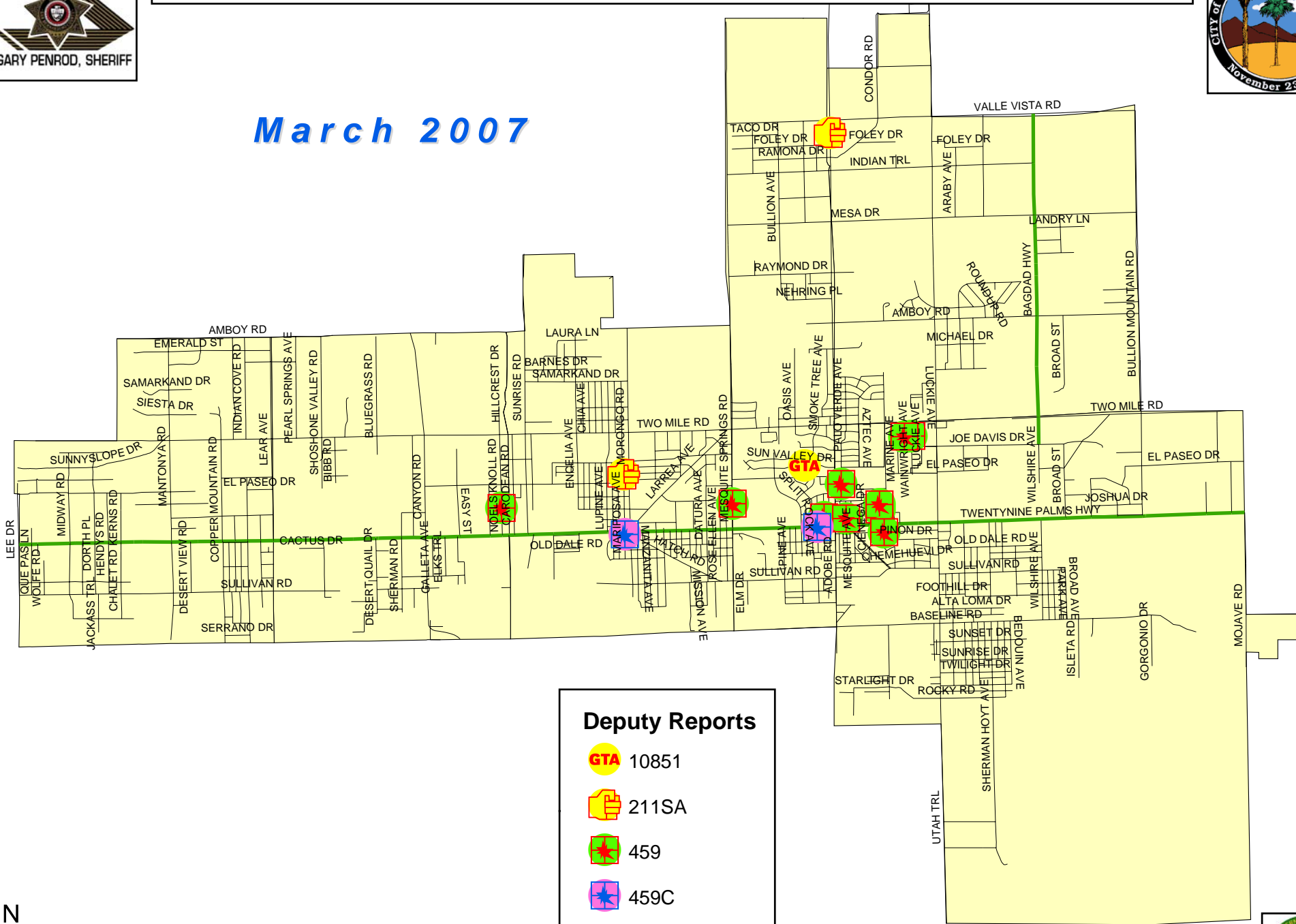
	Oct	Nov	Dec	Jan	Feb	Mar
Accidents	11	18	17	21	15	23







# CITY OF TWENTYNINE PALMS SELECTED CRIMES

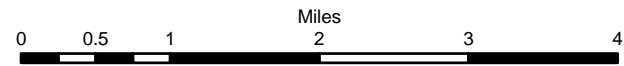


March 2007



**Deputy Reports**

-  10851
-  211SA
-  459
-  459C

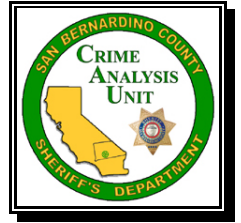




# City of Twentynine Palms

## Selected Crimes

03/01/2007 - 03/31/2007



Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
<b>CRIME: GTA JUST OCC</b>							
3/20/2007	6:09:01AM	TW1	TW004	73480 SUN VALLEY DR,TNP	10851	GTA JUST OCC	TWR0700585
<b>Total For Crime Type:</b>		<b>10851</b>	<b>1</b>				
<b>CRIME: ROBBRY STRNG ARM</b>							
3/20/2007	9:51:24PM	TW1	TW003	6044 MARIPOSA AVE,TNP	211SA	ROBBRY STRNG ARM	TWR0700595
3/25/2007	1:53:03AM	TW1	TW005	MARINE BASE,TNP	211SA	ROBBRY STRNG ARM	TWR0700647
<b>Total For Crime Type:</b>		<b>211SA</b>	<b>2</b>				
<b>CRIME: BURGLARY J/O</b>							
3/18/2007	12:56:31PM	TW1	TW002	6283 NOELS KNOLL RD,TNP	459	BURGLARY J/O	TWR0700572
3/18/2007	6:49:05PM	TW1	TW006	6444 PALO VERDE AVE,TNP	459	BURGLARY J/O	TWR0700574
3/24/2007	9:38:03AM	TW1	TW006	74077 CACTUS DR,TNP	459	BURGLARY J/O	TWR0700641
3/23/2007	7:28:07PM	TW1	TW006	6336 PALMVIEW AVE,TNP	459	BURGLARY J/O	TWR0700634
3/21/2007	10:32:59PM	TW1	TW003	6372 MESQUITE SPRINGS RD,TNP	459	BURGLARY J/O	TWR0700615
3/13/2007	8:43:22PM	TW1	TW006	5810 HALSEY AVE,TNP	459	BURGLARY J/O	TWR0700526
3/20/2007	5:24:26PM	TW1	TW006	6380 PALMVIEW AVE,TNP	459	BURGLARY J/O	TWR0700592
3/4/2007	5:40:42PM	TW1	TW004	6422 SMOKE TREE AVE,TNP	459	BURGLARY J/O	TWR0700463
3/8/2007	2:28:21AM	TW1	TW006	6161 OCOTILLO AVE,TNP	459	BURGLARY J/O	TWR0700491
3/1/2007	7:44:49PM	TW1	TW006	5808 WAINWRIGHT AVE,TNP	459	BURGLARY J/O	TWR0700438
3/3/2007	6:18:43PM	MB2	MB007	7123 MOJAVE RANCH RD,JOT	459	BURGLARY J/O	TWR0700464
<b>Total For Crime Type:</b>		<b>459</b>	<b>11</b>				

Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
<b>CRIME: <span style="color: blue;">COMMERCL BURG JO</span></b>							
3/23/2007	10:23:53AM	TW1	TW004	73544 TWENTYNINE PALMS HWY,TNP	459C	COMMERCL BURG JO	TWR0700629
3/25/2007	1:14:19PM	TW1	TW003	6515 MARIPOSA AVE,TNP	459C	COMMERCL BURG JO	TWR0700651

**Total For Crime Type:** 459C 2

**TOTAL SELECTED CRIMES:** 16





# City of Twentynine Palms

## Traffic Collisions

03/01/2007 - 03/31/2007



Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
<b>CRIME: MINOR INJ TC</b>							
3/28/2007	8:13:31AM	TW1	TW006	OCOTILLO AVE / DESERT TRAIL DR,TNP	1181	MINOR INJ TC	TWR0700667
3/10/2007	8:50:02AM	TW1	TW003	72489 SUNNYVALE DR,TNP	1181	MINOR INJ TC	TWR0700504
3/7/2007	11:31:12PM	TW1	TW003	HATCH RD / DATURA AVE,TNP	1181	MINOR INJ TC	TWR0700490
3/16/2007	6:36:42PM	TW1	TW001	HWY 62 / PETERSON RD,TNP	1181	MINOR INJ TC	TWR0700550
3/17/2007	6:45:44PM	TW1	TW003	72416 TWO MILE RD,TNP	1181	MINOR INJ TC	TWR0700564
3/1/2007	5:48:26AM	TW1	TW001	AMBOY RD / INDIAN COVE RD,TNP	1181	MINOR INJ TC	TWR0700434
3/26/2007	2:15:46PM	TW1	TW003	TWENTYNINE PALMS HWY / MESQUITE SPRINGS RD,TNP	1181	MINOR INJ TC	TWR0700662

**Total For Crime Type: 1181 7**

<b>CRIME: NON INJ TC</b>							
3/5/2007	7:17:30PM	TW1	TW006	73768 GORGONIO DR,TNP	1182	NON INJ TC	TWR0700472
3/23/2007	9:35:39PM	TW1	TW001	INDIAN COVE RD / TWENTYNINE PALMS HWY,TNP	1182	NON INJ TC	TWR0700635
3/22/2007	1:00:39PM	TW1	TW002	LEAR AVE / TWENTYNINE PALMS HWY,TNP	1182	NON INJ TC	TWR0700624
3/2/2007	5:48:47PM	TW1	TW004	INDIAN TRL / MESQUITE SPRINGS RD,TNP	1182	NON INJ TC	TWR0700444
3/5/2007	5:58:14AM	TW1	TW002	HWY 62 / SHOSHONE VALLEY RD,TNP	1182	NON INJ TC	TWR0700466
3/5/2007	8:20:21AM	TW1	TW006	6007 ADOBE RD,TNP	1182	NON INJ TC	TWR0700467
3/8/2007	10:19:40AM	TW1	TW003	EL PASEO DR / CHIA AVE,TNP	1182	NON INJ TC	TWR0700493
3/24/2007	9:17:07AM	TW1	TW006	NATIONAL MONUMENT DR / CACTUS DR,TNP	1182	NON INJ TC	TWR0700638

**Total For Crime Type: 1182 8**

**TOTAL COLLISIONS: 15**

**MONTHLY STATISTICS FOR THE SCHOOL RESOURCE OFFICER  
CITY OF TWENTYNINE PALMS  
March-07**

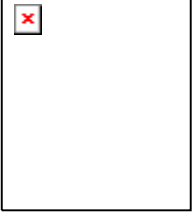
*Tom Boyles, Deputy Sheriff*

<b>CATEGORIES</b>	<b>29 PALMS</b>
<b>NEW CASES</b>	11
<b>ACTIVE CASES</b>	37
<b>CASES CLEARED BY: CITATION</b>	5
<b>ARREST</b>	5
<b>EXCEPTIONAL MEANS</b>	
<b>UNFOUNDED</b>	
<b>INACTIVE</b>	
<b>PARENT CONTACTS</b>	66
<b>CASES TO JUVENILE PROBATION/ADULT D.A.</b>	21
<b>CLEAN SWEEP</b>	8
<b>CITATIONS: JUVENILE TRAFFIC</b>	8
<b>CITATIONS: LOITERING VIOLATIONS</b>	
<b>CITATIONS: TOBACCO VIOLATIONS</b>	
<b>CITATIONS: MARIJUANA/PARAPHERNALIA</b>	
<b>CITATIONS: OTHER</b>	7
<b>CITATIONS: PARENTS PER WI 660.5</b>	1
<b>DEPUTY/DEP. AOD HOUR</b>	
<b>COURT (HOURS)</b>	
<b>WARRANT ARRESTS</b>	1
<b>BUSINESS / CITIZEN CONTACTS</b>	73
<b>SARB CITATIONS</b>	
<b>RUNAWAY JUVENILES</b>	
<b>STUDENT CONTACTS</b>	1438
<b>SEARCH WARRANT</b>	
<b>CAREER DAY</b>	1
<b>SARB MEETING</b>	
<b>COPS 'N JOCKS</b>	

**TWENTYNINE PALMS MONTHLY STATS**  
**TRAFFIC OFFICER**  
**Mar-07**  
**Deputy T. Boyles #B3814**

<b>TRAFFIC COLLISIONS:</b>		
1180	2	
1181	2	
1182	5	
1144-Fatal (MAIT)		
<b>TOTAL:</b>		<b>9</b>
<b>CITATIONS:</b>		
Hazard	68	
Non-Hazard	21	
<b>TOTAL:</b>		<b>89</b>
<b>DUI</b>		
<b>Arrests</b>	4	
<b>Tows</b>	8	
<b>Special Events</b>	3	
<b>OTHER:</b>		
Training	1	
Use of Force		
Other:	73	
<b>TOTAL:</b>		<b>89</b>

# INTEROFFICE MEMO



DATE: April 5, 2007

PHONE: 6-4183

FROM: **Jeff Joling**, Sergeant  
Morongo Basin Sheriff's Station

TO: **Jim Williams**, Captain  
Morongo Basin Sheriff's Station

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SUBJECT: **Monthly Detective Stats - March 2007**

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CATEGORIES	COUNTY AREA	29 PALMS	*YUCCA VALLEY	*MET / POP	GRAND TOTALS
FISCAL YEAR TO DATE :	458	404	462	16	1340
CASES ASSIGNED:	52	48	49	1	150
CLEARED BY ARREST:	17	8	16	38	79
WARRANT ARREST:	0	0	1	36	37
ACTIVE CASES:	53	54	64	0	171
CASES TO D.A.:	12	1	7	1	21
CLEARED BY EX. MEANS:	14	9	5	1	29
INACTIVATED:	32	34	34	0	100
UNFOUNDED:	0	3	0	0	3
SELF-INITIATED:	1	0	0	35	36
SEARCH WARRANTS:	1	4	5	3	13
AMOUNT RECOVERED:	\$11,700.00	\$400.00	\$115,000.00	\$15,000.00	\$142,100.00
SWEEP ARRESTS:				18	
REG. COMPLIANCE:				0	
POP PROJECTS:				1	

AOD HOURS:

WARFIELD (YV)

R. MILLARD (CO)

THORNBURG (TW)

PORTER – MET/POP

JJ/cm

**San Bernardino County Sheriff's Department  
Morongo Basin Station  
DISTRICT ATTORNEY REPORT**

**Month/Year: MARCH 2007**

<b>CASES SUBMITTED</b>		<b>CASES ISSUED</b>		<b>CASES REJECTED</b>	
<b>Felony:</b>	111	<b>Felony:</b>	79	<b>Felony:</b>	32
<b>Misd.</b>	163	<b>Misd.</b>	145	<b>Misd.</b>	18
<b>MB</b>	98	<b>MB</b>	83	<b>MB</b>	15
<b>TW</b>	78	<b>TW</b>	59	<b>TW</b>	19
<b>YV</b>	98	<b>YV</b>	82	<b>YV</b>	16
<b>TOTAL:</b>	274	<b>TOTAL:</b>	224	<b>TOTAL:</b>	50

<b>Total Filing Percentage:</b>	<b>Felony Cases:</b>	71.2%
	<b>Misd. Cases:</b>	89.0%

# SBSD VOLUNTEER UNIT MONTHLY STAT SHEET

VOLUNTEER UNIT # 415 NAME OF UNIT 29 PALMS COP'S FOR MONTH OF MARCH 2007 \_\_\_\_\_

TOTAL UNIT MEMBERS 15 TOTAL HOURS 283 TOTAL POV MILES 1068

UNIT COORDINATOR DALE DYER PREPARED BY LORRAINE CHAMBERLAIN

UNIT COMMANDER ERNIE BAKER PREPARER'S PHONE NUMBER 760-362-4565

UNIT MEETING DATE AND TIME 1<sup>ST</sup> WED @ 1700 HOURS LOCATION OF MEETING CITY HALL

<u>CODE</u>	<u>DUTY</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
100	ADMINISTRATION	Time spent on administrative or clerical work for unit . . .	<u>34</u>
101	ARREST	Time spent working an arrest . . . . .	_____
102	AUTOMOTIVE	Time spent cleaning or repairing unit automotive equip. . .	<u>5</u>
103	CORONER DUTY	Coroner Unit volunteer hours . . . . .	_____
104	COMMAND POST	Time spent in command post operations . . . . .	_____
105	COMMUNITY SERVICE	Time spent on parades, traffic or parking control, etc. . .	<u>16</u>
106	COURT TIME	Time spent on court activities as a volunteer . . . . .	_____
107	CRIME PREVENTION	Neighborhood Watch, Home Security, McGruff . . . . .	_____
108	FRONT DESK DUTY	Time spent working at station/division desk . . . . .	_____
109	DUI CHECKPOINTS	Time spent working DUI checkpoints or ADD Task Force	_____
110	EQUIPMENT UPKEEP	Repair or maintenance of team equipment or your own . .	_____
111	FIREARMS TRAINING	Classroom or range training . . . . .	_____
112	FLIGHT PATROL	Hours as pilot, observer, crew chief, extradition . . . . .	_____
113	FUND RAISING	Any fund-raising activity . . . . .	_____
114	INTERUNIT SUPPORT	Aid or assist any team, post, or agency . . . . .	<u>10</u>
115	JAIL DUTY	Time spent working in a jail facility . . . . .	_____
116	MOUNTED PATROL	Time spent on mounted patrol . . . . .	_____
117	PHYSICAL FITNESS	Time spent maintaining physical fitness . . . . .	<u>36</u>
118	PATROL – COP, Res, Exp	Car, plane, helo, second person, vacation checks, etc. . .	<u>118</u>
119	PUBLIC RELATIONS	Hours of community events, demos, public speaking . .	_____
120	RESCUE OPERATIONS	Hours spent on actual rescue . . . . .	_____
121	RESCUE STANDBY	Hours spent on standby duty . . . . .	_____
122	SEARCH OPERATIONS	Hours spent on actual search . . . . .	_____
123	SECURITY	Any security-related activity . . . . .	_____
124	TRAINING	Seminar, conference, or levels of training related to unit .	<u>52</u>
125	UNIT / STAFF MEETING	Hours spent at unit or staff meetings . . . . .	<u>12</u>
126	CHAPLAIN DUTY	Hours spent on call-outs or other chaplain duties . . . .	_____
127	OTHER ACTIVITY	Describe _____	_____
<b>TOTAL UNIT HOURS</b>			<b><u>283</u></b>
128	VEHICLE MILES	Personal vehicle miles for any unit function . . . . .	<u>1,068</u>

LIST ADDITIONAL UNIT COORDINATORS:

\_\_\_\_\_

\_\_\_\_\_

**CITY OF TWENTYNINE PALMS  
POLICE DEPARTMENT  
MONTHLY REPORT TO CITY MANAGER  
MARCH 2007**

**PATROL SUMMARY:**

During the month of March, the City patrol officers responded to 1,659 calls for service. We wrote 261 reports and cleared 51 Adult crime cases and 12 Juvenile crime cases by arrest.

We currently have 9.3 patrol officers assigned to the City.

**INVESTIGATIONS SUMMARY:**

The City Investigator was assigned 48 new cases this month. In addition to these new cases, there are 54 cases being investigated. In March, eight cases were cleared by arrest, nine cases were cleared by exceptional means, and 34 cases were inactivated. There are 404 "year to date" cases assigned to the City Investigator.

**TRAFFIC SUMMARY:**

City patrol officers issued 43 traffic citations and arrested two persons for driving under the influence.

The City's traffic officer wrote a total of 75 citations, to include 66 hazard citations and nine non-hazard citations.

We investigated 23 traffic collisions; of these, 11 involved property damage only and one accident occurred on private property. There were 11 accidents involving injuries and -0- accidents with fatalities.

Our enforcement index was 6 :1 based on a total of two DUI's and 66 hazard citations with a total of 11 injury/fatal collisions.

**CITY OF TWENTYNINE PALMS CITIZEN PATROL UNIT:**

The Citizen Patrol Unit volunteered a total of 283 hours; 52 hour(s) in training, 34 hours in administrative duties, 118 hours on patrol, 16 hours in community service, and 63 hours of miscellaneous duties.

**CITY OF TWENTYNINE PALMS  
MANAGER'S REPORT  
MARCH 2007  
PAGE 2**

**SPECIAL OPERATIONS:**

Five grant-funded special operations were conducted in the City of Twentynine Palms during the month of March. Law enforcement personnel conducted four "traffic safety saturation" efforts that resulted in 25 citations being issued for various vehicle code violations. More than half the citations issued were for speeding and stop sign violations.

One other special operation was conducted during March. Deputies made numerous student contacts and handed out several job information pamphlets during a "Career Day" at local schools on March 2, 2007.



# STAFF REPORT

**TO:** City Council via City Manager  
**FROM:** City Engineer  
**DATE:** April 24, 2007

**SUBJECT:** Award of contract for the “2007 Overlay Project” to Skanska Inc.

**RECOMMENDATION:** That Council awards the contract for the “2007 Overlay Project” to Skanska Inc. for the amount of \$1,234,213.

## ORDER OF PROCEDURE:

Request Staff Report (Richard Pedersen Presenting)  
Council Questions of Staff  
Request Public Comment  
Council Discussion  
Motion/Second  
Discussion of Motion  
Call the Question (roll call vote)

**BACKGROUND:** The “2007 Overlay Project” includes reconstructing and overlaying with asphalt concrete (A.C.) paving the following streets:

<b>Street</b>	<b>From</b>	<b>To</b>
Amboy Road	Adobe Rd	Utah Trail
Utah Trail	Joe Davis Dr	29 Palms Hwy
Desert Knoll Ave	Buena Vista Dr	29 Palms Hwy
East Court Place	East Court Way	29 Palms Hwy
East Court Way	West Court Way	Joshua Dr
Homestead Dr	Adobe Road	Smoke Tree Ave
Manana Dr	Smoke Tree Ave	Adobe Road
National Park Dr	Utah Trail	604' W Of Mara Ave
Smoke Tree Ave	Manana Dr	Homestead Dr
West Court Place	West Court Way	29 Palms Hwy
West Court Way	Joshua Dr	East Court Way

This project is in the current year’s fiscal budget and is consistent with the City Council’s goal of utilizing Measure I funds.

The following are the bid results that were received on April 17, 2007:

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Review of Staff Report: \_\_\_\_\_  
City Manager      City Attorney      City Engineer      Department Head

<u>Company</u>	<u>Bid Amount</u>
<b>Skanska Inc.</b>	<b>\$1,234,213</b>
Matich Corporation	\$1,315,315
Imperial Paving	\$1,394,002
Granite Construction Co.	\$1,489,047
Ficara Paving	\$1,664,707

Skanska Inc. has completed a similar pavement contract for the City. Staff is satisfied that Skanska Inc. is qualified to do the work under this contract.

**ALTERNATIVES:** Council can reject all bids and re-advertise the project or select a contractor with a higher bid.

**FISCAL IMPACT:** Project will expend \$1,234,213 in Measure I funds.



# STAFF REPORT

**TO:** City Council via City Manager  
**FROM:** Community Services Director  
**DATE:** April 24, 2007

**SUBJECT:** APPROVAL TO AWARD CONTRACT TO SRG DEVELOPMENT IN THE AMOUNT OF \$34,882.00.

**RECOMMENDATION:** That City Council approves the Luckie Park Swimming Pool Restroom Tile Project to SRG Development of Yucca Valley in the amount of \$34,882.00.

## ORDER OF PROCEDURE:

Request Staff Report (Randy Councill Presenting)  
Council Questions of Staff  
Request Public Comment  
Council Discussion  
Motion/Second  
Discussion of Motion  
Call the Question (roll vote)

**BACKGROUND:** The City Council approved the use of Community Development Block Grant (CDBG) funds in March of 2006 for rehabilitating the Luckie Park Swimming Pool Restrooms. During this past winter, City staff has been working on installing new roofing systems for the pool restrooms, Luckie Park restrooms, and the Swim Team Snack Bar. Staff has also been working on the hot water for the showers, graffiti cleanup along with several other projects in the pool restrooms, including the ordering of new shower panels, and partitions.

In March, staff received approval to proceed from the County Health Department, which enable the City to put out the bid for the tiling of the swimming pool restrooms. Staff contacted several local contractors, and tile businesses regarding the installation of tile in the swimming pool restrooms, and office. The City received three bids ranging from \$34,882 SRG Development, Carpet and Things \$41,475, and Jerry Kropacek GC \$44,555. Staff's recommendation is to award SRG Development the contract in the amount of \$34,882, which is under staff's cost estimate of \$40,000.

**ALTERNATIVES:** Council can consider a substitute contractor at a higher price.

**FISCAL IMPACT:** \$34,882 in budgeted CDBG funds

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Review of Staff Report: \_\_\_\_\_  
City Manager      City Attorney      City Engineer      Department Head



# STAFF REPORT

**TO:** City Council via City Manager  
**FROM:** Community Services Director  
**DATE:** April 27, 2007

**SUBJECT:** Closing Out of 29 Palms Artist Guild CDBG Project

**RECOMMENDATION:** That City Council approves the closing out of the 29 Palms Artist Guild CDBG project and transferring the funds to the Bucklin Park and Luckie Park projects.

## ORDER OF PROCEDURE:

Request Staff Report (Randy Councell Presenting)  
Council Questions of Staff  
Request Public Comment  
Council Discussion  
Motion/Second  
Discussion of Motion  
Call the Question (roll call vote)

**BACKGROUND:** The City Council approved \$62,000 in Community Development Block Grant funds (CDBG) in March of 2006 for rehabilitating the shade structure, and parking lot improvements. The 29 Palms Artist Guild has decided not to utilize the CDBG funds allocated by the City, therefore the funds return to the City for reallocation.

Staff's recommendation is to reallocate \$40,000 to the Bucklin Park project, and \$22,000 to the Luckie Park project. These two projects are current CDBG projects that will be fully funded with the proposed reallocation. The Bucklin Park funds will be used with funds to purchase the seat wall, picnic shelter, while the Luckie Park funds will be used to tile the restrooms facilities at the pool.

**ALTERNATIVES:** Return funds to the County of San Bernardino.

**FISCAL IMPACT:** None.

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Review of Staff Report: \_\_\_\_\_  
City Manager      City Attorney      City Engineer      Department Head

City of Twentynine Palms  
Treasurer's Report  
March 31, 2007

Depository	Term	Matures	Interest Rate	Amount	Market Value	Percent of Total
Petty Cash	On Hand		N/A	\$800	\$800	0.01%
PFF Bank & Trust Checking account	Demand		0.10%	\$228,880	\$228,880	1.47%
Pacific Western Payroll Account	Demand		0.76%	\$75,660	\$75,660	0.49%
Local Agency Investment Fund	Demand		5.21%	\$14,656,801	\$14,656,801	94.42%
Total City Funds				\$14,962,141	\$14,962,141	96.39%
Funds Held in Trust:						
Employee deferred compensation	N/A		N/A	\$560,791	\$560,791	3.61%
Total Funds in the Treasurer's Custody				\$15,522,932	\$15,522,932	100.00%

NOTES:

- 1) All the above investments are in compliance with the City's Investment Policy, except for the deferred compensation, for which the employees choose their own investment vehicles.
- 2) The City has sufficient funds to meet its expenditure requirements for the next six months.
- 3) The source of valuation for the deferred compensation fund is the Trustee's prior quarterly report. The March Trustee Report had not been received when this report was prepared.
- 4) Although PFF Bank has a negative balance, there were checks totaling more than that amount that had not been sent to vendors at 6/30/02.



# STAFF REPORT

**TO:** City Council  
**FROM:** City Manager  
**DATE:** April 24, 2007

**SUBJECT:** Addition of Pre-Disciplinary Language to Personnel Rules and Regulations

**RECOMMENDATION:** That Council amends the Personnel Rules and Regulations to include pre-disciplinary language.

**ORDER OF PROCEDURE:**

Request Staff Report (Michael Tree Presenting)  
Council Questions of Staff  
Request Public Comment  
Council Discussion  
Motion/Second  
Discussion of Motion  
Call the Question (roll call vote)

Attachments

1. Redlined version of proposed changes to Disciplinary Action section of the City Personnel Rules and Regulations.

**BACKGROUND:** In November of 2006 the City Council adopted the latest revision and update to the City's Personnel Rules and Regulations.

Staff and the City Attorney are recommending the addition of certain language to the discipline section of the City's Personnel Rules and Regulations (the additional language is Section 5 in its entirety and the renumbering of the previous Section 5 to Section 6, as found the in the attached redlined version).

The added language is commonly known as the Skelly procedures, named after a California Supreme Court case from the 1970's. These procedures are designed to give regular employees who are subject to proposed disciplinary action certain due process rights before discipline is actually imposed. These due process rights are required by law since the Skelly decision. They do not apply to probationary employees who may be dismissed at any time in the probationary period with or without cause.

**ALTERNATIVES:** None

**FISCAL IMPACT:** None

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Review of Staff Report: \_\_\_\_\_  
City Manager      City Attorney      City Engineer      Department Head

## R. DISCIPLINARY ACTION

These rules apply to regular employees only.

1. Causes for Disciplinary Action. Causes for disciplinary action must be related to the job or City service, and include, but are not limited to, the following:
  - (a) Willful misrepresentation of any information pertaining to City business or employment;
  - (b) Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time;
  - (c) Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee within his position;
  - (d) Resistance in following directions or instructions;
  - (e) Insubordination;
  - (f) Dishonesty;
  - (g) Violation of fire and/or safety standards;
  - (h) Unauthorized or improper use of City funds, equipment, records or other property;
  - (i) Inexcusable absence(s) or absence without leave;
  - (j) The conviction of either a misdemeanor or a felony may constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The Human Resources Department may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline. A plea or verdict of guilty, or a conviction showing a plea of nolo contendere is deemed to be a conviction within the meaning of this Section;
  - (k) Discourteous treatment of the public or City employees;
  - (l) Political activity in violation of the law;

- (m) Engaging in disorderly conduct, quarreling or fighting, or threatening any member of the public or a City employee;
- (n) Use of official position for personal advantage;
- (o) Excessive tardiness or absenteeism; tardiness or absence without proper notice to management;
- (p) Abuse of sick leave, i.e., taking sick leave without a doctor's certificate when one is required or misuse of sick leave;
- (q) Willful negligence during work or in a City workplace that could endanger or has endangered the health or safety of that employee or others, or has caused damage to property;
- (r) Violation of established rules and regulations including department policies, rules, regulations, or procedures;
- (s) Willful violation of any of the provisions of the Code, ordinances, resolutions or any rule adopted by the Council relating to conduct in office of persons employed in the competitive service;
- (t) Conduct unbecoming an officer or employee of the City;
- (u) Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which is of such a nature that it causes discredit to the agency, the employee's department or division;
- (v) Repeated garnishment of an employee's wages pursuant to Labor Code 2929;
- (w) Being under the influence of alcohol or illegal drugs or narcotics while on duty, being impaired by alcohol or illegal drugs in the employee's biological system while on duty which could impact the ability to do his/her job. (i.e. standby);
- (x) Permanent or chronic physical or mental disability not arising out of the course and scope of employment which precludes the employee from performing the essential elements of his/her job if the employee cannot be reasonably accommodated or would present a direct and imminent threat to the health and safety of self and others;

- (y) Refusal to subscribe to any oath or affirmation that is required by law in connection with the City's employment;
- (z) Outside employment not specifically authorized by the appointing authority;
- (aa) Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his/her official duties;
- (bb) The refusal of any officer or employee of the agency to testify under oath before any Grand Jury having jurisdiction over any then pending cause of inquiry in which the investigation of government bribery or misconduct in agency office is involved shall constitute of itself sufficient ground for the immediate discharge of such officer or employee;
- (cc) Working overtime without authorization;
- (dd) Failure to comply with job description requirements;

2. Kinds of Discipline.

- (a) Suspension. Suspension shall be a temporary separation from City service without pay for disciplinary purposes.
- (b). Reduction in Pay. Reduction in pay shall be a decrease in salary to a lower step within the salary range for disciplinary purposes.
- (c). Demotion. Demotion is a transfer of an employee from one class to another having lesser responsibilities and a lower maximum rate of pay for disciplinary reasons.
- (d). Dismissal. Dismissal is the termination of an employee for disciplinary reasons.

3. Maximum Length of Salary Reduction. As a disciplinary measure, the City Manager (or designee) may reduce the salary, up to five percent (5%) but not below the first step of the employee's pay range, of any employee for a period of up to six (6) months.

4. Relief from Duty. The City retains the right in any case to relieve an employee immediately from duty, pending investigation or Notice of Discipline, with pay until the effective date of such discipline as determined by the City Manager or designee.

5. Disciplinary Action Subject to Skelly Procedure: Prior to a disciplinary suspension, a reduction in pay, a demotion or a disciplinary discharge, the procedures set forth below shall occur:

A. Written Notice: The employee's immediate or direct supervisor shall give the employee a written notice of the proposed disciplinary action at least five (5) working days prior to the effective date. The written notice shall be personally delivered to the employee or sent by certified mail to the employee's last known address. The notice generally will include the following information:

1. A description of the proposed action to be taken and its proposed effective date or dates.
2. The specific grounds and particular facts upon which the action is proposed to be taken.
3. The employee's right to receive a copy of the written materials alleged to support the proposed actions.
4. A statement advising the employee of the right to respond, orally or in writing within five (5) working days after receipt of the written notice.
5. A statement that failure to respond by the time specified shall constitute a waiver of the right to respond prior to final discipline being imposed.

B. Employee Review and Response: The employee shall be given an opportunity to review the documents or materials upon which the proposed disciplinary action is based. Within five (5) working days after receipt of the written notice, the employee shall have the right to respond, either orally or in writing, to the highest level supervisor in the department within which the employee works, or to the City Manager if the employee reports directly to the City Manager. By mutual agreement, the specified time period may be extended.

C. Employee Rights and Responsibilities:

1. The employee has the right to a representative throughout the pre-disciplinary process at the employee's own cost and expense.

2. The employee has the right to review his/her City Personnel File during normal business hours, provided that an appointment is made to review the file.

D. Supervisor's Decision: The supervisor who conducts the Skelly meeting shall make the final decision on disciplinary action within five (5) days after the Skelly meeting or the receipt of written materials from the employee. The stated period to respond may be extended by the supervisor if he/she decides a longer period is necessary. The decision shall be personally delivered to the employee or sent by certified mail to the employee's last known address. The decision shall be dated and signed by the supervisor. If disciplinary action is to be taken, the written response shall include a statement informing the employee of the right to appeal and the time period within which the appeal must be made.

56. Discipline During Probationary Period. An employee may be disciplined, without the right of appeal, at any time during the employee's initial probationary period after hire, reinstatement, or re-employment.