

April 2007 Community Development Report

Date	New Business Licenses Issued		New Residences	Building Permits Issued							Code Enforcement Actions								
	New	Renewals		New Multi-Family DU	New Commercial	Electrical, plumbing, structural or other	Residential Additions	Plans Check	Commercial Tenant Improvements	Complaints Received	Cases Opened	First Letters	Subsequent Letters	Citation	Notice to Abate	Cases Closed	Neighborhood Cleanup Remaining Open	Neighborhood Cleanup Closed	
May '06	29	0	22	0	0	50	1	44	0	11	4	219	4	1	0	27	35	3	
June '06	15	2	24	16	1	29	1	39	0	23	0	28	6	15	4	27	0	19	
July '06	7	0	15	4	0	22	3	26	0	28	2	17	17	0	0	25	12	3	
Aug '06	26	6	15	3	0	32	3	43	2	15	5	32	18	0	2	34	10	2	
Sept '06	6	0	16	0	0	36	1	16	0	48	8	23	25	2	1	59	4	6	
Oct '06	21	114	30	0	0	24	8	46	2	22	4	459	20	2	1	32	2	2	
Nov '06	7	197	7	0	0	34	2	31	0	10	0	40	46	1	2	38	0	1	
Dec '06	3	129	7	0	0	13	0	10	0	8	5	15	7	0	0	30	48	0	
Jan '07	10	62	11	0	0	24	3	11	1	5	0	20	11	0	0	15	24	24	
Feb '07	7	17	9	0	0	13	3	13	0	23	2	12	24	0	1	29	20	4	
March 07'	20	30	8	1	0	33	3	36	0	41	9	37	24	1	2	46	17	3	
April '07	11	2	5	0	0	34	4	17	0	23	6	27	8	2	0	32	14	3	
To Date Totals	162	559	169	24	1	344	32	332	5	0	45	929	210	24	13	394	186	70	

April 2007 - 5 new single family residential units No new RM units

Building permits (fiscal year)

	SFR	MFR Total
06/07	111	7 118
05/06	330	93 423 67%
04/05	237	16 253 277%
03/04	67	0 67 458%
02/03	12	0 12 20%
01/02	10	0 10 100%
00/01	5	0 5 --

Phone Calls - April 2007

GB	55
BS	318
VG	537
FF	400
KC	63
AM	146
TOTAL CALLS	1519





CITY OF TWENTYNINE PALMS
STAFF REPORT
6136 Adobe Road
Twentynine Palms, CA 92277
(760) 367-6799, Fax (760) 367-5400
commdev@ci.twentynine-palms.ca.us

TO: City Council via City Manager
FROM: City Engineer
DATE: May 22, 2007

SUBJECT: Vacation of road easement at alley on Tract Map 2630

RECOMMENDATION: That the City Council:

1. Find that portions of the road easement for the alley as shown on Tract Map 2545 per the attached Exhibits "A" are unnecessary for present or prospective public use, and that no public money has been expended for maintenance for more than five (5) years, and;
2. Adopt Resolution 07-11 "A Resolution of the City Council of the City of Twentynine Palms, California, vacating a portion of the alley at lots 10, 11, 12, and 13, Tract 2630, pursuant to Streets and Highways Code Sections 8330-8336"
3. Instruct the City Clerk to cause the Resolution vacating the easements to be recorded in the office of the County Recorder of the County of San Bernardino, pursuant to Section 8336 of the Streets and Highways Code;

DISCUSSION: The City received a request from Richard Hill to vacate a portion of the alley adjacent lots 10-13 of Tract Map # 2630 that connects Juniper Avenue and 49 Palms Avenue. Staff believes that the portion of alley proposed to be vacated is in excess of what is necessary of public use. The road easement to be vacated is shown in yellow on plats, which are on file with the City Clerk. A map of these properties is also attached with the accompanying Resolution. Staff sent a letter to the adjacent owners who are affected by the street vacation. (See attached letter) The city has not received any response.

ATTACHMENTS

- Resolution
- Plat Map
- Letter to adjacent property owners

BACKGROUND: The road easements may be summarily vacated under the provisions of Section 8331 of the Streets and Highway Code because it is not required for street or highway purposes or prospective public street purposes. No posting, advertising or public hearing is necessary.

Once the Council adopts the resolution vacating the road easement, the City Clerk will record the resolution of vacation. After the resolution is recorded, the road easement shall no longer constitute a right-of-way over that portion hereinabove described property.

FISCAL IMPACT: The applicant has paid the required fees for processing this vacation. There is no financial impact to the City.

RESOLUTION NO. 07-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, VACATING PORTIONS OF THE ALLEY AT LOTS 10,11,12, AND 13 OF TRACT MAP 2630, PURSUANT TO STREETS AND HIGHWAYS CODE SECTIONS 8330-8336

The City Council of the City of Twentynine Palms, California, does hereby resolve as follows:

Section 1: The City Council of the City of Twentynine Palms, California, intends to vacate portions of an easement for public road purposes for a portion of the alley adjacent to Lots 10,11,12, and 13 of Tract Map No. 2630. Said easement was dedicated by Tract Map recorded in Book 37, page 60 of maps, Office of Records in the County of San Bernardino County, State of California; and

Section 2: The City Council of the City of Twentynine Palms now finds that the existing right-of-way for the Alley Road is in excess of what is required for street purposes, that it is now in the public interest that a portion of said easement be vacated, and it hereby meets the requirements of Section 8334 of the Streets and Highway Code.

Section 3: That pursuant to the Public Streets, Highways and Service Easements Vacation Law, Division 9, Part 3 Chapter 4, (Summary Vacation), California Streets and Highways Code beginning at Section 8300, relating to the vacation of public streets, highways, and service easements, the following described portion of said easement is hereby vacated:

A strip of land 20-foot wide strip of land lying westerly of the prolongation of the westerly right-of-way line of Juniper Avenue and adjacent to and south of lots 10, 11, 12 and north of lot 13 of Tract Map 2630. See Exhibit "A" attached hereto and by this reference made apart hereof.

Affects Assessor's Parcels: 616-103-4, 616-103-5, 616-103-6, and 616-103-7

Section 4: The City Clerk shall record this Resolution of Vacation pursuant to Streets and Highways Code section 8336.

Section 5: That from and after the date this Resolution is recorded, said easement shall no longer constitute an easement over that portion herein above described.

PASSED, APPROVED and ADOPTED this 22nd day of May, 2007.

Joel A. Klink, Mayor

ATTEST:

Charlene L. Sherwood CMC, City Clerk

APPROVED AS TO CONTENT:

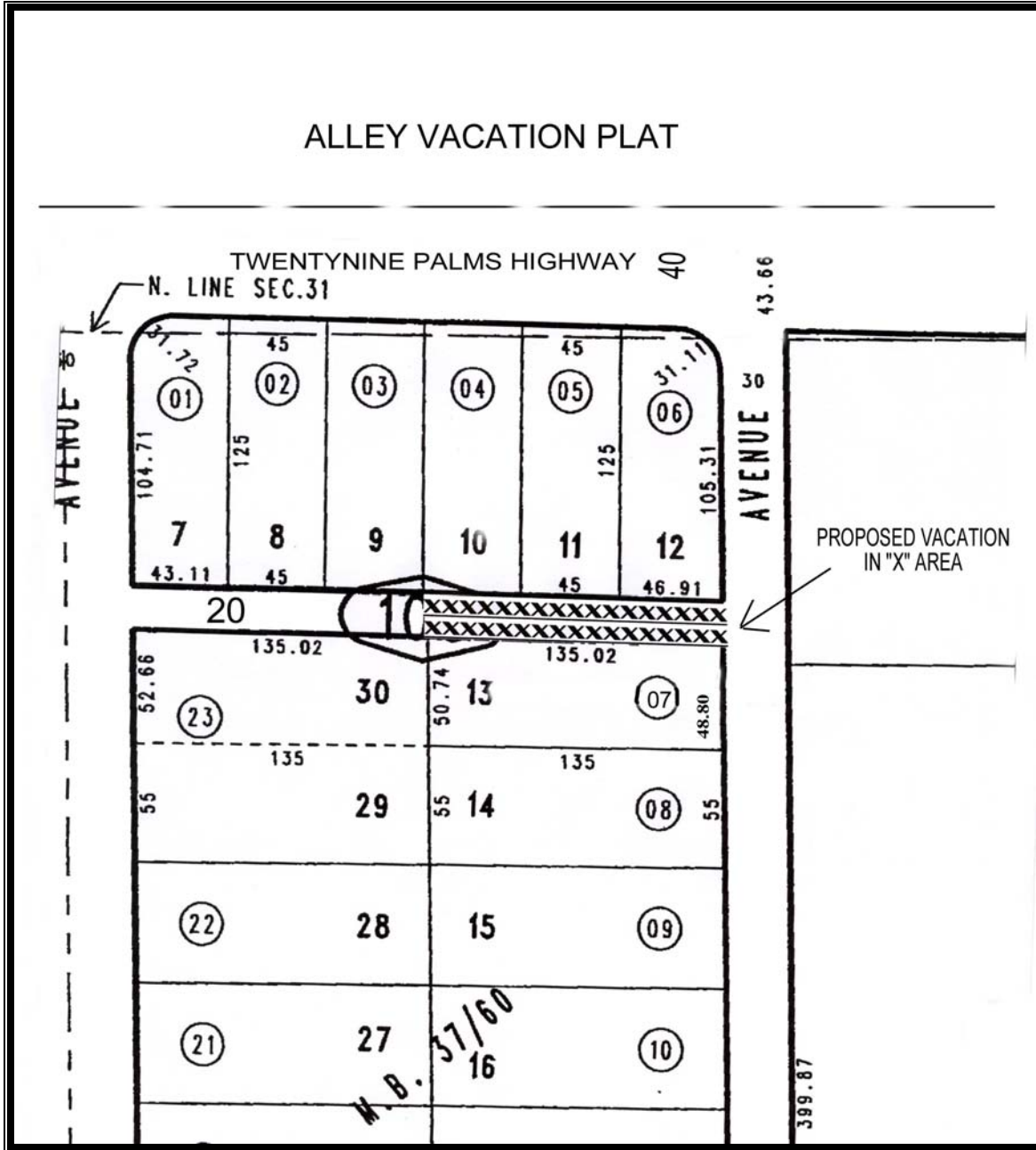
Michael S. Tree, City Manager

I HEREBY CERTIFY THAT THE FOREGOING Resolution No. 07-11 was duly adopted by the City Council of the City of Twentynine Palms at a regular meeting thereof, held on the 22nd day of May, 2007, by the following vote of the City Council:

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

Charlene L. Sherwood CMC, City Clerk

EXHIBIT "A"



Applicant: Amalgamated Resources Inc. (Richard Hill) Phone: 760-799-6181
 Assessor Parcel Number: 0616-103-07-0000
 Lot 13, Tract No. 2630, in the County of San Bernardino, State of California, as per plat recorded in book 37/60 of maps, page 10, Records of said County, together with adjacent vacated alley.



Prepared By:
 City of
 Twentynine Palms
 Engineering Department

CITY OFFICES:
6136 ADOBE ROAD
TWENTYNINE PALMS, CA 92277
(760) 367-6799
fax (760) 367-4890



April 23, 2007

Re: Street Vacation – APN # 616-103-06 and 05

Dear Mr. Nathan Campobasso:

The City of Twentynine Palms has received an application to vacate the alley adjacent and south of your property west Juniper Avenue south of Highway 62. Because the easement has not been used for the purpose for which it was dedicated for five consecutive years immediately preceding the proposed vacation, it is staff's opinion that the vacation of the alley is in the best interest of the public.

In order to vacate the alley, the City Council is required to adopt a Resolution of Vacation. To assure that the City Council has all necessary information for this request, notification to the adjacent property owners is required. We anticipate that this the item will schedule for the second Council meeting in May.

Please be aware that the City Council will make the final decision whether or not to vacate the alley. If the alley is vacated, the north half of the alley adjacent to your property is considered to be free of public easement encumbrances and is considered to be included and or added your property.

Should you have any questions for concerns please contact me at 367-6799.

Sincerely,

A handwritten signature in cursive script that reads "Richard Pedersen".

Richard Pedersen
City Engineer



STAFF REPORT

TO: City Council via City Manager
FROM: Finance Director
DATE: May 22, 2007

SUBJECT: Amendment of the Measure I Five-year Plan for fiscal years 2006-07 through 2010-11.

RECOMMENDATION: The City Council adopt Resolution No. 07-14 amending the Plan.

Attachments

Amended Measure I Five-year Plan.

Resolution No. 07-14

ORDER OF PROCEDURE:

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

BACKGROUND: The Measure I Five-year Plan was adopted a year ago. The City has recently awarded a bid for projects that were not included in the current plan for 2006-07; therefore, the plan has to be amended before June 30 to add those projects. The projects to be added are: National Park Drive, from Utah Trail to 604' west of Mara; Utah Trail from Joe Davis Drive to Hwy 62; Desert Knoll from Buena Vista to Hwy 62; East and West Courts and Homestead from Adobe to Smoketree, Smoketree to Manana, and then back to Adobe on Manana.

There are some other changes to the proposed amounts of some projects and changes to future years to conform to the 2008 through 2012 plan.

ALTERNATIVES: If the projects are not amended, the City will have an exception on the Measure I Audit, and have to make the amendments later.

FISCAL IMPACT: A reduction in total Measure I expenditures in the amount of \$200,500.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

RESOLUTION NO. 07 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS AMENDING THE FIVE-YEAR MEASURE I CAPITAL IMPROVEMENT PROGRAM FOR PLAN YEARS 2007 THROUGH 2011

WHEREAS, the City of Twentynine Palms by Resolution No. 06-13 on May 23, 2006 adopted the Measure I Five-Year Plan for Fiscal Years 2006-2007 through 2010-2011; and

WHEREAS, the City of Twentynine Palms has expended funds under that Plan during fiscal year 2006-2007; and

WHEREAS, some expenditures made were 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 Amended Measure I Five-Year Capital Improvement Program for fiscal years 2006-2007 through 2010-2011, as amended, a copy of which is attached to this resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of Twentynine Palms this 22nd day of May 2007.

Joel A. Klink, Mayor

Attest:

Charlene Sherwood, CMC, 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 22nd day of May 2007, by the following vote of the Council:

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

Charlene Sherwood, CMC, City Clerk



STAFF REPORT

TO: City Council via City Manager
FROM: Finance Director
DATE: May 22, 2007

SUBJECT: Adoption of the Measure I Five-year Plan for fiscal years 2007-08 through 2011-12.

RECOMMENDATION: The City Council adopt Resolution No. 7-15 approving the Plan.

Attachments

Measure I Five-year Plan,
2007-08 through 2011-12.

Resolution No. 07-15.

ORDER OF PROCEDURE:

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

BACKGROUND: Measure I is the result of an initiative passed by the voters of San Bernardino County, authorizing a ½ % sales tax to be used for transportation purposes. The funds are authorized to be spent as follows: 65% for regional and arterial streets and roads, 30% for local streets and roads, and 5% for elderly and handicapped transportation needs.

Cities that receive Measure I funding are required to submit a five-year plan each year. Since a new five-year plan is submitted each year, there is little attention paid to years two through five. Each year, the measure I audit is required to comment on whether the actual expenditures agree with those in the five-year plan.

ALTERNATIVES: There are no practical alternatives, because SANBAG will not disburse Measure I funds until a five-year plan is approved.

FISCAL IMPACT: The City will receive and spend the funds.

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head

RESOLUTION NO. 07-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR PLAN YEARS 2008 THROUGH 2012

WHEREAS, San Bernardino County voters approved passage of Measure I in November 1989, authorizing San Bernardino Associated Governments, acting as the San Bernardino County Transportation Authority, to impose a one-half of one percent sales tax on retail transactions and use tax applicable in the incorporated and unincorporated territory of the County of San Bernardino; and

WHEREAS, revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plans set forth in Ordinance 89-1 of the Authority; and

WHEREAS, Expenditure Plans of the Ordinance require each local jurisdiction receiving revenue from the tax to expend those funds pursuant to a Five-Year Capital Improvement Program adopted by resolution of the local jurisdiction; and

WHEREAS, Expenditure Plans of the Ordinance also require each local jurisdiction to annually adopt and update the Five Year Transportation Plan.

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 for the fiscal years 2007-2008 through 2011-2012, a copy of which is attached to this resolution.

PASSED, APPROVED AND ADOPTED on the 22nd day of May 2007.

Joel A. Klink, 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 22nd day of May, 2007, by the following vote of the Council:

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

Charlene Sherwood, CMC, City Clerk



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: May 22, 2007

SUBJECT: Excessive Heat Emergency Plan

RECOMMENDATION: Approve City Excessive Heat Emergency Plan

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 (voice vote)

Attachments

1. City of Twentynine Palms Excessive Heat Emergency Plan

BACKGROUND: During the summer months high temperatures and humidity levels in the City can provide for unhealthy conditions, especially for those without central air conditioning, or when power outages occur.

To be better prepared for such unhealthy conditions, it has been the goal of the City to have an Excessive Heat Emergency Plan. The plan includes the following components: (1) general information on the unsafe conditions of high temperatures and humidity (also known as the apparent temperature), (2) a chart that provides various levels of apparent temperatures and accompanying levels of danger, (3) phases of action and checklists for the City's Emergency Management Team, and (4) resource lists to assist with readiness.

ALTERNATIVES: The City could opt not to have a plan for excessive heat conditions.

FISCAL IMPACT: None

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head

**CITY OF TWENTYNINE PALMS:
EXCESSIVE HEAT EMERGENCY PLAN**

ADOPTED BY CITY COUNCIL ON MAY 22, 2007

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PURPOSE

This is a plan designed to provide guidance for the City of Twentynine Palms in its preparation for heat related emergencies.

AUTHORITIES AND REFERENCES

Government Code Section (within the emergency Services Act, Chapter 7, Division 1, Title 2 unless otherwise stated):

- “Section 8630(a): A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.”
- “Section 8558(c): “Local emergency” means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county or city caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or earthquake, complications resulting from the Year 2000 Problem, or other conditions, other than conditions resulting from a labor controversy, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivision to combat, or with respect to regulated energy utilities, a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission.”
- Section 8625: Gives Governor the authority to proclaim “state of emergency” when requested by local jurisdiction or when he finds local authority is inadequate to cope with emergency.
- Health and Safety Code Section 101040: authority to take preventive measures during emergency. “The County Health officer may take any preventive measure that may be necessary to protect and preserve the public health from any public health hazard during any “state of war emergency,” “state of emergency,” or “local emergency,” as defined by Section 8558 of the government Code within his or her jurisdiction.

“Preventative measure” means abatement, correction, removal or any other protective step that may be taken against any public health hazard that is caused by a disaster and affects the public health.

- Section 101475: Gives the city public health officer authority to take preventive measures to protect public health.
- Penal Code Section 409.5: Local health officer has authority to order evacuation if there is an immediate menace to public health from a disaster.

BACKGROUND

Heat waves do not elicit the same immediate response as floods, fires, earthquakes and typical disaster scenarios. They destroy less but have claimed more lives over the past fifteen years than all other declared disaster events combined. For example the 1989 Loma Prieta earthquake resulted in 63 deaths, while the 1992 Northridge earthquake was responsible for the loss of 55 lives. The catastrophic 2003 firestorms resulted in 24 deaths. The worst single heat wave event in California occurred in Southern California in 1955, when an eight-day heat wave resulted in 946 deaths.

Typical summer temperatures in California contribute to the untimely demise of 20 people on average per year. The July 2006 Heat Wave in California has been the attributable cause of the death of 138 people over a 13 day period. We did not see the billions of dollars in damage as we did in the two earthquakes cited, nor did we see over three thousand homes damaged, as we did in the year 2003 firestorm; but we see approximately twice the number of human deaths due to the heat wave as we saw in each earthquake, and almost six times the fatalities from the heat wave as was observed in the devastating firestorm of year 2003. Heat waves are obviously less dramatic and more deadly.

Local governments are the first responders in emergencies and request aid through a hierarchical mutual aid process under the Standardized Emergency Management System (SEMS) when necessary.

HEAT INDEX READINGS AND ASSOCIATED HEALTH RISKS

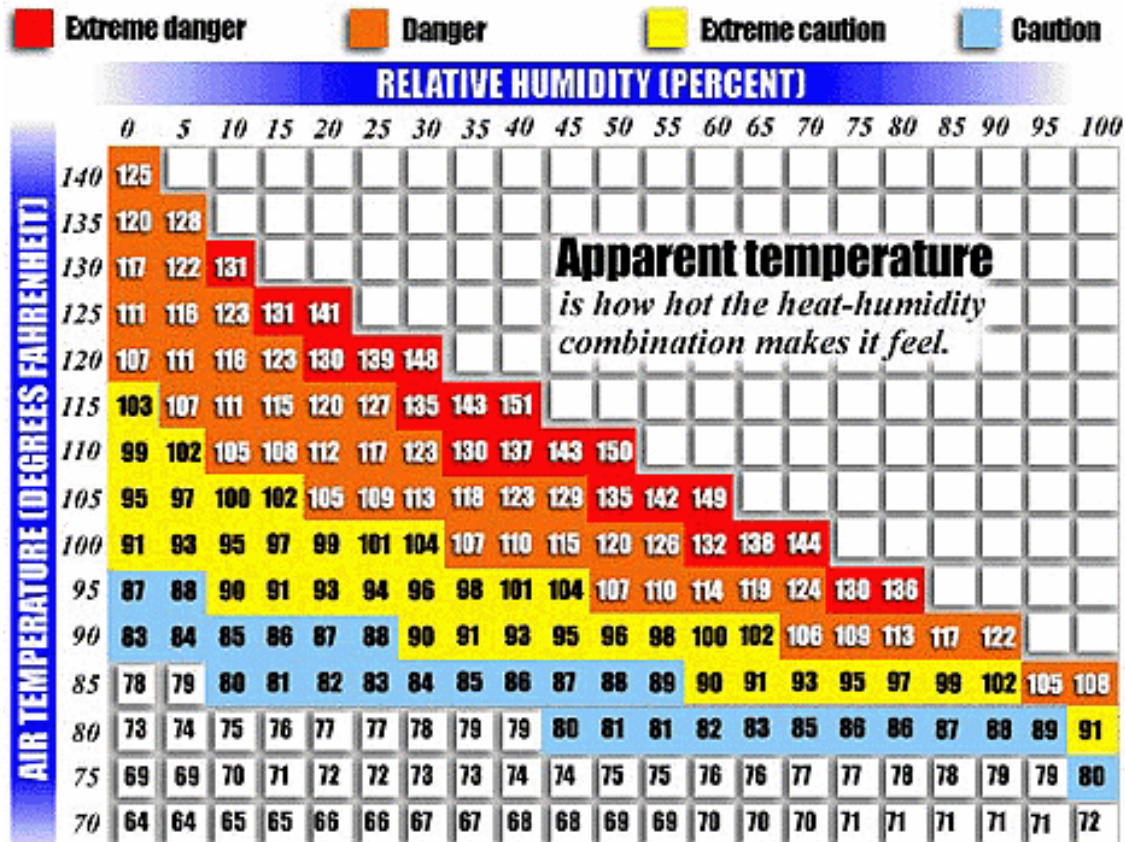
The heat index (see chart on next page), also known as the apparent temperature, is how hot the heat-humidity combination makes it feel. As relative humidity increases, the air seems warmer than it actually is because the body is less able to cool itself via evaporation of perspiration.

As the heat index rises, so do health risks. In general, when the heat index is 90 degrees, heat exhaustion is possible with prolonged exposure and/or physical activity. When the heat index is between 90 degrees and 105 degrees the possibility of sunstroke, heat cramps or heat exhaustion increases, especially with prolonged exposure and/or physical activity. When the heat index is above 105 degrees, sunstroke, heat cramps or heat exhaustion is likely, and heatstroke is possible with prolonged exposure and/or physical activity. When the heat index is above 130 degrees heatstroke and sunstroke are highly likely with continued exposure. Physical activity and prolonged exposure to the heat increase the risks.

HEALTH INFORMATION

Heat exhaustion occurs when the body is dehydrated. Symptoms include: headache, nausea, dizziness, cool and clammy skin, pale face cramps, weakness, profuse perspiration. First Aid includes moving the person to a cooler spot, providing drinking water with a small amount of salt added (one teaspoon per quart). Without intervention heat exhaustion can lead to collapse and heatstroke.

Heatstroke occurs when perspiration cannot occur and the body overheats. Symptoms include: headache, nausea, face flushed, hot and dry skin, no perspiration, body temperature over 101 F, chills, rapid pulse. First aid includes cooling the person immediately, moving to shade or indoors, wrapping victim in cool, wet sheet, and getting medical assistance. Without intervention heatstroke can lead to confusion, coma, and death.



Source: National Oceanic and Atmospheric Administration

Extreme Danger: Heatstroke risk extremely high with continued exposure.

Danger: sunstroke, heat cramps and heat exhaustion likely, heatstroke possible with prolonged exposure and/or physical activity.

Extreme Caution: Sunstroke, heat cramps, and heat exhaustion possible with prolonged exposure and/or physical activity.

Caution: Fatigue possible with prolonged exposure and/or physical activity.

PHASES OF ACTION BY CITY EMERGENCY MANAGEMENT AND CHECKLISTS

The City of Twentynine Palms will carry out heat emergency response by following the following three phases and accompanying checklists:

- Readiness
- Phase 1 – Heat Alert
- Phase 2 – Heat Emergency

Readiness

The city will monitor weather forecasts. If the National Weather Service, or other credible weather forecast agency, predicts the local heat index will reach 105 degrees for two or more consecutive days in the upcoming week the following actions should be taken:

Activity	Responsible Department/Agency	Completed (✓)
Forecast monitoring	Emergency Management	
City to collaborate with other community agencies in the Basin and with state to identify any anticipated needs or problems	Emergency Management	
Consider coordinated or Joint Press statements increasing awareness of the risk from heat for vulnerable populations and the general public to be released.	Emergency Management	
Monitor correspondence from utility providers	Emergency Management	

Activity	Responsible Department/Agency	Completed (✓)
Verify cooling center availability, including inventory of resources	Community Services Dept.	

Phase 1 – Heat Alert

Issued when a local heat index is forecasted to reach 115 degrees

Activity	Responsible Department/Agency	Completed (✓)
Release pre-scripted heat protective measures to all media sources	Emergency Management	
Activate telephone heat hotlines	City Clerk Dept.	
Alert service groups, social service agencies, medical facilities, care homes, and Red Cross	Emergency Management	
Consider Activation of Cooling Center(s)	Community Services Dept.	

Activity	Responsible Department/Agency	Completed (✓)
Ensure all fleet vehicles have full fuel tanks in the event of power failure.	Department Heads	
Coordinate with transportation resources to assist those without transportation to get to cooling centers.	Emergency Management	
Establish regular public official briefings to include weather updates and actions taken and planned.	Emergency Management	
Schedule regular reporting and monitoring procedures with Cooling Center(s), volunteer and service organizations, utilities, public safety, and medical facility.	Emergency Management	
Consider activation of Emergency Operations Center (EOC)	Emergency Management	

Phase 2 – Heat Emergency Actions

Issued when a local heat index is forecast to reach 130 degrees or when in best estimate of City Emergency Management the cumulative effect is of emergency proportions.

Activity	Responsible Department/Agency	Completed (✓)
Monitor and determine the need for more cooling facilities and resource needs.	Emergency Management	
Consider activation of EOC.	Emergency Management	
Establish regular news releases to media.	Emergency Management	
Prioritize public offices that should remain open and close others to conserve energy.	Emergency Management	
Issue targeted heat advisories to vulnerable populations through all sources.	Emergency Management Public Safety EMS Medical Director	

Activity	Responsible Department/Agency	Completed (✓)
<p>Monitor Cooling Center(s) providing regular updates on numbers of persons at each, disability related needs, support issues, and power availability.</p>	<p>Emergency Management Community Service Dept</p>	
<p>Coordinate with OES Regional providing information updates, resource assessments, and mutual aid requests.</p>	<p>Emergency Management</p>	
<p>Consider declaration of emergency (local and/or public health) as appropriate.</p>	<p>Emergency Management</p>	
<p>Establish regular briefings with the National Weather Service.</p>	<p>Emergency Management</p>	

Activity	Responsible Department/Agency	Completed (✓)
Ensure all fleet vehicles have full fuel tanks in the event of power failure.	Department Heads	
All employees to report to Department Heads	Employees Department Heads	
Continuously review and update emergency resource inventories.	Emergency Management Department Heads	
Ensure pet and animal heat impacts are being addressed through special facilities or pet accommodations at Cooling Center(s).	Emergency Management Animal Control	
Maintain regular updates to and from Medical Center and Emergency Response providers.	Emergency Management	

ATTACHMENTS

Cooling Center Checklist
 Twentynine Palms Senior Center
 6539 Adobe Rd

Critical Resources	Completed (✓)
Materials for registration	
Schedule for employees and volunteers at Cooling Center	
Center assessable to disabled	
Seating available for persons	
Area for pets (must be transported and housed in carrier)	
Pet supplies (misc. collars, leashes, carriers)	
Communications (non electrical phone and t.v.)	
Toys, books, games and small furniture for children	
Clean and accessible public restrooms	
MBTA Transit Center secure and accessible	
Available drinking water (fountain and bottled water)	
Back up generator with fuel	
Electric fans (variety of sizes)	
Continuous security in and around Cooling Center	

VULNERABLE POPULATIONS

Situational and physical characteristics help to identify vulnerable populations that may not comfortably or safely access and use disaster resources. Specifically, when discussing heat related emergency preparedness, the following groups could be considered vulnerable or at greater risk in a heat emergency:

- Infants and small children under age three
- Women who are pregnant
- Elderly people (age 65 and older)
- The obese
- The bedridden
- Mentally ill
- Those with medical conditions
- Those requiring life-saving medications
- Individuals with drug and alcohol addictions
- Those with mobility constraints
- Non-ambulatory
- Those under extreme working conditions
- The poor
- Socially isolated
- Non-English speakers who may not have access to information

TRANSPORTATION RESOURCES

Morongo Basin Transit Authority	(800) 794-6282
Top's Taxi	(760) 361-6748
Reach Out Morongo Basin	(760) 361-1410

CONTACT INFORMATION ON MARINE BASE

Public Affairs –

Jim Ricker, Community Plans Liaison Officer (760) 830-5310

American Red Cross (760) 830-6685

Food Services - (760) 830-6822

Cots and air-conditioned dormitories - Contact the Public Affairs Office

HEALTHCARE AND SOCIAL SERVICE CONTACT INFORMATION

America Red Cross	(760) 366-5330
Reach Out Morongo Basin	(760) 361-1410
High Desert Industries	(760) 228-1860
Aging & Adult Health Services	(760) 228-5390
Department of Social Services	(760) 366-4180
Home Health Services	(760) 366-6424
Senior Center	(760) 367-5780



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: May 22, 2007

SUBJECT: Adoption of Ordinance No. 205 Implementing AB 2987

RECOMMENDATION: The City Council conduct the Public Hearing, introduce Ordinance No. 205, and direct staff to bring the item back to the City Council for adoption.

ORDER OF PROCEDURE:

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

Attachments Ordinance No. 205

BACKGROUND: AB 2987 is the new state video franchising statute which became effective January 1, 2007. AB 2987 authorizes the California Public Utilities Commission (CPUC) to issue statewide franchises to, among others, telephone companies wishing to enter the video business. A statewide franchise has already been issued to Verizon and, in all probability, will soon be issued to AT&T as well.

Much of AB 2987 is self implementing. However, in order to ensure the continued collection of the five percent (5%) Franchise Fee, the one percent (1%) public, educational, and governmental grant (also known as the PEG Fee), and to enforce the state mandated customer service standards, the City must undertake certain formal adoptions pursuant to the statute. Ordinance No. 205 has been created to make such adoptions.

ALTERNATIVES: None

FISCAL IMPACT: Non-Adoption of Ordinance No. 205 could result in the City losing approximately \$50,000 in franchise fees and PEG Fees.

Review of Staff Report: _____
City Manager City Attorney City Engineer Department Head

ORDINANCE NO. 205

THE PEOPLE OF THE CITY OF TWENTYNINE PALMS
DO ORDAIN AS FOLLOWS:

Article I. Video Franchise Fees, Customer Service and Other Video-Related Matters.

Section 1.00 Regulation of State Video Franchises and City Video Franchises.

Under State law effective January 1, 2007, the California Public Utilities Commission (“PUC”) will have the authority to grant state video franchises (“State Franchises”). The City of Twentynine Palms (the “City”) will acquire certain rights and responsibilities with respect to state video franchise holders. These include the receipt of a franchise fee and a fee for Public, Educational and Government (“PEG”) purposes, both based on a percentage of the gross revenues of state franchise holders, as well as the establishment and enforcement of penalties for violations of customer service rules.

Section 1.01 State Video Franchise Fees.

- (a) Any state video franchise holder (“State Franchisee”) operating within the boundaries of the City of Twentynine Palms shall pay a fee to the City equal to five percent (5%) of the Gross Revenue of that State Franchisee.
- (b) Any State Franchisee operating within the boundaries of the City of Twentynine Palms shall pay an additional fee to the City equal to one percent (1%) of the Gross Revenue of that State Franchisee, which fee shall be used by the City for PEG purposes consistent with state and federal law.
- (c) Gross Revenue, for the purposes of (a) and (b) above, shall have the definition set forth in California Public Utilities Code § 5860.

Section 1.02 Audit Authority.

Not more than once annually, the City may examine and perform an audit of the business records of a State Franchisee to ensure compliance with Section 1.01.

Section 1.03 Customer Service Penalties Under State Franchises.

- (a) The holder of a State Franchise shall comply with all applicable state and federal customer service and protection standards pertaining to the provision of video service.
- (b) The City Manager, or his/her designee, shall monitor the compliance of State Franchisee(s) with respect to state and federal customer service and protection standards. The City Manager, or his/her designee, shall provide the State Franchisee(s) written notice of any material breaches of applicable customer service standards, and shall allow the State Franchisee(s) thirty (30) days from the receipt of the notice to remedy the

specified material breach. Material breaches not remedied within the 30-day time period shall be subject to the following penalties by the City Manager, or his/her designee.

- (i) For the first occurrence of a violation, a fine of \$500.00 shall be imposed for each day the violation remains in effect, not to exceed \$1500.00 for each violation.
- (ii) For a second violation of the same nature within 12 months, a fine of \$1,000.00 shall be imposed for each day the violation remains in effect, not to exceed \$3,000.00 for each violation.
- (c) A State Franchisee may appeal a penalty assessed to the City Council within sixty (60) days. After relevant speakers are heard, and any necessary staff reports are submitted, the City Council will vote to either uphold or vacate the penalty. The City Council's decision on the imposition of a penalty shall be final.

Section 1.04 City Response to State Franchise Applications.

- (a) Applicants for State Franchises within the boundaries of the City of Twentynine Palms must concurrently provide complete copies to the City of any application or amendments to applications filed with the PUC. One complete copy must be provided to the City Clerk, and one complete copy to the City Manager.
- (b) The City Manager shall provide any appropriate comments to the PUC regarding an application or an amendment to an application for a State Franchise.

I hereby certify that this ordinance was passed by the Council of the City of Twentynine Palms, at its meeting of June 12, 2007.

By: _____
Charlene L. Sherwood CMC, City Clerk

APPROVED AND ADOPTED THIS 12TH DAY OF JUNE 2007.

AYES: COUNCIL MEMEBRS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Joel A. Klink, Mayor

Approved as to Form and Legality

By: _____

William M. Marticorena
Rutan & Tucker, LLP
Special Counsel

ATTEST:

Charlene L. Sherwood, City Clerk

I hereby certify that the foregoing is a true copy of Ordinance No. 205 duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the 12th day of June, 2007, in Twentynine Palms, California.

Dated this 12th day of June, 2007.

Charlene L. Sherwood CMC, City Clerk



STAFF REPORT

TO: City Council via City Manager
FROM: Finance Director
DATE: May 22, 2007

SUBJECT: Annual Budget

RECOMMENDATION:

The City Council approve the two-year budget for fiscal years 2007 – 2008 and 2008 – 2009 with the adoption of Resolution No. 07-16.

ORDER OF PROCEDURE:

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

Attachments

City of Twentynine Palms
proposed budget for fiscal
years 2007- 2008 and 2008 -
2009.

Resolution No. 07-16

BACKGROUND:

The City began to prepare two-year budgets with fiscal year 2005 – 2006. This budget begins the second cycle. The budget has been prepared using input from all City departments, as well as the City Engineer. It was reviewed by the Finance Task Force consisting of Mayor Klink and Mayor Pro Tem Bernal. The Personnel Task Force provided input regarding salaries and staffing needs. The following items are of note:

GENERAL FUND

Revenue

- Property taxes are increasing as the new construction is added to the tax rolls. Other fees and charges are also increasing. Interest revenue is going up over previous years with the increased rates and additional funds in the bank.
- We have estimated the revenue for 2008-09 to be about flat, because of the uncertainty in the general economy.

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head

Expenditures

- Salaries and Benefits; the cost of living index at the end of January was 3.2% higher than last year. This is reflected in the budget as a COLA. There are some salary adjustments recommended by the Personnel Task Force.
- The Non-departmental budget has added funds for a salary survey and for the celebration of the City's twentieth anniversary of incorporation.
- The Capital Outlay budget includes an upgrade of the computer system throughout the City departments; the replacement of the phone system; demolition of the old Knott Sky Park hotel rooms and the recently acquired building at Adobe and Sullivan; and rehabilitation of the Animal Shelter.
- The salary for the Economic Development Director has been increased to a more competitive range.
- Code enforcement is budgeted for a second full-time officer.
- The Law enforcement budget provides for a full-time motorcycle traffic officer beginning January, 2008.

SPECIAL FUNDS

- There is \$500,000 provided for slurry seal projects in the various street fund budgets.

Measure I

- Includes the project to move the crosswalk at Adobe Road and El Paseo to the south side of the intersection, add a median and a flashing warning light.

Article 8

- Widen and install berms on Mesquite Springs Road, between Hwy 62 and Two Mile Road, and reconfigure the approach to Wildcat way from the south.
- Repave, widen and install berms on Bagley Ave., between Split Rock and Two Mile Road.

Public Access TV

- The City has received a grant from Time Warner Cable to provide public access TV. The City will be purchasing equipment with the grant. Ongoing operations will be financed by a \$.50 fee for each cable subscriber.

Adobe Road Project

- The City also has a grant to widen Adobe Road from Amboy Road to the MCAGCC main gate. Staff anticipates this work will be completed during the 2008 – 2009 fiscal year.

Redevelopment Agency

- The RDA is projected to borrow at least \$5,000,000 through the issuance of notes; \$4,000,000 will go to the Capital Improvement Fund (General RDA), and \$1,000,000 to the Low-to-moderate Income Housing Fund. Before the notes are issued, there will need to be a list of projects on which the money will be spent.

ALTERNATIVES:

The City is required to adopt a budget each year. The City Council may consider the budget, ask for comments, discuss it and either adopt it as presented or with any changes; or bring it back at a future date for adoption.

FISCAL IMPACT:

The General Fund Budget for both years is balanced, in that the anticipated revenues are sufficient to cover the budgeted expenditures. The Special Fund Budgets are not all balanced, because they are spending funds that have accumulated over several years.



STAFF REPORT

TO: City Council via City Manager
FROM: Finance Director
DATE: May 22, 2007

SUBJECT: Fee Schedule

RECOMMENDATION:

The City Council approve the Fee Schedule for fiscal year 2007-2008 by the adoption of Resolution No. 07-17

Attachments

Resolution No. 07-17

Fee Schedule

ORDER OF PROCEDURE:

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

BACKGROUND:

The fee schedule has been updated to adjust for a cost of living increase, and some fees have been adjusted up or down based on the staff time required to perform the work involved. Significant changes have been highlighted on the schedule. The purpose in adjusting the fees is for the City to break even on the cost of services.

ALTERNATIVES:

The City Council may discuss the fees and take input if they desire. Any changes suggested may be included in a motion to pass the resolution.

FISCAL IMPACT:

The changes should cover the City's costs.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

RESOLUTION NO. 07-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS SETTING FEES FOR FISCAL YEAR 2007/2008

WHEREAS, the City of Twentynine Palms has set fees for the operation and provision of governmental services to the public; and

WHEREAS, annually the City Council reviews the appropriateness of those fees and makes modifications when warranted based on the cost of providing the services; and

WHEREAS, the City Council has determined that the fees as set forth in the attached Fee Schedule are reflective of the cost of providing governmental services to the public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Twentynine Palms establishes as fees for the Fiscal Year 2007/2008 those detailed in the attached Fee Schedule which is incorporated as part of this resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of Twentynine Palms this 22nd day of May 2007.

Joel A. Klink, Mayor

Attest:

Charlene Sherwood CMC, 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 22nd day of May, 2007, by the following vote of the Council:

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

Charlene Sherwood CMC, City Clerk



STAFF REPORT

TO: City Council via City Manager
FROM: Finance Director
DATE: May 22, 2007

SUBJECT: Proposition 4 Spending Limit

RECOMMENDATION:

The City Council establish the Proposition 4 spending limit for Fiscal Year 2007/2008 by the adoption of Resolution 07-18.

Attachments

Proposition 4 Spending Limit
Calculation

Resolution No. 07-18

ORDER OF PROCEDURE:

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

BACKGROUND:

Each year the City is required to establish a limit on the amount of General Fund monies it may spend. The amount is determined by calculations based on the population and economic changes of the previous calendar year.

Based on the attached calculations the Appropriation Limit for fiscal year 2007/2008 should be set at \$32,799,280.

ALTERNATIVES:

No practical alternatives.

FISCAL IMPACT: None

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

RESOLUTION NO. 07-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, ESTABLISHING ITS PROPOSITION 4 SPENDING LIMIT FOR FISCAL YEAR 2007/2008

The City Council of the City of Twentynine Palms resolves as follows:

WHEREAS, each year the City is required to establish a Proposition 4 spending limit by resolution; and

WHEREAS, the spending limit for 2007/2008 has been determined by increasing the 2006/2007 spending limit by the population and per capita personal income changes as permissible under Article XIII B , and as set out in Exhibit "A", attached and incorporated here; and

WHEREAS, the documentation set out on Exhibit "A" used to determine this increase has been available since May 3, 2007, at City offices.

NOW, THEREFORE, the City Council resolves and orders that the Proposition 4 spending limit for fiscal year 2007/2008 shall be \$32,799,280.

PASSED, APPROVED AND ADOPTED on the 22nd day of May, 2007.

Joel A. Klink, Mayor

ATTEST:

Charlene Sherwood, CMC, 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 22nd day of May, 2007, by the following vote of the Council:

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

Charlene Sherwood, City Clerk

CITY OF TWENTYNINE PALMS
CALCULATION OF PROPOSITION 4 APPROPRIATIONS LIMIT

Fiscal Year 1999/2000 Proposition 4 Limit	\$10,505,594
January 2000 California Personal Income increase (4.91%)	1,0491
* 4/1/2000 Population Increase x	<u>1,7432</u>
Fiscal Year 2000/2001 Proposition 4 Limit	\$19,212,536
January 2001 California Personal Income increase (7.82%)	1,0782
1/1/2001 Population Increase x	<u>1,0195</u>
Fiscal Year 2001/2002 Proposition 4 Limit	\$21,118,898
January 2002 California Personal Income decrease (-1.27%)	0,9873
1/1/2002 Population Increase x	<u>1,1364</u>
Fiscal Year 2002/2003 Proposition 4 Limit	\$23,694,722
January 2003 California Personal Income increase (2.31%)	1,0231
1/1/2003 Population Increase x	<u>1,0259</u>
Fiscal Year 2003/2004 Proposition 4 Limit	\$24,869,940
January 2004 California Personal Income increase (3.28%)	1,0328
1/1/2004 Population Increase x	<u>1,0251</u>
Fiscal Year 2004/2005 Proposition 4 Limit	\$26,330,385
January 2005 California Personal Income increase (5.26%)	1,0526
1/1/2005 Population Increase x	<u>1,0249</u>
Fiscal Year 2005/2006 Proposition 4 Limit	\$28,405,475
January 2006 California Personal Income increase (3.96%)	1,0396
1/1/2006 Population Increase x	<u>1,0458</u>
Fiscal Year 2006/2007 Proposition 4 Limit	\$30,882,821
January 2007 California Personal Income increase (4.42%)	1,0442
1/1/2007 Population Increase x	<u>1,0171</u>
Fiscal Year 2007/2008 Proposition 4 Limit	\$32,799,280

* Revised State Department of Finance figures (annexation of the base)

EXHIBIT A

CITY OF TWENTYNINE PALMS BUDGET
REVENUE SUBJECT TO PROP 4 LIMITATIONS

REVENUES	FY00 AUDIT	FY01 AUDIT	FY02 AUDIT	FY03 AUDIT	FY04 AUDIT	FY2004 EST.	FY 2005 BUDGET	
PROPERTY TAX - CURRENT	989,468	1,106,448	1,056,247	1,058,115	1,058,115	1,050,000	1,036,000	PROPERTY TAX - CURRE
PROPERTY TAX - OTHER	17,070	19,692	31,617	53,117	53,117	10,000	10,000	PROPERTY TAX - OTHER
PROPERTY TAX - PRIOR YEAR	45,317	50,043	8,459	9,166	9,166	6,000	4,000	PROPERTY TAX - PRIOR
HOMEOWNER PROP TAX RELIEF	26,638	16,463	28,158	25,053	25,053	26,000	27,000	HOMEOWNER PROP TA
UTILITY UNITARY	86,978	81,170	82,297	79,943	79,943	82,000	84,000	UTILITY UNITARY
SALES TAX	536,801	706,279	690,849	674,539	674,539	630,000	575,000	SALES TAX
TRANSIENT OCCUP. TAX	284,364	322,562	374,495	387,025	387,025	310,000	296,000	TRANSIENT OCCUP. TA
CIGARETTE TAX	0	0	0	0	0	0	0	CIGARETTE TAX
FRANCHISE FEES ^A								FRANCHISE FEES ^A
REAL PROPERTY TRANSFER FEE	13,496	8,249	15,138	15,964	15,964	14,000	10,000	REAL PROPERTY TRANS
OFFROAD M. V. IN LIEU	109	511						OFFROAD M. V. IN LIEU
MOTOR VEHICLE IN LIEU	825,658	1,277,966	1,322,722	1,577,969	1,577,969	1,050,000	1,350,000	MOTOR VEHICLE IN LIEU
MOBILE HOME IN LIEU								MOBILE HOME IN LIEU
FINES & FORFEITURES	3,386	3,325	9,120	5,714	5,714	6,000	6,000	FINES & FORFEITURES
INTEREST INCOME	63,081	91,701	55,813	20,300	20,300	25,000	25,000	INTEREST INCOME
OTHER	36,805	39,047	77,268	87,603	87,603	78,000	94,000	OTHER
REVENUE SUBJECT TO APPROPRIATIONS LIMIT	<u>\$2,929,171</u>	<u>\$3,723,456</u>	<u>\$3,752,183</u>	<u>\$3,994,508</u>	<u>\$3,994,508</u>	<u>\$3,287,000</u>	<u>\$3,517,000</u>	REVENUE SUBJECT TO APPROPRIATIO
PROPOSITION 4 LIMIT	\$10,505,595	\$19,212,537	\$21,118,899	\$23,694,723	\$23,694,723	\$24,869,942	\$26,330,386	PROPOSITION 4 LIMIT
UNUSED SPENDING AUTHORITY	<u>\$7,576,424</u>	<u>\$15,489,081</u>	<u>\$17,366,716</u>	<u>\$19,700,215</u>	<u>\$19,700,215</u>	<u>\$21,582,942</u>	<u>\$22,813,386</u>	UNUSED SPENDING AUTH

^AFranchise Fees not subject to Limit - Santa Barbara County Taxpayers v. Board of Supervisors, 89 Daily Journal D.A.R. 5212 (2d Dist. 1989) - Western City (June, 1989) pp. 41 & 43.

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STAFF REPORT

TO: City Council
FROM: City Manager
DATE: May 22, 2007

SUBJECT: Twentynine Palms Fire Department

RECOMMENDATION: Discuss and provide direction to staff

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 (voice vote)

BACKGROUND: Councilman Steve Spear has requested that the City Council consider the appointment of a task force to serve as the fact finding body to work with the Twentynine Palms Water District and LAFCO to explore the feasibility of transferring oversight of the Twentynine Palms Fire Department from the Twentynine Palms Water District to the City of Twentynine Palms.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head