

CITY OF TWENTYNINE PALMS

CRIME & TRAFFIC STATISTICS

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- *CITIZEN PATROL VOLUNTEER STATISTICS*
- *MET/POP MONTHLY RECAP*



AUGUST 2007
CRIME & TRAFFIC STATISTICS

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

STATISTICS FOR AUGUST 2007

	<i>Current Month</i>	<i>Previous Year</i>	<i>%Deviation</i>	<i>Avg. Month</i>	<i>FYTD</i>
PATROL STATISTICS					
CALLS FOR SERVICE	1719	1670	2.9%	1705	3409
REPORTED CRIMES					
Part I	81	70	15.7%	72	143
Part II	180	192	-6.3%	182	364
Total	261	262	-0.4%	254	507
CASE CLEARED					
Total	71	139	-48.9%	75	150
Percentage	27.2%	53.1%	-48.8%	29.5%	29.6%
ARRESTS-ADULT					
Part I	11	20	-45.0%	13	25
Part II	48	102	-52.9%	50	100
ARRESTS-JUVENILE					
Part I	0	3	-100.0%	1	1
Part II	12	14	-14.3%	12	24
TRAFFIC STATISTICS					
P.D.O	12	8	50.0%	14	27
Injury	5	2	150.0%	4	7
Fatal	1	1	0.0%	1	2
Private Property	2	1	100.0%	4	7
TOTAL	20	12	66.7%	20	40
TRAFFIC CITATIONS					
Hazard	60	44	36.4%	112	224
Non-Hazard	29	133	-78.2%	30	59
TOTAL	89	177	-49.7%	142	283
D.U.I. ARRESTS					
	7	9	-22.2%	7	14
RESPONSE TIMES					
	CURRENT YEAR			PREVIOUS YEAR	
Emergency Response	4.41 MIN			2.12 MIN	
Non-emergency Response	10.05 MIN			7.35 MIN	
Average Handling Time	34.04 MIN			36.35 MIN	
Emergency Calls				4	
Non Emergency Calls				184	

VOLUNTEER HOURS:

TOTAL =

349

Twentynine Palms

	Burglaries	GTA'S	Robberies
Mar	13	1	2
Apr	18	3	2
May	14	2	2
Jun	23	4	0
Jul	14	6	1
Aug	17	6	0

	Mar	Apr	May	Jun	Jul	Aug
Calls For Service	1659	1641	1728	1522	1690	1719

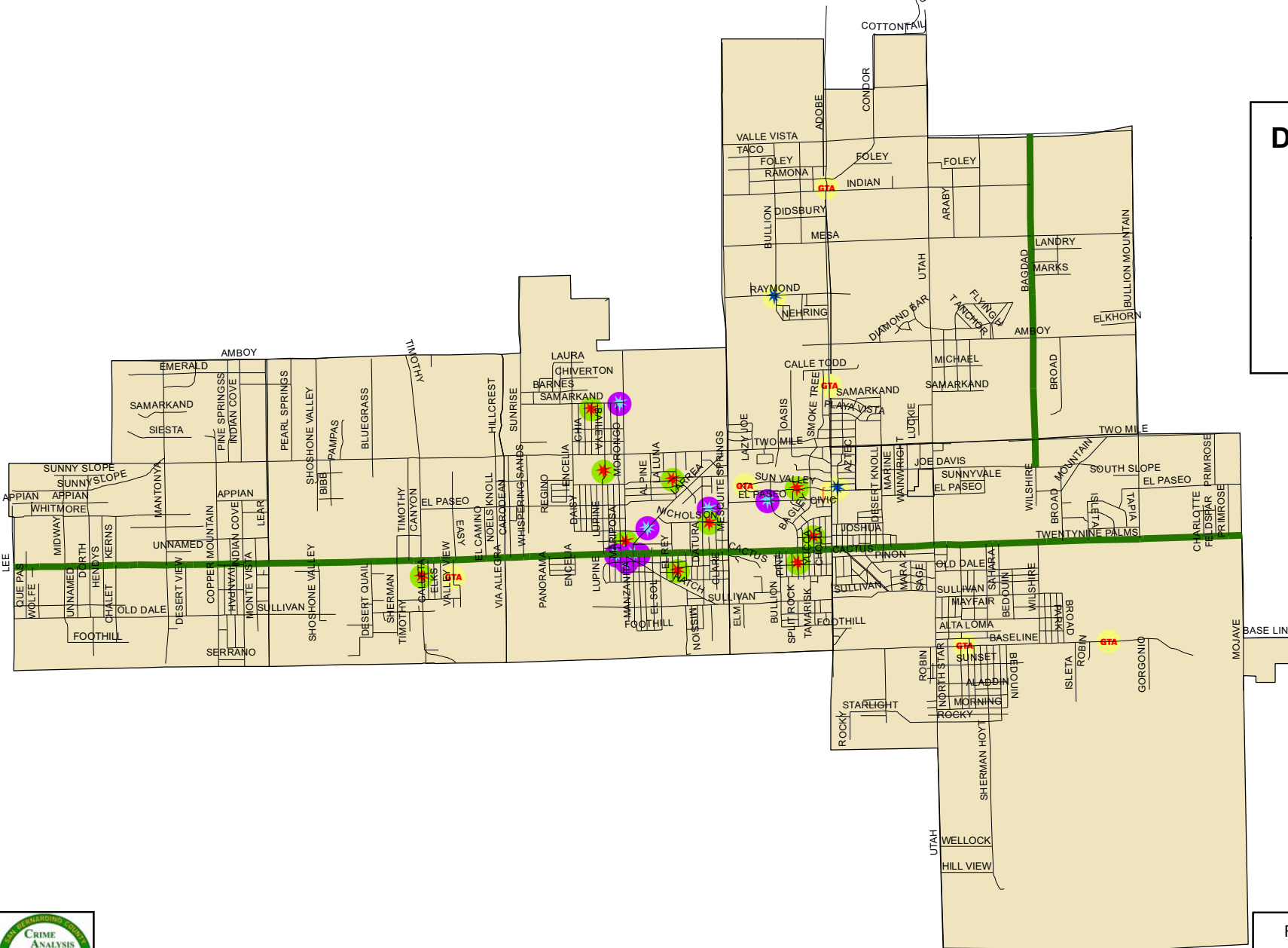
	Mar	Apr	May	Jun	Jul	Aug
Citations	75	102	166	75	194	89

	Mar	Apr	May	Jun	Jul	Aug
Accidents	23	19	26	11	20	20



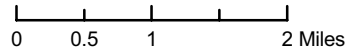
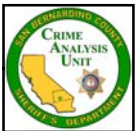
CITY OF TWENTYNINE PALMS SELECTED CRIMES

August 2007



Deputy Reports

- GTA 10851
- TP 211
- 459
- 459C
- 459R



R. Murrieta, Crime Analyst
 (909) 387-0331
 Created On: 9/7/07
 Fow Law Enforcement Use Only



City of Twentynine Palms

Selected Crimes

08/01/2007 - 08/31/2007

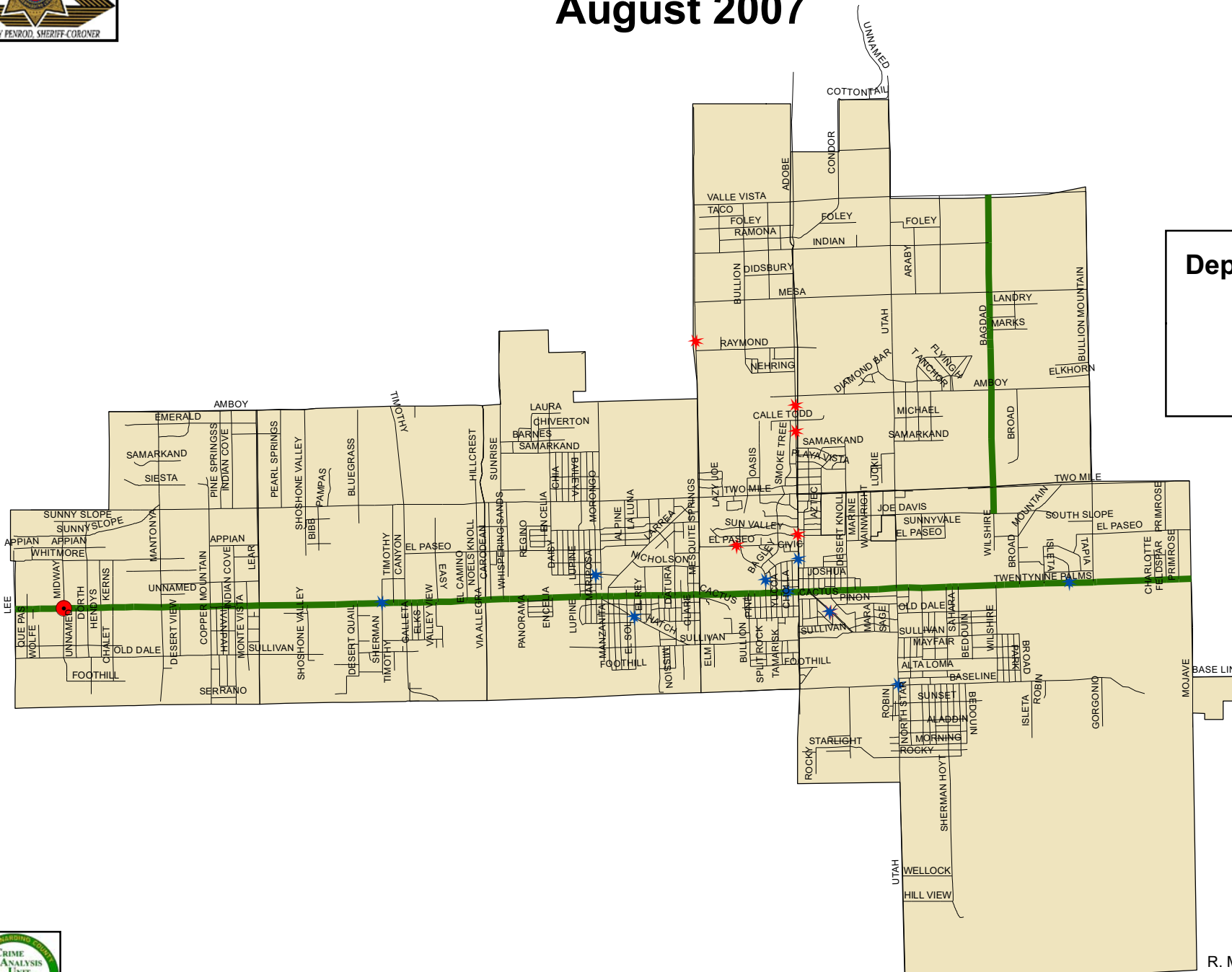


Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
CRIME: GTA JUST OCC							
8/18/2007	2:49:24PM	TW1	TW004	73465 SUN VALLEY DR,TNP	10851	GTA JUST OCC	TWR0701878
8/1/2007	4:08:23PM	TW1	TW004	73022 SUNNYVALE DR,TNP	10851	GTA JUST OCC	TWR0701749
8/19/2007	8:03:06AM	TW1	TW006	74722 BASELINE RD,TNP	10851	GTA JUST OCC	TWR0701884
8/23/2007	11:04:21AM	TW1	TW004	BLUE HORIZON APTS,TNP	10851	GTA JUST OCC	TWR0701928
8/25/2007	5:45:28AM	TW1	TW006	75860 BASELINE RD,TNP	10851	GTA JUST OCC	TWR0701944
8/14/2007	3:49:38PM	TW1	TW002	6636 VALLEY VIEW DR,TNP	10851	GTA JUST OCC	TWR0701846
8/30/2007	8:29:34AM	TW1	TW005	3668 ADOBE RD,TNP	10851	GTA REPORT	
Total For Crime Type:		10851	7				
CRIME: ROBBERY J/O							
8/3/2007	2:14:05PM	TW1	TW006	6013 ADOBE RD,TNP	211	ROBBERY J/O	
Total For Crime Type:		211	1				
CRIME: BURGLARY J/O							
8/2/2007	7:59:21PM	TW1	TW003	72469 SUNNYSLOPE DR,TNP	459	BURGLARY J/O	TWR0701759
8/3/2007	2:53:03PM	TW1	TW003	5833 LUPINE AVE,TNP	459	BURGLARY J/O	TWR0701761
8/5/2007	8:06:00AM	TW1	TW002	6625 CANYON RD,TNP	459	BURGLARY J/O	TWR0701774
8/18/2007	7:42:03PM	TW1	TW003	72751 NICHOLSON DR,TNP	459	BURGLARY J/O	TWR0701882
8/16/2007	8:49:34PM	TW1	TW004	6588 SPLIT ROCK AVE,TNP	459	BURGLARY J/O	TWR0701861
8/13/2007	2:34:10PM	TW1	TW003	6395 MORONGO RD,TNP	459	BURGLARY J/O	TWR0701837

Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
CRIME: BURGLARY J/O							
8/13/2007	7:33:13PM	TW1	TW004	73552 JOSHUA DR,TNP	459	BURGLARY J/O	TWR0701843
8/7/2007	1:27:17PM	TW1	TW003	6624 LA BUENA TIERRA AVE,TNP	459	BURGLARY J/O	TWR0701796
8/8/2007	10:53:04AM	TW1	TW003	5349 BAILEYA AVE,TNP	459	BURGLARY J/O	TWR0701800
8/21/2007	2:32:03PM	TW1	TW004	73451 SUN VALLEY DR,TNP	459	BURGLARY J/O	TWR0701911
Total For Crime Type:		459	10				
CRIME: COMMERCL BURG JO							
8/6/2007	9:26:52AM	TW1	TW003	6542 MORONGO RD,TNP	459C	COMMERCL BURG JO	TWR0701781
8/6/2007	11:50:16AM	TW1	TW003	72033 TWENTYNINE PALMS HWY,TNP	459C	COMMERCL BURG JO	TWR0701782
8/7/2007	12:25:25AM	TW1	TW003	72070 SAMARKAND DR,TNP	459C	COMMERCL BURG JO	TWR0701790
8/26/2007	10:13:43AM	TW1	TW004	OASIS ELEMENTARY,TNP	459C	COMMERCL BURG JO	TWR0701958
8/10/2007	9:50:01AM	TW1	TW003	72750 WILDCAT WAY,TNP	459C	COMMERCL BURG JO	TWR0701806
8/30/2007	11:35:03AM	TW1	TW003	TWENTYNINE PALMS HWY / LARREA AVE,TNP	459C	COMMERCL BURG JO	TWR0701988
8/2/2007	8:38:07AM	TW1	TW003	72348 LARREA AVE,TNP	459C	COMMERCL BURG JO	TWR0701754
8/3/2007	6:57:08AM	TW1	TW003	TWENTYNINE PALMS HWY / EUCALYPTUS AVE,TNP	459C	COMMERCL BURG RP	
Total For Crime Type:		459C	8				
CRIME: RESID BURG J/O							
8/11/2007	10:27:20AM	TW1	TW004	73279 RAYMOND DR,TNP	459R	RESID BURG J/O	
8/15/2007	1:47:46PM	TW1	TW006	6030 OCOTILLO AVE,TNP	459R	RESID BURG RPT	
Total For Crime Type:		459R	2				
TOTAL SELECTED CRIMES:			28				

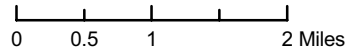


CITY OF TWENTYNINE PALMS TRAFFIC ACCIDENTS August 2007



Deputy Reports

- 1144
- ★ 1181
- ★ 1182



R. Murrieta, Crime Analyst
 (909) 387-0331
 Created On: 9/7/07
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City of Twentynine Palms

Traffic Collisions

08/01/2007 - 08/31/2007



Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
CRIME: FATAL T/C							
8/19/2007	5:35:42PM	TW1	TW001	HWY 62 / MIDWAY RD,TNP	1144	FATAL T/C	TWR0701889
Total For Crime Type:		1144	1				
CRIME: MINOR INJ TC							
8/10/2007	11:58:33AM	TW1	TW006	6688 NATIONAL MONUMENT DR,TNP	1181	MINOR INJ TC	TWR0701807
8/1/2007	8:10:49AM	TW1	TW004	MESQUITE SPRINGS RD / RAYMOND DR,TNP	1181	MINOR INJ TC	TWR0701746
8/4/2007	11:26:02AM	TW1	TW004	SUN VALLEY DR / ADOBE RD,TNP	1181	MINOR INJ TC	TWR0701767
8/10/2007	7:04:47PM	TW1	TW004	5182 ADOBE RD,TNP	1181	MINOR INJ TC	TWR0701809
8/31/2007	12:14:20PM	TW1	TW004	4960 ADOBE RD,TNP	1181	MINOR INJ TC	TWR0701995
8/31/2007	2:45:16PM	TW1	TW004	OASIS ELEMENTARY,TNP	1181	MINOR INJ TC	TWR0701998
Total For Crime Type:		1181	6				
CRIME: NON INJ TC							
8/22/2007	10:43:54AM	TW1	TW006	BASELINE RD / UTAH TRL,TNP	1182	NON INJ TC	TWR0701919
8/13/2007	7:15:21PM	TW1	TW003	MARIPOSA AVE / GORGONIO DR,TNP	1182	NON INJ TC	TWR0701842
8/25/2007	7:43:45PM	TW1	TW006	6646 NATIONAL MONUMENT DR,TNP	1182	NON INJ TC	TWR0701950
8/8/2007	11:09:16AM	TW1	TW004	SMOKE TREE AVE / TWENTYNINE PALMS HWY,TNP	1182	NON INJ TC	TWR0701801
8/20/2007	2:03:14PM	TW1	TW006	GORGONIO DR / TWENTYNINE PALMS HWY,TNP	1182	NON INJ TC	TWR0701896
8/14/2007	1:32:37AM	TW1	TW002	HWY 62 / SHERMAN RD,TNP	1182	NON INJ TC	TWR0701844
8/22/2007	5:58:46AM	TW1	TW004	SPLIT ROCK AVE / JOSHUA DR,TNP	1182	NON INJ TC	TWR0701916
8/18/2007	8:10:25PM	TW1	TW004	ADOBE RD / BUENA VISTA DR,TNP	1182	NON INJ TC	TWR0701879

Date	Time	Beat	RD	Location	Crime Type	Crime Description	DR
CRIME: NON INJ TC							
8/10/2007	2:38:42PM	TW1	TW003	HATCH RD / EL SOL AVE,TNP	1182	NON INJ TC	TWR0701808

Total For Crime Type: 1182 9

TOTAL COLLISIONS:

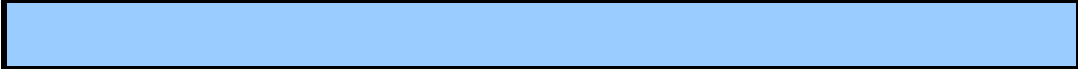
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**MONTHLY STATISTICS FOR THE SCHOOL RESOURCE OFFICER
CITY OF TWENTYNINE PALMS**

August-07

Tom Boyles, Deputy Sheriff

CATEGORIES	29 PALMS
NEW CASES	1
ACTIVE CASES	
CASES CLEARED BY: CITATION	1
ARREST	
EXCEPTIONAL MEANS	
UNFOUNDED	
INACTIVE	
PARENT CONTACTS	58
CASES TO JUVENILE PROBATION/ADULT D.A.	1
CLEAN SWEEP	
CITATIONS: JUVENILE TRAFFIC	1
CITATIONS: LOITERING VIOLATIONS	
CITATIONS: TOBACCO VIOLATIONS	
CITATIONS: MARIJUANA/PARAPHERNALIA	
CITATIONS: OTHER	1
CITATIONS: PARENTS PER WI 660.5	
DEPUTY/DEP. AOD HOUR	
COURT (HOURS)	
WARRANT ARRESTS	1
BUSINESS / CITIZEN CONTACTS	43
SARB CITATIONS	
RUNAWAY JUVENILES	
STUDENT CONTACTS	653
SEARCH WARRANT	
MET POP	
SARB MEETING	
COPS 'N JOCKS	



TWENTYNINE PALMS MONTHLY STATS

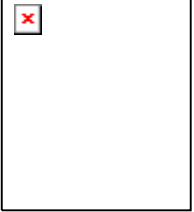
TRAFFIC OFFICER

Aug-07

Deputy T. Boyles, #B3814

TRAFFIC COLLISIONS:		
1180		
1181	1	
1182	1	
1144-Fatal (MAIT)		
<u>TOTAL:</u>		2
CITATIONS:		
Hazard	39	
Non-Hazard	2	
<u>TOTAL:</u>		41
DUI		
Arrests	5	
Tows		
Special Events	1	
OTHER:		
Training		
Use of Force		
Other:	39	
<u>TOTAL:</u>		45

INTEROFFICE MEMO



DATE: September 5, 2007
FROM: **Paul Wynn**, Sergeant
Morongo Basin Sheriff's Station
TO: **Jim Williams**, Captain
Morongo Basin Sheriff's Station

PHONE: 6-4183

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

CATEGORIES	COUNTY AREA	*29 PALMS	YUCCA VALLEY	*MET / POP	GRAND TOTALS
FISCAL YEAR TO DATE :	88	69	97	0	254
CASES ASSIGNED:	39	24	36	2	101
CLEARED BY ARREST:	15	0	3	18	36
WARRANT ARREST:	1	0	0	27	28
ACTIVE CASES:	40	63	56	0	159
CASES TO D.A.:	1	0	3	0	4
CLEARED BY EX. MEANS:	8	5	4	2	19
INACTIVATED:	19	16	24	1	60
UNFOUNDED:	0	1	0	0	1
SELF-INITIATED:	5	0	1	19	25
SEARCH WARRANTS:	2	0	0	4	6
AMOUNT RECOVERED:	\$318,530	0	\$200.00	0	\$318,730.00
CITATIONS:				0	0
REG COMPLIANCE:				0	0
POP PROJECTS:				0	0

AOD HOURS:

WILSON (YV)

R. MILLARD (CO)

THORNBURG (TW)

*Vacation all month.

PORTER – MET/POP

*Vacation 2 weeks.

PW/cm

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

Month/Year: AUGUST 2007

CASES SUBMITTED		CASES ISSUED		CASES REJECTED	
Felony:	94	Felony:	73	Felony:	21
Misd.	109	Misd.	68	Misd.	41
MB	63	MB	40	MB	23
TW	61	TW	38	TW	23
YV	79	YV	43	YV	36
TOTAL:	203	TOTAL:	121	TOTAL:	82

Total Filing Percentage:	Felony Cases:	67.7%
	Misd. Cases:	62.4%

SBSD VOLUNTEER UNIT MONTHLY STAT SHEET

VOLUNTEER UNIT # 415 NAME OF UNIT 29 PALMS COP'S FOR MONTH OF AUGUST 2007
 TOTAL UNIT MEMBERS 15 TOTAL HOURS 349 TOTAL POV MILES 554
 UNIT COORDINATOR DALE DYER PREPARED BY LORRAINE CHAMBERLAIN
 UNIT COMMANDER ERNIE BAKER PREPARER'S PHONE NUMBER 760-362-4565
 UNIT MEETING DATE AND TIME 1ST 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>22</u>
101	ARREST	Time spent working an arrest	_____
102	AUTOMOTIVE	Time spent cleaning or repairing unit automotive equip. . .	<u>4</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. . .	_____
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>72</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>26</u>
118	PATROL – COP, Res, Exp	Car, plane, helo, second person, vacation checks, etc. . .	<u>158</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>55</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 _____	_____
TOTAL UNIT HOURS			<u>349</u>
128	VEHICLE MILES	Personal vehicle miles for any unit function	<u>554</u>

LIST ADDITIONAL UNIT COORDINATORS:

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

PATROL SUMMARY:

During the month of August, the City patrol officers responded to 1,719 calls for service. We wrote 261 reports and cleared 59 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 24 new cases this month. In addition to these new cases, there are 63 cases being investigated. In August, there were no cases were cleared by arrest, five cases were cleared by exceptional means, and 16 cases were inactivated. There have been 69 year to date cases assigned to the City Investigator.

TRAFFIC SUMMARY:

City patrol officers issued 89 traffic citations and arrested seven persons for driving under the influence.

The City's traffic officer wrote a total of 27 citations, to include 25 hazard citations and two non-hazard citations.

We investigated 20 traffic collisions; of these, 12 involved property damage only and two accidents occurred on private property. There were five accidents involving injuries and one accident with fatalities.

Our enforcement index was 11:1 based on a total of seven DUI's and 60 hazard citations with a total of six injury/fatal collision.

CITY OF TWENTYNINE PALMS CITIZEN PATROL UNIT:

The Citizen Patrol Unit volunteered a total of 349 hours; 55 hours in training, 22 hours in administrative duties, 158 hours on patrol, -0- hours in community service, and 114 hours of miscellaneous duties.

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

SPECIAL OPERATIONS:

There were four grant-funded special operations were conducted in the City of Twentynine Palms during the month of August. Thirteen deputies from the Morongo Basin Station conducted one MET/POP "Housing Sweep/Warrant Sweep; two patrol saturation sweeps and one traffic enforcement operation.

During the "Housing/Warrant Sweep" deputies conducted approximately 30 checks of parolees and probationers who reside in HUD homes and apartments. Fifteen individuals were arrested and several other cases will be referred to the Housing Authority for review and possible eviction.

Several pedestrian checks, traffic stops and warrant services were conducted during the month's "Patrol Saturation Operations" and resulted in nine arrests for various violations and outstanding warrants.



STAFF REPORT

TO: City Council via City Manager
FROM: City Engineer
DATE: October 9, 2007

SUBJECT: Accept the 2007 Overlay Contract

RECOMMENDATION:

1. Accept the completed work on the contract for the “2007 Overlay Project” with Skanska Inc. for the amount of \$1,281,583.
2. Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds.
3. Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.

Attachments

- Notice of Completion

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 (voice vote)

BACKGROUND: On April 24, 2007, the Council Award a contract to Skanska Inc. for the “2007 Overlay Project.” The project included reconstructing and overlaying with asphalt concrete (A.C.) paving the following streets:

Street	From	To
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

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

Skanska Inc. has satisfactorily completed the work under this contract.

ALTERNATIVES: Amend report.

FISCAL IMPACT: There is no financial impact to the City.

Recording Requested by:
City of Twentynine Palms

When Recorded mail to:

CITY OF TWENTYNINE PALMS
Engineering Division
6136 Adobe Road
Twentynine Palms, CA 92277

FOR RECORDER'S USE ONLY

Notice of Completion

NOTICE IS HEREBY GIVEN, that

1. The undersigned, Richard H. Pedersen is the duly appointed and qualified City Engineer of the City of Twentynine Palms, a municipal corporation of the State of California, and which is located within the County of San Bernardino, in said State, and the address of the undersigned is 6136 Adobe Road, Twentynine Palms, California 92277.
2. That on the 24th day of April, 2007 and pursuant to approval of the City Council of the said City, the City entered into a contract with Skanska Inc., whose address is 1995 Aqua Mansa Road, Riverside, CA 92502, for the construction of the 2007 Overlay Project, in the City of Twentynine Palms, and in accordance with the City of Twentynine Palm's Plans and Specifications.
3. That all of the said work or improvement was located on various city-maintained streets within in said City.
4. That all of the said work or improvement contemplated in and under said contract was accepted by Council action on September 25, 2007.
5. That the Surety on the Performance Bond of said Contractor and the surety on the Labor and Material Bond of said Contractor, under said contract, was and is \$1,234,213 and \$617,106.

The undersigned, being the first duly sworn, says: That is the duly appointed and qualified City Engineer of the City of Twentynine Palms, the political subdivision of the state of California which conducted the proceedings for the improvement located at 6136 Adobe Road, in said City, described or referred to in the foregoing Notice; and that he has read the foregoing "Notice of Completion;" and knows the contents thereof, and that the facts recited therein are true.

City Engineer of the City of Twentynine Palms, California

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF TWENTYNINE PALMS)ss.



STAFF REPORT

TO: City Council via City Manager
FROM: City Engineer
DATE: October 9, 2007

SUBJECT: Accept the 2007 Slurry Seal Contract

RECOMMENDATION:

1. Accept the completed work on the 2007 Slurry Seal Contract with American Asphalt South for the amount of \$363,610.
2. Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds.
3. Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.

Attachments

- Notice of Completion

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 (voice vote)

BACKGROUND: On March 27, 2007, the Council Award a contract to American Asphalt for the Slurry Seal 2007 Project. The project included slurry sealing approximately 23 miles of local roads within the City, which includes seal coating three complete neighborhoods.

ALTERNATIVES: Amend report.

FISCAL IMPACT: There is no financial impact to the City.

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head

Recording Requested by:
City of Twentynine Palms

When Recorded mail to:

CITY OF TWENTYNINE PALMS
Engineering Division
6136 Adobe Road
Twentynine Palms, CA 92277

FOR RECORDER'S USE ONLY

Notice of Completion

NOTICE IS HEREBY GIVEN, that

1. The undersigned, Richard H. Pedersen is the duly appointed and qualified City Engineer of the City of Twentynine Palms, a municipal corporation of the State of California, and which is located within the County of San Bernardino, in said State, and the address of the undersigned is 6136 Adobe Road, Twentynine Palms, California 92277.
2. That on the 27th day of March, 2007 and pursuant to approval of the City Council of the said City, the City entered into a contract with American Asphalt South Inc., whose address is 14436 Santa Ana Avenue Fontana, CA 92337, for the construction of the 2007 Slurry Seal Project, in the City of Twentynine Palms, and in accordance with the City of Twentynine Palm's Plans and Specifications.
3. That all of the said work or improvement was located on various city-maintained streets within in said City.
4. That all of the said work or improvement contemplated in and under said contract was accepted by Council action on September 25, 2007.
5. That the Surety on the Performance Bond of said Contractor and the surety on the Labor and Material Bond of said Contractor, under said contract, was and is \$357,709 and \$178,854.

The undersigned, being the first duly sworn, says: That is the duly appointed and qualified City Engineer of the City of Twentynine Palms, the political subdivision of the state of California which conducted the proceedings for the improvement located at 6136 Adobe Road, in said City, described or referred to in the foregoing Notice; and that he has read the foregoing "Notice of Completion;" and knows the contents thereof, and that the facts recited therein are true.

City Engineer of the City of Twentynine Palms, California

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF TWENTYNINE PALMS)ss.



STAFF REPORT

TO: City Council via City Manager
FROM: City Engineer
DATE: October 9, 2007

SUBJECT: PC 04-38 - Accept the Final Map for Tract Map 17172.

RECOMMENDATION: That the City Council adopt Resolution 07-38 approving the Final Map, securities and agreements for Tract Map 17172.

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)

- | |
|---|
| <p style="text-align: center;"><i>Attachments</i></p> <ul style="list-style-type: none">• Resolution 07-38• Copy of Map• Conditions of Approval |
|---|

BACKGROUND: A final map has been prepared by the subdivider in substantial conformance with the conditionally approved Tentative Tract Map 17172, which was approved by the Planning Commission on August 16, 2005. Final Map 17172-1, which included the first phase of development, off-site street improvements and all drainage improvements was previously approved by the City Council in 2006. The Conditions of Approval have been addressed to the satisfaction of the City Engineer. Approval of the Final Map, a copy of which is included in the Attachments, is now appropriate. In as much as the approval of a final map is in essence a ministerial act, the City Council must take action to approve this Final Map, unless it determines the Conditions of Approval have not been met. Absent objective facts to substantiate such a decision, the Map would likely be deemed approved pursuant to the Subdivision Map Act if the Council's decision is challenged.

The site is located south of Calle Todd Lane, north of Samarkand Drive, between Adobe Road and Bullion Avenue. The project includes approval of a 136 lot subdivision of an existing 40-acre parcel (APN 621-061-01, et seq.), and development of up to 136 single-family residential units.

The property is located in the RS-4 (Single Family Residential) zone. Adjoining land uses include vacant land to the north, south, east and west, which are all similarly designated RS-4.

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

The Subdivision Map Act Section 66410-66499.58 of the California Government Code provides for the subdivision of property and vests the regulation, control of the design and improvements of subdivision in the legislative body (the City Council) of the local agency (City). Additionally, the Map Act requires that if the Final Map conforms to the Tentative Map and all requirements of the Subdivision Map Act, a Final Map must be approved. The local agency must disapprove the Final Map if it does not conform. For Final Map 17172, the City Engineer has certified that the Final Map is technically correct. In addition, it has been determined by City Staff that all pertinent conditions of approval have been satisfied (or have been bonded for completion), as have all pertinent sections of the Subdivision Map Act.

As aforementioned, the applicant has not completed all required improvements but, as allowed by the Development Code and the Conditions of Approval, has signed Agreements for Construction of Improvements and provided security to guarantee completion of these improvements. The City Attorney has reviewed and approved the agreements and bond packages. The security amounts provided are indicated below:

Tract 17172	Performance	Labor and Materials
Streets	\$ 355,405	\$177,702
Sidewalk	\$ 195,306	\$97,653
Retaining Wall	\$ 93,400	\$46,700
Curb and Gutter	\$101,360	\$50,667
Staking	\$136,000	\$68,000
Sewer	\$101,335	\$50,667
Water	\$246,443	\$123,221
Street Signs	\$849	\$424
Survey Monuments	\$17,258 (Cash deposit only)	N/A

No eminent domain procedures are necessary for this project

ALTERNATIVES: Amend report.

FISCAL IMPACT: There is no financial impact to the City.

RESOLUTION NO. 07-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, APPROVING FINAL MAP 17172.

WHEREAS, on August 16, 2005, the Planning Commission of the City of Twentynine Palms approved Tentative Tract Map 17172; and

WHEREAS, the applicant has complied with all other conditions of approval required prior to Final Map approval for Tentative Tract Map 17172; and

WHEREAS, the City Engineer has reviewed the Final Map 17172 and finds it to be in substantial conformance with Tentative Tract Map 17172; and

WHEREAS, the City Engineer has reviewed the Final Map 17172 and finds it to be technically correct.

THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the City Council does hereby approve Final Map 17172, pursuant to Section 66436 (a)(3)(A) of the Subdivision Map Act.

Section 2. That the City Clerk shall certify the adoption of this Resolution and so note on the Final Map.

APPROVED AND ADOPTED THIS 9th DAY OF OCTOBER, 2007.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Joel A. Klink, Mayor

ATTEST:

Charlene L. Sherwood, City Clerk

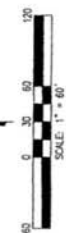
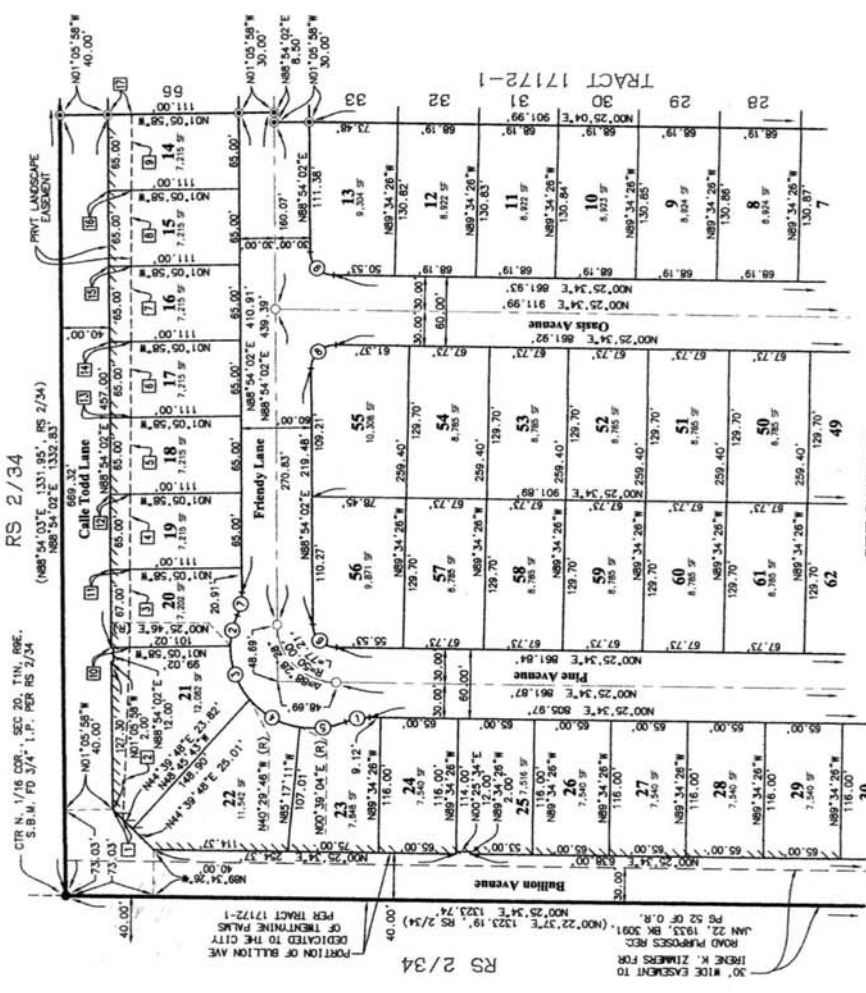
I hereby certify that the foregoing is a true copy of Resolution No. _____ duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the _____ day of _____, _____, in Twentynine Palms, California.

Dated this _____ day of _____, _____.

Charlene L. Sherwood, City Clerk

CITY OF TWENTYNINE PALMS

IN THE CITY OF TWENTY NINE PALMS, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
TRACT NO. 17172
(REMAINDER PARCEL OF TRACT 17172-1)
 The Southwest 1/4 of the Northeast 1/4 of Section 20, Town 1 North, Range 9 East, San Bernardino Base and Meridian, county of San Bernardino, state of California
 TERRACIVIL CONSULTANTS - MURRIETA SEPTEMBER 2005



NO	BEARING	LENGTH
1	N44°39'48"E	12.48
2	N85°22'50"W	148.41
3	N89°27'30"E	67.00
4	N89°27'30"E	65.00
5	N89°27'30"E	65.00
6	N89°27'30"E	65.00
7	N89°27'30"E	65.00
8	N89°27'30"E	65.00
9	N89°27'30"E	65.00
10	N01°05'50"W	15.74
11	N01°05'50"W	9.74
12	N01°05'50"W	17.67
13	N01°05'50"W	18.31
14	N01°05'50"W	18.31
15	N01°05'50"W	18.34
16	N01°05'50"W	19.38
17	N01°05'50"W	20.21

LANDSCAPE EASEMENT	BEARING	LENGTH
1	N44°39'48"E	12.48
2	N85°22'50"W	148.41
3	N89°27'30"E	67.00
4	N89°27'30"E	65.00
5	N89°27'30"E	65.00
6	N89°27'30"E	65.00
7	N89°27'30"E	65.00
8	N89°27'30"E	65.00
9	N89°27'30"E	65.00
10	N01°05'50"W	15.74
11	N01°05'50"W	9.74
12	N01°05'50"W	17.67
13	N01°05'50"W	18.31
14	N01°05'50"W	18.31
15	N01°05'50"W	18.34
16	N01°05'50"W	19.38
17	N01°05'50"W	20.21

Legend

- INDICATES SET 1" IRON PIPE, TAGGED LS 3001, FLUSH
- INDICATES MONUMENT FOUND AS NOTED
- ⊙ DENOTES FOUND 1" IRON PIPE, TAGGED LS 3001, FLUSH PER TRACT 17172-1 M.B. UNLESS OTHERWISE NOTED.
- () INDICATES RECORD DATA AS NOTED
- SUBDIVISION BOUNDARY
- STREET CENTERLINE

Basis of Bearings

THE ANGLES OF BEARINGS SHOWN ON THIS MAP IS THE SOUTH LINE OF THE 1/4 SECTION 20, T1N, R9E, S20R PER M 6258, PER 50/50 BEING N89°20'27".

Surveyor Notes

1. SET 1" IRON PIPE WITH YELLOW PLASTIC PLUS STAMPED LS 3001 AT ALL LOT CORNERS AND ANGLE POINTS IN SIDE LOT LINES.

Legal Description

THE CORNERS 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 9 EAST, SAN BERNARDINO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

ARC TABLE

DELTA	RADIUS	LENGTH	TANGENT
1	23.3323	50.00	20.35
2	22.0139	70.00	26.81
3	20.8519	90.00	33.12
4	19.8292	110.00	39.24
5	18.9291	130.00	45.18
6	18.1358	150.00	50.97
7	17.4353	170.00	56.65
8	16.8139	190.00	62.25
9	16.2688	210.00	67.80

SEE SHEET 3

August 16, 2005
Revised September 26, 2006
CITY OF TWENTYNINE PALMS
CONDITIONS OF APPROVAL
PC 04-38
Applicant Name: Penca Capital, LLC
Project Description: 136 Lot Subdivision
Location/Parcel Number: 0621-061-01
Tentative Tract Map No.: 17172

The following Standard Conditions of Approval shall be applicable to all subdivisions in the City. Additionally, site specific Conditions will be applicable as necessary to protect the public health, safety and welfare.

Planning Division

P0. Prior to Final Map approval, the applicant shall execute for recordation against the property an maintenance agreement, in a format approved by the City Attorney, which requires the applicant and their successors to maintain all public improvement located within the public right of way of Tract 17172, other than the street surfaces, curbs and gutters, and all of the improvements top be developed on lot "A".

Status: The applicant has demonstrated compliance with this condition.

P1. Prior to approval of the first Certificate of Occupancy, the applicant shall submit for review to the Planning Division, and shall obtain the approval of the Planning Division and City Attorney for, Covenants, Conditions and Restrictions (CC&R's) which shall provide for, or include, all of the following:

- A. Creation of a homeowner's association ("Association") for the purpose of providing for the perpetual maintenance responsibility of areas including, but not limited to, all common areas, irrigation systems, landscaped areas, storm drain retention basins, systems, and ponds, as approved by the City Engineer, walls, gates, street lights, driveways, pedestrian walkways, parking areas, trash areas, stacking areas, structures, any onsite sewage treatment facilities, as required by the San Bernardino County Department of Environmental Health Services, Water and Waste Management Division and the California Regional Water Quality Control Board, private accesses, and private drainage facilities. In addition, the CC&Rs shall indicate all other areas to be owned and maintained by the Association and that maintenance of all private drainage facilities shall be in conformance with City standards and policies.
- B. A reasonable method of allocating to the home/lot buyers the costs incurred by the Association to perform the maintenance and other obligations set forth in the CC&Rs.
- C. A requirement that within 15 days after the establishment of the Association, the declarant in the CC&Rs shall furnish the Board or Officers of the Association a copy of the approved parcel map, a copy of the approved site and fencing plan, copies of all approved landscaping plans, a complete set of construction plans for the map and the units, and approved plans indicating the locations and characteristics of all major project components, utilities, and related data.

- D. A requirement that following recordation of the final parcel map, the Association shall submit to the Planning Division, for distribution to the Twentynine Palms Fire Department and Water District, and shall re-submit annually, a list of all current Officers of the Association.
- E. A statement indicating that proposed amendments to the CC&Rs shall be submitted for review to the Planning Division, and shall be approved by the City Attorney and the Planning Division prior to the amendments being valid.
- F. A statement indicating that the City is deemed to be an express third party beneficiary of the CC&Rs and has the right, but not the obligation, to enforce any of the provisions of the CC&Rs.
- G. Fire prevention and defense provisions including a fire lane map, provisions that prohibit parking in fire lanes, and a method of enforcement. Also, a method for keeping fire protection access easements unobstructed shall be included. The approval of the Twentynine Palms Fire Department shall be required for any modifications such as control gates, or parking changes.

Status: The CC&R's were reviewed and approved by the City Attorney and Planning Division, therefore the applicant has demonstrated compliance with this condition.

P2. The CC&Rs and bylaws of the Association shall be approved by the California Department of Real Estate prior to approval of the first Certificate of Occupancy. The CC&Rs shall be recorded against the tract.

Status: The applicant has demonstrated compliance with this condition.

P3. Concurrently with the applicant's submittal of the CC&Rs, the applicant shall submit to the City a deposit to pay for all costs associated with plan check and with City Attorney review of the project CC&Rs, disclosure statement, and any other applicable documents (minimum deposit shall be \$5,000.) Any unused deposit shall be returned to the applicant.

Status: The applicant has demonstrated compliance with this condition.

P4. The final map shall show all common areas and systems to be maintained by the HOA, including, but not limited to, any onsite sewage treatment facility.

Status: The applicant has demonstrated compliance with this condition.

P5. Prior to final tract/parcel map approval, the owner or designee shall pay all applicable fees, including, but not limited to, park acquisition and development, water and sewer connection, drainage, and grading, and shall reimburse the City for all City expense in ensuring compliance with the Conditions of Approval.

Status: The applicant has demonstrated compliance with this condition.

P6. A clear and comprehensive disclosure document shall be provided to each prospective home/lot buyer that presents the responsibilities, liabilities and costs of the-maintenance and liability of all private streets and all common areas as detailed within the CC&Rs, as well as the method(s) of the Association's enforcement of the CC&Rs. Acknowledgement of receipt of this disclosure document, on forms provided by the Community Development Department of the City of Twentynine Palms, and signed by the prospective buyer, shall be retained by the Association, or corporation, and a copy of said form shall be provided to the City of Twentynine prior to occupancy of any home built upon the lot purchased.

Status: The applicant has demonstrated compliance with this condition.

P7. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the City Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/City Council. An application for a time extension may be submitted in accordance with the Subdivision Map Act and Chapter 19.98 of the Development Code, 30 days prior to the expiration date. The Tentative Tract Map becomes effective 10 days from the date of the decision unless an appeal is filed in compliance with Chapter 19.46 of the City's Development Code.

Status: The applicant has demonstrated compliance with this condition.

P8. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all required exactions and dedications have been provided and that all pertinent conditions of approval and applicable regulations have been met:

Twentynine Palms Fire Department
Twentynine Palms Water District
City of Twentynine Palms Public Works Division
City of Twentynine Palms Engineering Division
California Regional Water Quality Control Board

Status: The applicant has demonstrated compliance with this condition.

P9. The applicant shall defend, at its sole expense (with attorneys approved by the City), and indemnify the City against any claim, action, or proceeding brought by any third party against the City, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the City, its agents, officers or employees for any judgment, court costs and attorney's fees which the City, its agents, officers or employees may be required to pay as a result of such claim, action, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this condition.

Status: The applicant has demonstrated compliance with this condition.

P10. Subdivision phasing shall be as shown on the approved Tentative Tract Map.

Status: The applicant has demonstrated compliance with this condition.

P11. Within ten days of approval, the applicant shall submit to the Planning Division a signed copy of the Conditions of Approval, verifying that he/she understands each Condition and agreeing to adhere to each of the Conditions of Approval.

Status: The applicant has demonstrated compliance with this condition.

P12. The project shall conform to the Single Family Residential 4 units per acre development standards for front, side and rear yard-building setbacks as follows:

Front:	25 feet minimum
Street side:	15 feet minimum
Interior side:	10 feet minimum
Rear:	15 feet minimum

Two story structures or second stories shall be setback a minimum of 20 from the side property lines.

Status: The applicant has demonstrated compliance with this condition.

P13. All lots shall have a minimum area of 7,200 square feet. All lots shall have a minimum depth of 100 feet and a minimum width of 60 feet, except corner lots which shall have a minimum depth of 100 feet and a minimum width of 70 feet.

Status: The applicant has demonstrated compliance with this condition.

P14. A copy of the final grading plan shall be submitted to the Building and Safety Division for review and approval.

- A. All on-site cut and fill slopes shall be limited to a maximum slope ratio of 2 to 1 and a maximum vertical height of thirty (30) feet. Setbacks from top and bottom of slopes shall be a minimum of one-half the slope height.
- B. Slopes shall be contour graded to blend with existing natural contours.
- C. Slopes shall be a part of the downhill lot when within or between individual lots.
- D. Slopes shall provide erosion control as per condition P14.

Status: The applicant has demonstrated compliance with this condition.

P15. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the retention basin and parkways, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with all applicable sections of the City Development Code.

Status: The applicant has demonstrated compliance with this condition.

*P16. The project shall incorporate sidewalks, which shall be shown on Engineered improvement plans, subject to approval by the City Engineer.

Status: The applicant has demonstrated compliance with this condition.

**P17. A minimum 6' high block wall shall be constructed along the project boundary and shall be maintained by the Homeowner's Association and be constructed per plans, prepared by a licensed landscape architect or licensed engineer, presented to and approved by the Planning Commission. Prior to recordation of the Final Map, the developer/applicant shall submit detailed plans showing the proposed wall which shall be subject to final approval by the Planning Commission.

Status: The applicant has demonstrated compliance with this condition.

***P18. Perimeter walls shall provide an openness accomplished through use of partial wrought iron fences or equivalent. Walls may consist of a variety of screening methods so long as residential areas are visually accessible. Continuous solid brick or concrete block walls, except along major transportation corridors, shall be prohibited.

Status: This condition is applicable only to gated communities. The community is walled but not gated. Therefore, the applicant has demonstrated compliance with this condition.

P19. Prior to Final Map approval, the applicant shall submit to the Community Development Department written verification from Adelpia Communications that the subdivision complies with requirements of Adelpia Communications and their franchise agreement with the City [contact Len DuPuis, Plant Manager, (760) 365-5076, 7500 Kickapoo Trail, Yucca Valley, CA 92284].

Status: The applicant has demonstrated compliance with this condition.

P20. The applicant or applicant's successors shall provide a bus stop on Samarkand Dr. to include a bus pull out and a bus shelter. A bus stop to include a bench and trash receptacle along Calle Todd Ln. shall also be required. Bus stop locations and specifications shall be coordinated with Morongo Basin Transit Authority (MBTA), [contact MBTA General Manager Michael Tree (760) 366-2986].

Status: The MBTA is presently reconsidering the location of this facility. This condition must be satisfied prior release of the improvement securities. The applicant is in the process of demonstrating compliance with this condition.

Building and Safety Division Conditions of Approval

B1. An engineered grading report, including soils engineering and engineering geology, shall be filed with, and approved by, the Building Official prior to recordation of final map or issuance of permits for grading in excess of 1,000 cubic yards.

Status: A grading plan was submitted by the applicant and approved by the City Engineer, therefore, the applicant has demonstrated compliance with this condition.

B2. Grading and drainage plans are to be submitted to, and approved by, the Building Official prior to permit issuance.

Status: Drainage facilities have been constructed both on and off-site. The applicant has demonstrated compliance with this condition.

B3. The applicant/developer shall submit plans and obtain building permits for all structures and walls. No work is to be done prior to approvals and permit issuance.

Status: The applicant has demonstrated compliance with this condition.

B4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection and desert tortoise habitat.

Status: The applicant has demonstrated compliance with this condition.

B5. Erosion control plans shall be submitted to, and approved by, the City Engineer and/or Building Official prior to issuance of permits.

Status: The applicant has demonstrated compliance with this condition.

B6. All cross-lot drainage requires easements and may require improvements at the time of development.

Status: The applicant has demonstrated compliance with this condition.

B7. Prior to any construction activity, the applicant shall check with the State of California Water Resources Control Board to determine if a general construction activity storm water permit is required.

Status: The applicant has demonstrated compliance with this condition.

Engineering Division Conditions of Approval

E1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the City Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider retaining onsite drainage flows from a 100 year design storm.

Status: The applicant has demonstrated compliance with this condition.

E2. Street improvement plans shall be submitted to the City Engineer for review and approval.

Status: The applicant has demonstrated compliance with this condition.

E3. All streets shall be improved to City standards with curb, gutter, sidewalk and street pavement. Minimum residential width of streets shall be 36 feet curb to curb.

Status: The applicant has demonstrated compliance with this condition.

*E4. All streets abutting the development shall be improved a minimum half-street width of 26 feet with curb, gutter and sidewalk on the development side.

Status: The applicant has demonstrated compliance with this condition.

E5. Streets adjacent to the property shall be improved as follows:

Calle Todd Lane adjacent to the property shall be improved to the City's half-width Local street standards.

Desert Queen Road adjacent to the property shall be improved to the City's half-width Collector street standards.

Bullion Avenue adjacent to the property shall be improved to the City's half-width Collector street standards.

Samarkand Drive through the property and adjacent to the property shall be improved to the City's half width Collector Street Standards.

Status: The aforementioned roadways have been improved adjacent to the phased construction, Samarkand, Desert Queen and Bullion will be completed prior to issuance of the certificates of occupancy for units TM 17172, securities have been provide to ensure that the street improvements are completed, therefore the applicant has demonstrated compliance with this condition.

E6. Road dedications shall be provided as follows:

A 40-ft wide (30-ft half-width + 10 ft) road dedication along Calle Todd adjacent to the property shall be granted to the City of Twentynine Palms prior to Final Map Approval.

A 40-ft wide half-width road dedication along Bullion Avenue adjacent to the property shall be granted to the City of Twentynine Palms prior to Final Map Approval.

A 40-ft wide half-width road dedication and 40-ft width half width road dedication along Samarkand Drive shall be granted to the City of Twentynine Palms prior to Final Map Approval.

A 40-ft wide half-width road dedication along Desert Queen adjacent to the property shall be granted to the City of Twentynine Palms prior to Final Map Approval.

Status: Right of way has been dedicated for these roadways, therefore the applicant has demonstrated compliance with this condition.

E7. During the grading of the roads, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural road section and R value. Minimum asphalt concrete thickness for all streets shall be 0.33 feet (4 inches).

Status: The applicant has demonstrated compliance with this condition.

E8. All required improvements shall be bonded in accordance with City Development Code unless constructed and approved prior to approval and recordation on the Final Map.

Status: The applicant has demonstrated compliance with this condition.

E9. An encroachment permit shall be obtained from the City prior to performing any work in any public right of way.

Status: As part of the construction process, the applicant is required to secure encroachment permits prior to construction, therefore, the applicant has demonstrated compliance with this condition.

E10. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the City.

Status: The applicant has demonstrated compliance with this condition.

E11. A final grading plan shall be submitted to the City Engineer prior to issuance of a grading permit for review and approval. A grading permit shall not be issued until street improvement plans have been submitted to the City Engineer for review and substantial completion of the street plans has been attained as determined by the City Engineer.

Status: The has submitted final grading plans for review and approval by the City Engineer, therefore the applicant has demonstrated compliance with this condition.

E12. Street lights shall be required and shall conform to City's standards for such.

Status: The applicant has demonstrated compliance with this condition.

E13. All road names shall be approved by the City and such approval shall be coordinated through the City Engineer.

Status: The Community Development Department reviews all prospective street names with the Fire Department prior to City Engineer approval of street names. The applicant has demonstrated compliance with this condition.

E14. Prior to City acceptance of the Final Map, Subdivider shall present evidence to the City Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.

Status: The applicant has demonstrated compliance with this condition.

E15. Utility lines shall be placed underground in accordance with the requirements of the City.

Status: The applicant has demonstrated compliance with this condition.

E16. The developer shall make a good faith effort to acquire the required off-site property interests, and if he or she should fail to do so, the developer shall at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the City acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by City to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the City prior to commencement of the appraisal. Additional security and bonding may be required as recommended by the City Engineer and City Attorney.

Status: The applicant has demonstrated compliance with this condition.

E17. Traffic impact mitigation measures per the approved Traffic Impact Report shall be constructed or shall be paid with in-lieu fees by the developer.

Status: The applicant has demonstrated compliance with this condition.

E18. Any required street striping shall be thermoplastic as approved by the City Engineer.

Status: The applicant has demonstrated compliance with this condition.

E19. Soil percolation testing for the subsurface disposal system shall meet the requirements of the San Bernardino Environmental Health Services, California Regional Water Quality Control Board and the City.

Status: The applicant has demonstrated compliance with this condition.

E20. Easements, as required for roadway slopes, drainage facilities, utilities, etc., shall be submitted and recorded as directed by the City Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.

Status: The applicant has demonstrated compliance with this condition.

E21. Non-Vehicular access rights shall be dedicated to the City of Twentynine Palms on all double frontage lots adjacent to Desert Queen Avenue, Samarkand Drive, Bullion Avenue, and Calle Todd Lane.

Status: The applicant has demonstrated compliance with this condition.

E22. The developer shall construct two points of paved access from the project to the nearest city maintained roadway as approved by the City Engineer.

Status: The applicant constructed Samarkand and Calle Todd between the project location and Adobe Road. The applicant has demonstrated compliance with this condition.

E23. All existing roadways affected or damaged by development of the subdivision shall be repaired and restored to their previous condition. Photos and maps showing location shall be submitted prior to construction.

Status: No roadways have been damaged as part of this project. However this is a continuing condition which remains in effect. The applicant has demonstrated compliance with this condition.

Fire Department

F1. Prior to any construction, the owner shall contact the Twentynine Palms Fire Department for verification of current fire protection requirements.

Status: The applicant has demonstrated compliance with this condition.

F2. All construction and activities shall comply with applicable sections of the 1988 edition of the Uniform Fire Code and all other state, county, and city ordinances, rules and regulations regarding fire protection.

Status: The applicant has demonstrated compliance with this condition.

F3. The development, and each phase thereof, shall have two (2) points of vehicular access for emergency vehicles and equipment and for routes of escape that will safely handle evacuation.

- A. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. The required width shall not be obstructed in any manner, including
- B. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.
- C. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

Status: The applicant has constructed Calle Todd and Samarkand between the project and Adobe Road. The applicant has demonstrated compliance with this condition.

F4. All flammable vegetation shall be cleared a minimum distance of 30 feet, or to the property line, from any flammable building materials or finished structures.

Status: The applicant has demonstrated compliance with this condition.

F5. Each chimney used in conjunction with any fireplace or heating appliances in which solid or liquid fuels are used shall have, and be maintained with an approved spark arrester as identified by the Uniform Fire Code.

Status: The applicant has demonstrated compliance with this condition.

F6. Street addresses shall be posted with numbers a minimum height of three (3) inches. Posted numbers shall contrast with their background and be visible and legible from the street. Developer shall furnish the fire department with a list and map of all of the street names and addresses within the project.

Status: Each residence is individually addressed. The applicant has demonstrated compliance with this condition.

F7. Prior to commencement of construction, an approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed. The following are the minimum requirements for the proposed development:

A: SYSTEM STANDARDS

Fire Flow: 1500 GPM @ 20 PSI Residual Pressure
Duration: 2 Hours
Hydrant Spacing: 660 Feet

B: DISTRIBUTION SYSTEM

Mains: 6-Inch Minimum
Laterals: 6-Inch Minimum
Riser: 6-Inch Minimum

C: FIRE HYDRANTS

Number: To be determined
Type: 6-Inch, with one (1) two and one half (2 ½) inch outlet and one (1) four (4) inch outlet with National Standard Threads.
Street Valve: 6-Inch Gate

The developer shall furnish the fire department with a copy of the water system improvement plans. A letter from the water purveyor stating what fire flow can be met shall be required.

Status: The applicant has demonstrated compliance with this condition.

- * If required by the Development Code/General Plan for the proposed location.
- ** Applicable only if proposed by applicant or required by Approval Authority.
- *** Applicable only to gated communities.



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT: Update of Management Action Plan

RECOMMENDATION: Review and provide direction to staff as appropriate.

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Provide Direction as Appropriate

Attachments

1. Management Action Plan
2. Council Planning Calendar

BACKGROUND: Utilizing the City Council's FY 2007/08 Goals and Strategies, staff has organized a FY 2007/08 Management Action Plan (MAP) that details the action items necessary by staff to reach the goals. The MAP is provided to the City Council on a monthly basis to provide updates on actions taken.

The MAP also has deadlines associated with the action items. For most of the strategies these deadlines culminate with a report and/or action item to be received and/or considered by the City Council.

In an effort to assist the City Council staff has also prepared a FY 2007/08 City Council Meeting Planning Document that is linked to the deadlines in the MAP. This document will keep staff focused and allow the Council to see the year of reports and action items to be received and considered.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

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

FY 2007-08 Goals and Objectives

Last Updated—October 1, 2007

MANAGEMENT ACTION PLAN

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Infrastructure						
Packaged Wastewater Treatment Facilities (High Priority)	<ul style="list-style-type: none"> • Work with Regional Water Quality Control Board (RWQCB) to find agreement on when facilities will be required • Work with RWQCB and consultants to establish minimum standards for installation and maintenance • Determine whether a home owners association or assessment district should maintain 	CM, ENG	Jan 08 Mar 08 Jan 08	► Budget for consultant	<p>→Draft agreement sent to RWQCB. Awaiting meeting date to discuss.</p> <p>→<u>Working with RWQCB and Winzler & Kelly</u></p> <p>→New project.</p>	
Central Wastewater Treatment Facility (High Priority)	<ul style="list-style-type: none"> • Update Joint Wastewater Treatment Facility Study with Marine Base, to include a timeline and funding resources 	CM, ENG	Jun 08	► Budget for study	<p>→Working through drafts scope of project for update of study.</p> <p>→<u>Kick off mtg held on Sept 26th</u></p>	

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Roads and Highways (High Priority)	<ul style="list-style-type: none"> • Bid and perform slurry seal, overlay, and/or reconstruction per Pavement Management System (PMS). Incorporate bike/ped paths in PMS. • Analyze slurry seal/overlay costs to see if it makes sense to perform in house • Clean up side of roadways (red zone repainting, de-weeding, remove trash, prune palm trees, cleaning of crosswalks, etc.) • Bid Award: Reconstruction of El Rey Road • Adobe Rd Project. Finish bid specs and obtain right of way 	<p>ENG</p> <p>ENG</p> <p>ENG</p> <p>ENG</p> <p>ENG</p>	<p>Feb 08</p> <p>Oct 07</p> <p>Ongoing</p> <p>Feb 08</p> <p>Jun 08</p>	<p>► Budget</p> <p>► PMS</p>	<p>→Reviewing PMS</p> <p>→Scheduled for Oct 23rd</p> <p>→Clean up this month on Adobe & HWY 62 (curb, gutter, shoulders)</p> <p>→County approving plans for bid. Bid scheduled for Oct</p> <p>→<u>Right of way acquisition to begin in Oct</u></p>	
Flood Control (High Priority)	<ul style="list-style-type: none"> • Evaluate flood control issues in Hanson track • Analyze density impacts on flood control during review of General Plan • Alternative Plan for County Master Plan of Storage/Drainage 	<p>ENG, PWS</p> <p>ENG</p> <p>ENG</p>	<p>Oct 07</p> <p>Ongoing</p> <p>Jun 08</p>	<p>► Budget</p>	<p>→To be presented to Council Oct 9th</p> <p>→New Project</p> <p>→New Project</p>	

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Street Improvements	<ul style="list-style-type: none"> Review In-Lieu Fee for street improvements. Consider multi-zone. Submit "Safe Routes to School" & bike trail grants for street improvements. 	Eng Eng	Jan 08 Oct 07	▶ Staff Time	→New Project →Grants in draft mode	
Under Grounding of Utilities	<ul style="list-style-type: none"> Review under grounding of utilities policy Evaluate what areas of community to underground Long term plan for under grounding 	CD CD CD	Jan 08 Feb 08 Mar 08	▶ Staff Time	→New Project →New Project →New Project	
Alternative Energies	<ul style="list-style-type: none"> Investigate what alternative energies and green building techniques are available for current/new City buildings Investigate programs for business/homes Continue to investigate partnership potentials 	CSD CSD CM	Mar 08 Mar 08 Ongoing	▶ Staff Time	→New Project →New Project → <u>Mtg with consultant held. Partnership with Base and JTNP being explored.</u>	

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Natural Gas Availability	<ul style="list-style-type: none"> Work with Gas Co to conduct a seminar for residents of Indian Cove Area. 	CM, CD	Dec 07	<ul style="list-style-type: none"> Budget Staff Time 	→Seminar set for Oct 27 th letter mailed.	
	<ul style="list-style-type: none"> Work on mailer for City residents along the natural gas line 	CM	Dec 07		→Creating address list.	
	<ul style="list-style-type: none"> Create brochure/flyer for building department 	CD	Dec 07		→Brochure/flyer is created and available at City Hall.	SEPT
	<ul style="list-style-type: none"> Notify developers where gas line is in relation to projects 	CD	Ongoing		→Policy in place in Planning Department	SEPT
Community Image And Appearance						
Eradicate Graffiti (High Priority)	<ul style="list-style-type: none"> Seek to remove graffiti within 24 hours of reporting 	PWS, CM	Ongoing	<ul style="list-style-type: none"> Staff Time Budget 	→ Working with legal to find quicker ways to enter on private property to remove graffiti	
	<ul style="list-style-type: none"> Establish a reward program. Budget for graffiti removal trailer. 	CM	Oct 07		→ <u>Scheduled for Oct 23rd Council mtg</u>	
	<ul style="list-style-type: none"> Aggressively follow-up with court system on offenders. Evaluate security cameras in key areas 	CM, PWS	Ongoing		→ <u>In Sept. PW Superintendent went to court to discuss issue with judge. A \$7,500 judgment against offender was given to recoup City costs on graffiti incident</u>	
	<ul style="list-style-type: none"> Condition new developments to install graffiti sealant to block walls 	CD	Ongoing		→ <u>Policy in place in Planning Department</u>	SEPT

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Enhance Code Enforcement (High Priority)	<ul style="list-style-type: none"> Hire/contract with second full-time code enforcement officer 	CD	<u>Oct 07</u>		→ <u>Interviews in progress</u>	
	<ul style="list-style-type: none"> Provide Council with a presentation on code enforcement 	CD	Aug 07	<ul style="list-style-type: none"> ▶ Budget ▶ Staff Time 	→Code Enforcement Officer to present on Aug 28th	AUG
	<ul style="list-style-type: none"> Establish a weekly review of code enforcement cases for management support 	CD	<u>Nov 07</u>		→ <u>Software being evaluated</u>	
Improve Community Clean-up Programs (High Priority)	<ul style="list-style-type: none"> Adopt out 5 new street segments 	EA	Ongoing		→ <u>Two streets adopted by Perez, Kaufmann, and Weale families</u>	
	<ul style="list-style-type: none"> Continue HWY 62 Adoption by City Employees 	PT	Ongoing		→ <u>Next clean-up Oct 27th</u>	
	<ul style="list-style-type: none"> Utilize work release when available 	PWS	Ongoing	<ul style="list-style-type: none"> ▶ Budget ▶ Staff Time 	→ <u>Work release cleaned up Two Mile during month.</u>	
	<ul style="list-style-type: none"> Conduct 4 neighborhood clean-ups 	CE	Quarterly		→ <u>Next clean up scheduled for Oct 27th</u>	
	<ul style="list-style-type: none"> Conduct 2 community clean-ups 	CC	Semiannually		→ <u>Next clean up scheduled for Oct 27th</u>	

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GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Encourage Desert Landscaping (High Priority)	<ul style="list-style-type: none"> • Reprint brochure on native desert plants • Work with nurseries to promote and have in stock desert native plants for purchase • Condition when appropriate new developments to “go native” 	<p>CD</p> <p>CM, CS</p> <p>CD</p>	<p><u>Oct 07</u></p> <p>Ongoing</p> <p>Ongoing</p>	<p>► Budget</p> <p>► Staff Time</p>	<p>→Brochures printed. Available in Planning Dept.</p> <p>→New Project</p> <p>→Policy in place in Planning Dept</p>	SEPT
Improve Storefronts	<ul style="list-style-type: none"> • Reconsider storefront improvement program in mid-term RDA review • Work with business owners to consider improvements and take advantage of programs 	<p>CM</p> <p>CD</p>	<p>Nov 07</p> <p>Ongoing</p>	<p>► RDA Budget</p> <p>► Staff Time</p>	<p>→Consultant for review under consideration. <u>Mid Term Review scheduled for Oct & Nov by RSG</u></p> <p>→<u>Seven applications being completed</u></p>	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Expand Street Sweeping	<ul style="list-style-type: none"> • Work with Caltrans to reimburse for work on HWY 62 • Monitor street sweeping • Map out areas of community with curb and gutter and establish schedule of cleaning 	<p>CM</p> <p>CM, PWS</p> <p>PWS</p>	<p>Aug 07</p> <p>Ongoing</p> <p>Sept 07</p>	<p>► Budget</p> <p>► Staff Time</p>	<p>→ <u>Agreement approved.</u></p> <p>→ New Project</p> <p>→ Under Review</p>	AUG
Increase Public Art	<ul style="list-style-type: none"> • Consider adoption of ordinance to finance public art • Initiate rotating art gallery at City Hall • Enhance movies, concerts, and plays in parks. Continue support of Theatre 29. 	<p>CD</p> <p>CS</p> <p>CS</p>	<p>Mar 08</p> <p>Ongoing</p> <p>Ongoing</p>	<p>► Budget</p> <p>► Staff Time</p>	<p>→ New Project</p> <p>→ <u>To begin in Oct</u></p> <p>→ Schedule being completed for FY 07-08</p>	
Review Hillside Building Standards	<ul style="list-style-type: none"> • Make a presentation to Council and receive direction 	<p>CD, ENG</p>	<p>Dec 07</p>	<p>► Staff Time</p>	<p>→ New Project</p>	

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GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Open Space Preservation	<ul style="list-style-type: none"> Participate in regional open space committee 	CD	Ongoing		→Staff working with committee on regional trail system and conservation corridor	
	<ul style="list-style-type: none"> Give emphasis to Open Space Element during completion of Park Master Plan 	CS	Dec 07	► Staff Time	→Next committee mtg in Oct	
	<ul style="list-style-type: none"> Work with BLM to acquire key property. Work with conservation groups to preserve conservation corridors. 	CD, CM	Ongoing		→See comments on this objective under Parks and Recreation Category	
Public Safety						
Proactive Programs (High Priority)	<ul style="list-style-type: none"> Evaluate “Choices” program 	PC, CM	Feb 08		→New project	
	<ul style="list-style-type: none"> Evaluate & improve “Crime Free Multi Housing Program” 	PC, CM	Ongoing		→New Project	
	<ul style="list-style-type: none"> Evaluate & improve “Neighborhood Watch” program 	PC, CM	Ongoing	► Staff Time	→New Project	
	<ul style="list-style-type: none"> Consider Community Service Officer to assist with key programs 	PC, CM, FD	Feb 08		→New Project	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Proper Staffing (High Priority)	<ul style="list-style-type: none"> Monitor on a quarterly basis staffing levels in public safety 	CM, PC	Ongoing	► Staff Time	→New Project	
Traffic and Pedestrian Safety Improvements (High Priority)	<ul style="list-style-type: none"> Move crosswalk at Adobe and El Paseo Complete engineering and right of way acquisition for Mesquite Springs Rd project Continue to seek funding for curb, gutter, and sidewalks along HWY, arterials, and collectors. 	ENG ENG ENG	Dec 07 Jun 08 Ongoing	► Budget ► Staff Time	→ Crosswalk Task Force to review bid package in Oct →Final engineering being performed. Right of way acquisition to begin in Sept. →"Safe Routes to School" grant to be submitted in winter. Trails grant to be submitted in winter.	
Emergency Equipment Needs Review (High Priority)	<ul style="list-style-type: none"> Conduct survey Create list of deficiencies Budget for deficiencies 	FD FD FD	Nov 07 Dec 07 Feb 08	► Staff Time ► Task Force ► Budget	→New Project →New Project →New Project	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Review of Plan Checks by Fire Marshall	<ul style="list-style-type: none"> • Work with Fire Chief to assure that plans are routed to Fire Dept. 	CD	Ongoing	► Staff Time	→ New projects currently being routed.	
Review of Provisions of Fire Services	<ul style="list-style-type: none"> • Water District to discuss and provide direction • Task Force to meet and evaluate • Recommendation to be made to Water District and City Council 	CM CM CM	Aug 07 Apr 08 Mar 08	► Staff Time ► Budget	→Water Board approved Joint Task Force →LAFCO mtg held. Joint Task Force to meet in Oct to discuss. →New Project	
Annual Fire Inspection Policy	<ul style="list-style-type: none"> • Water District to provide direction • Task Force • Recommendation to be made to Water District and City Council 	CM CM CM	Dec 07 Feb 08 Mar 08	► Staff Time	→Staff working with Fire Chief to <u>discuss feasibility of using second code enforcement officer to conduct fire inspections. Also evaluating possibility of using business permit fee.</u> →New Project →New Project	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Financing of City Operations and Infrastructure						
Explore New Revenue Sources (High Priority)	<ul style="list-style-type: none"> • Create Development Agreements where possible • Explore partnerships 	CD, CM CM	Ongoing Ongoing	► Staff Time	→Staff working with Granite Const. →New Project	
Review Service Contracts (High Priority)	<ul style="list-style-type: none"> • Review janitorial contract • Review traffic light contract • Review Chamber contract • Review Reach Out MB/County Nutrition/ Knott's Preschool contracts • Review building and safety and engineering contracts 	CM CM, PWS CM CM CM	Apr 08 Apr 08 Apr 08 Apr 08 Apr 08	► Staff Time	→New Project →New Project →New Project →New Project →New Project	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Review Service Fee & Fine Schedule (High Priority)	<ul style="list-style-type: none"> • Compare current fees and fines • Establish recommendations via Task Force • Make Recommendations to Council 	CM, CD	Aug 07		→Comparison done	
		CM, CD	Aug 07	▶ Staff Time	→ <u>Task force working on recommendation for planning fees.</u>	
		CM, CD	Sept 07		→ <u>Council adopted recommendations on fine fees, CUP fee, and pre-application fee. Will consider changes to development fees.</u>	
Review Wages, Staffing Needs, and Full Cost Analysis by Department (High Priority)	<ul style="list-style-type: none"> • Have a consultant look at wage comps and staffing needs (5 year plan). Consider a full cost analysis by department • Task Force recommendation to Council 	CM	Feb 08	▶ Budget ▶ Staff Time	→New Project	
		CM	Mar 08		→New Project	
Review Reserve Policy	<ul style="list-style-type: none"> • Staff to review alternatives with Finance Task Force 	FD	Nov 07	▶ Staff Time	→New Project	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Planning & Economic Development						
Consider Review & Update of the General Plan (High Priority)	<ul style="list-style-type: none"> Seek public input on current general plan via a facilitator Consider updates to General Plan Begin updates 	CM,CD CM, CD CM, CD	Jan08 Jan 08 Jun 08	► Budget ► Staff Time	→ <u>Council to look at facilitator options on Oct 9th</u> → New Project → New Project	
Streamline the Development Review Process (High Priority)	<ul style="list-style-type: none"> Conduct a comprehensive review of development review process Recommendations to City Council 	CD, CM, CA CD, CM, CA	Mar 08 Apr 08	► Staff Time	→New Project	
Locate Appropriate Businesses to the Community (High Priority)	<ul style="list-style-type: none"> Finish revision of Economic Dev Action Plan. Attend ICSC Work with RDA/Economic Development Consultant 	CD CD, CM CD, CM	Dec 07 Ongoing Ongoing	► Budget ► Staff Time	→Economic Dev Task Force to meet next in Oct. 07 →Staff attended ICSC in Sept → <u>RSG kick off meeting for Economic Development</u> scheduled for Oct	SEPT

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
High Standards for Building and Public Works Inspections	<ul style="list-style-type: none"> Review training schedules for inspectors 	CD, ENG, CM	Oct 07		→CAA to provide schedule in Oct	
	<ul style="list-style-type: none"> Conduct seminars for builders in area on expectations/standards 	CM	Ongoing	► Staff Time	→ <u>Seminar on owner/builder rules and regulations coming in Fall 07. Builders routable breakfast scheduled for Oct 07.</u>	
Preserve Right of Way for Circulation	<ul style="list-style-type: none"> Review all building permits & development projects for dedication of right of way 	CD	Ongoing	► Staff Time	→ Currently implementing	
	<ul style="list-style-type: none"> Adopt Citywide Traffic Study 	ENG	Dec 07		→ Task Force meeting frequently to create recommendation	
Promote Community Airport	<ul style="list-style-type: none"> Work with County to update airport master plan 	CM	Jun 08		→Staff Time	
	<ul style="list-style-type: none"> Work with County to fund promotion of airport 	CM	Ongoing	► Staff Time	→Staff Time	
Parks and Recreation						
Complete and Implementation of Park Master Plan (High Priority)	<ul style="list-style-type: none"> Adopt Park Master Plan 	CS	Jan 07	► Staff Time	→Park Task Force and consultant to meet in Aug	
	<ul style="list-style-type: none"> Begin implementation of recommendations 	CS	Jan 08		→New Project	

Underlined text indicates changes since last report

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Investigate Possibility of Acquiring BLM Land (High Priority)	<ul style="list-style-type: none"> • Work with fed gov to acquire property 	CD	Ongoing	► Staff Time	→Initial meeting held to discuss property in City limits	
Community and Public Buildings						
Consider Master Planning for Government Center (High Priority)	<ul style="list-style-type: none"> • Create Task Force • Evaluate feasibility/requirements /location of a government center in City (City Hall, DMV, Post Office, Courts, etc.) 	CM CM, CD	Aug 07 Feb 08	► Staff Time	→Task Force created. Will meet for first time in Oct. →New Project	
Planning for a Joint Use Visitor Center (High Priority)	<ul style="list-style-type: none"> • Work with partners to develop • Work with local, county, state, and fed governments and private groups to fund 	CM CM	Ongoing Ongoing	► Staff Time ► Budget	→Working with JTNP to develop charter agreement and timeline for Centennial Act Funding. Also design of Center. →Working with lobbyist for earmark. Coordinating mtgs with county and state for future funding. <u>Meet with Assemblyman Cook in regard to project.</u>	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Conduct Long Term Facility Maintenance Planning for City Buildings (High Priority)	<ul style="list-style-type: none"> Hire a consultant to create plan 	PWS	Feb 08	<ul style="list-style-type: none"> ► Staff Time ► Staff Time 	→Project 50% complete.	
Open and Forward-Thinking City Government						
Increase Community Spirit and Feeling of Neighborliness (High Priority)	<ul style="list-style-type: none"> Year long 20th Anniversary Celebrations Improve support for Chamber events: Pioneer Days and Car Show Look at an "Operation Phoenix" 	EA EA CM	Ongoing Ongoing Jan 08	<ul style="list-style-type: none"> ► Staff Time 	<p>→ Task Force to meet in Oct. Draft calendar in place.</p> <p>→Animal Control volunteered to take pet parade.</p> <p>→New Project</p>	
Improve Communication with Citizens (High Priority)	<ul style="list-style-type: none"> Update web-site and make more user friendly. Release more news releases about City business Assist Chamber with Council Connections 	CM CM EA	Ongoing Ongoing Ongoing	<ul style="list-style-type: none"> ► Budget ► Staff Time 	<p>→Reviewing RDA/Economic Development Information</p> <p>→<u>Staff to submit 1 idea for news release at weekly staff meeting. Staff to create news release for each public meeting</u></p> <p>→New project</p>	

GOALS & STRATEGIES	ACTION REQUIRED	STAFF	TARGET DATE	RESOURCES REQUIRED	STATUS	Task Done
Continue to Instill Confidence in City Government (High Priority)	<ul style="list-style-type: none"> Evaluate idea of a "Citizen Academy" Review procedures in each Department for handling of complaints & compliments 	CD CM	Dec 07 Oct 07	► Staff Time	→New Project →Software to track in review.	
Seek a Spirit of Volunteerism (High Priority)	<ul style="list-style-type: none"> Improve recognition of volunteers Increase exposure for opportunities to volunteer at City 	EA EA	Ongoing Ongoing	► Staff Time ► Budget	→ Regularly recognize volunteer at Council meetings →Booth to be put together for 20 th anniversary celebrations. Newspaper articles being planned	
Partners and External Relationships						
USMC, JTNP, Water Dist, CMC, MUSD, SANBAG, Chamber, County, State, Federal, Indian Tribe, Non-Profits, HDMC, YV	<ul style="list-style-type: none"> Correlation/planning meeting 1x each month with each 	CM	Ongoing	► Staff Time	→ <u>Staff met with USMC, JTNP, MUSD, Chamber, County, state and YV during Sept.</u>	



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT: Transient Occupancy Tax (TOT)

RECOMMENDATION: Conduct the Public Hearing, consider public comment, and introduce Ordinance No. 210 amending Section 3.24.020(a) of the Twentynine Palms Municipal Code deleting references to the state and federal government.

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. Ordinance No. 210

BACKGROUND: When the Transient Occupancy Tax (T.O.T.) ordinance was initially adopted by the City in 1987, it exempted “any Federal or State of California officer or employee when on official business.” It was generally thought at that time that such an exemption was required under the intergovernmental tax immunity doctrine. Consistent with this belief the definition section of the T.O.T. ordinance was further amended in 1990 to define “persons” as not to include state and federal governments.

Following an Attorney General opinion suggesting that such an exemption was not required, the City again amended its T.O.T. ordinance in 1994 to delete the exemption provided in the original ordinance. While the City clearly intended to eliminate the exemption for state and federal employees, the reference to state and federal governments added by the 1990 amendment remained in the definition section. In order to remove any confusion and clarify the City’s prior and current intention to impose the T.O.T. on state and federal employees, it is requested that the City Council amend Section 3.24.020(a) of the Twentynine Palms Municipal Code to delete its reference to the state and federal government.

ALTERNATIVES: Options available to the City are:

1. Adopt the Ordinance amending Section 3.24.020(a) of the Twentynine Palms Municipal Code to delete references to state and federal government.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

2. Maintain the existing ordinance as currently drafted.
3. Provide staff with alternative direction.

FISCAL IMPACT: Amendment of this Section would likely have no fiscal impact, as the City already requires state and federal employees to pay the tax pursuant to the 1994 amendment.

ORDINANCE NO. 210

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, AMENDING SECTION 3.24.020 OF THE TWENTYNINE PALMS MUNICIPAL CODE RELATING TO THE UNIFORM TRANSIENT OCCUPANCY TAX.

WHEREAS, Ordinance No. 9, adopted in 1987, established the Uniform Transient Occupancy Tax of the City of Twentynine Palms (T.O.T.) and, because it was generally believed that such an exemption was required under the intergovernmental tax immunity doctrine, it exempted “any Federal or State of California officer or employee when on official business”;

WHEREAS, the T.O.T. was further amended in 1990 by Ordinance No. 74 to define the term “person” as not to include “the state or federal government”;

WHEREAS, following an Attorney General opinion suggesting that such an exemption was not required, the City again amended the T.O.T. in 1994 by Ordinance No. 119 to delete the exemption for state and federal employees provided in Ordinance No. 9;

WHEREAS, while the City Council intended to eliminate the T.O.T. exemption for state and federal employees by passing Ordinance No. 119, the reference to state and federal governments added by Ordinance 74 remained;

WHEREAS, in order to remove any confusion and clarify its prior and current intention not to exempt state and federal employees from the T.O.T., the City Council finds it necessary to amend Section 3.24.020(a) of the City of Twentynine Palms Municipal Code to delete references to state and federal government.

NOW, THEREFORE, the City Council hereby ordains as follows:

SECTION 1. Section 3.24.020, subsection (a) of the Twentynine Palms Municipal Code is hereby amended to read in its entirety as follows:

- (a) “Person” means any individual, firm, public entity, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver trustee, syndicate, or any other group or combination acting as a unit.

SECTION 2. This Ordinance is exempt from compliance with the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

SECTION 3. If any portion of this Ordinance, or the application of any such provision to any person or circumstance, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, of the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and to this extent the provisions of this Ordinance are severable.

SECTION 4. The City Clerk of the City of Twentynine Palms shall certify to the passage and adoption of this ordinance and shall cause the same to be posted and published in a manner required by law.



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT: Adoption of 2007 California Code

RECOMMENDATION: Conduct the Public Hearing, Consider Public Comment, and Introduce Ordinance No. 211.

ORDER OF PROCEDURE:

Request Staff Report (Patrick Carroll of CAA Presenting)
Council Questions of Staff
Open Public Hearing
Close Public Hearing
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (roll call vote)

Attachments

1. Ordinance No. 211

BACKGROUND: On July 1, 2007, the State of California published and made available the 2007 Edition of the California Code of Regulations, Title 24, which consists of updates to the following:

1. The California Administrative Code
2. The California Building Code
3. The California Electrical Code
4. The California Mechanical Code
5. The California Plumbing Code
6. The California Energy Code
7. The California Elevator Safety Construction Code
8. The California Historical Building Code
9. The California Fire Code
10. The California Existing Building Code
11. The California Referenced Standards

Due to conditions in specific communities, local governments may adopt amendments to the abovementioned codes based on local climatic, geological, or topographical conditions. Jurisdictions planning on adopting the California Building Codes and Standards with appendices *and local amendments incorporated* must do so before January 1, 2008, for the code, appendices, and

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

local amendments to be effective on that date.

Attached to this staff report is Ordinance No. 211. This Ordinance adopts by reference the abovementioned California Building Codes and Standards, appendices and amendments.

ALTERNATIVES: If the City Council chose not to adopt by reference the California Building Codes and Standards, with their appendices and the local amendments, the California Building Codes and Standards would still apply within the City. However, the appendices and amendments would not be enforceable.

Additionally, The California Building Standards Commission will not allow filings by local governments proposing to adopt and/or amend other model codes.

FISCAL IMPACT: N/A



STAFF REPORT

TO: City Council via City Manager
FROM: Community Development Director
DATE: October 9, 2007

SUBJECT: PC 05-81 - An appeal by Brooks Bauer on behalf of Judy Beltz, of the Planning Commission's denial of a General Plan Amendment and Change of Zone from RL-1 (Rural Living) to CG (General Commercial), Conditional Use Permit to construct a 26,576 square foot mini-storage facility, and a Variance to the CG zone standards to eliminate the side yard setbacks, on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue, on APN #0620-121-04, T1N, R9E, Section 8.

RECOMMENDATION: That the City Council conduct the public hearing, consider all oral and written testimony, adopt Resolution 07-37 (attached) and deny the appeal.

ORDER OF PROCEDURE:

Request Staff Report (Meyerhoff Presenting)
Request Public Comment
Council Questions of Staff
Council Discussion
Motion/Second
Discussion of Motion
Call the Question (voice vote)

Attachments

1. Resolution 07-37
2. Appeal
3. Staff Reports
4. Meeting Minutes
5. Correspondence
6. Site Plan

SUMMARY:

The project site is located on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue. The application includes a request to amend the General Plan Land Use Designation and Change the Zone from RL-1 (Rural Living) to CG (General Commercial), and a Conditional Use Permit to construct a 26,576 square foot mini-storage facility, which would include a 1,320 square foot office and managers residence. The application also requests approval of a Variance to the CG zone side yard setback standards, which require a minimum ten foot side yard setback, to eliminate the side yard setbacks and allow construction of the project to occur on the side yard property lines. This is also referred to as "Zero-lot line construction", and is commonly found in densely urbanized areas, such as the Downtown and Historic Plaza.

BACKGROUND:

On January 20, 2004, the Planning Commission conducted a Public Hearing on a related application for a General Plan Amendment and Change of Zone for this project site from Rural Living (RL-1) to General Commercial (CG). At that meeting the Planning Commission recommended approval of the proposed amendment.

Review of Staff Report:

_____ City Manager

_____ City Attorney

_____ City Engineer

_____ Department Head

On February 10, 2004 the City Council held a Public Hearing on this project. At that meeting the City Council requested that the applicant file an application for a Conditional Use Permit for the mini-storage project.

An application for a Conditional Use Permit was received and deemed incomplete in 2005. The application was revised in 2006.

On May 15, 2007, the Planning Commission voted 4-1 (Opposed - Rinke) to recommend that the City Council approve the project. On June 12, 2007, following a public hearing, the City Council referred the case back to the Planning Commission for further review. The Council was concerned about land use compatibility and the history of the parcel.

San Bernardino County has provided additional background information on the history of parcel. The parcel was designated M-1 (Limited Manufacturing District) by San Bernardino County until 1977. In 1977, the zoning was changed to A1 – 2 ½ -T (Limited Agricultural District). Under the M1 zone, a number of manufacturing uses, including “Contractors equipment storage yard”, were permitted. The applicant recalls that the property was utilized as an equipment storage yard when they purchased the property in 1976. Some area residents have a different recollection of the history of the site.

Business licenses for the land use date back to 1991. A license for K&J's Truck Rental expired in 2004, and a license for Beltz Portable Toilet expired in 2001. Currently, there are no active business licenses on this site. The site is presently used as a construction and equipment storage yard.

FINDINGS:

On September 4, 2007, the Planning Commission voted 5-0 to deny the application. The applicant has subsequently appealed the Planning Commission's denial of the application and related project. The denial of the General Plan Amendment and Change of Zone was based upon the following facts:

1. The location is a rural, low-density residential area.
2. Approval of the application constitutes impermissible spot zoning.
3. The area is not presently served by commercial uses.
4. The proposed land use is incompatible with existing uses in the vicinity.
5. There is an abundant supply of commercially zoned land city-wide which would better accommodate the proposed use.
6. The last Business License at the site expired in 2004.

The Planning Commission's denial of the Conditional Use Permit application was based upon the following facts:

- A. That the proposed design and location of the conditional use and the conditions under which it would be operated are not in accordance with the purpose of the Development Code, the zoning regulations applicable to the site, the City of Twentynine Palms General Plan, and other applicable development policies and standards of the City; and
- B. That the proposed design and location of the conditional use and the conditions under which it would be operated will be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity; and

- C. That the proposed site would not accommodate the use and integrate it with the existing and planned uses in the vicinity.
- D. Appeal of the project would allow for the intrusion of commercial uses in the rural residential neighborhood;
- E. The project is not consistent with development in the vicinity.
- F. The project would have growth inducing impacts and stimulate additional commercial development in the vicinity uncharacteristic of the rural residential area.

The Planning Commission's denial of the Variance application was based upon the following facts:

- A. That, because of special circumstances applicable to the property, (size, shape, topography, location or surroundings) or the intended use of the property, the strict application of the Development Code does not deprive the property of privileges enjoyed by other properties in the vicinity under identical zoning classification; and
- B. That granting the Variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning classification; and
- C. That granting the Variance will be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements; and
- D. That granting of the Variance does constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which the property is located; and
- E. That granting the Variance does allow a use or activity which is prohibited by the zoning regulation governing the parcel; and
- F. That granting the Variance will be inconsistent with the City of Twentynine Palms General Plan and the Development Code.
- G. The property has no unique characteristics that would justify approval of a Variance.
- H. The intended use would not justify approval of the Variance.
- I. No properties in the vicinity and under identical zoning enjoy the privilege of zero lot line development.
- J. No properties in the vicinity, under identical zoning classification enjoy the property right of zero lot line development.

APPEAL:

The applicant requests that the City Council overturn the Planning Commission's denial and approve the project. In the appeal, the appellant states that the Planning Commission "based (their) decision not knowing whether or not a permit is active for the Indian Trail property."

At previous public hearings on this topic, correspondence and oral testimony has been received from neighbors in opposition to the project. The opposition is based on the following themes:

- Development pattern in area is very low density, single family rural residential;
- Proposed project is incompatible with existing low density residential land uses;
- Property has a history of non-compliance with City regulations; and
- Community aesthetics.

ALTERNATIVES:

The City Council may take any of the following actions:

- Take no action (Planning Commission action stands);
- Approve the appeal, overturn the Planning Commission's action and approve the project;
- Approve a portion of the appeal, overturn the Planning Commission's action and approve a portion of the project; or
- Deny the appeal and uphold the Planning Commission's action.

FISCAL IMPACT: None.

CITY OF TWENTYNINE PALMS
CITY COUNCIL
RESOLUTION NO. 07-37

A RESOLUTION OF CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA, DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S DENIAL OF PC 05-81 – A GENERAL PLAN AMENDMENT AND CHANGE OF ZONE FROM RURAL LIVING (RL-1) TO GENERAL COMMERCIAL (CG), AND DENYING A CONDITIONAL USE PERMIT FOR A MINI-STORAGE FACILITY, AND DENYING A VARIANCE FOR THE ELIMINATION OF SIDE YARD SETBACKS, LOCATED AT 73441 INDIAN TRAIL, WEST OF BULLION ROAD AND EAST OF DESERT QUEEN AVENUE, APN #0620-121-04, T1N, R9E, SECTION 8.

WHEREAS, an application for a General Plan Amendment from Rural Living (RL-1) to General Commercial (CG) was received from Judy Beltz; and

WHEREAS, the applicant also seeks approval of a Conditional Use Permit for a 26,576 square foot mini-storage facility, including 1,320 square foot office and managers residence, and a Variance to eliminate the side yard setback, and to construct buildings on the side yard property line, on approximately 2.39 acres at 73441 Indian Trail, west of Bullion Avenue and east of Desert Queen Avenue; and

WHEREAS, an investigation of the business license history of the project site indicates that the site has not had an active business license since December 31, 2004; and

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Negative Declaration of environmental impact have been prepared; and

WHEREAS, a public hearing notice for the Planning Commission Public Hearing was published in a newspaper of record and notice was mailed to all property owners located within 300 feet of the project site; and

WHEREAS, Public Hearings were held by the Planning Commission on May 15, 2007 and September 4, 2007; and

WHEREAS, the City Council conducted a public hearing on this project on June 12, 2007, and referred the matter back to the Planning Commission; and

WHEREAS, the Planning Commission conducted a public hearing on this project on September 4, 2007, and following consideration of the staff report, public hearing, and all written and oral testimony, voted to recommend that the City Council deny the application; and

WHEREAS, on September 12, 2007, Brooks Bauer, on behalf of Judy Beltz, filed an appeal of the Planning Commission's action; and

WHEREAS, on October 9, 2007, the City Council conducted a duly noticed public hearing on this matter; and

WHEREAS, pursuant to Section 19.20.070 of the Development Code, which sets forth the required Findings for General Plan Amendments, the City Council hereby finds:

- A. That the amendment is not consistent with the intent of the goals and policies of the General Plan as a whole; and

- B. That the amendment does not prescribe reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses; and
- C. That the amendment would not provide reasonable property development rights while protecting environmentally sensitive land uses and species; and
- K. That the amendment does not provide for the protection of the general health, safety, or welfare of the community because:
 - 1. The location is a rural, low-density residential area.
 - 2. Approval of the application constitutes impermissible spot zoning.
 - 3. The area is not presently served by commercial uses.
 - 4. The proposed land use is incompatible with existing uses in the vicinity.
 - 5. There is an abundant supply of commercially zoned land city-wide which would better accommodate the proposed use.
 - 6. The last Business License at the site expired in 2004.

WHEREAS, pursuant to Section 19.30.060 of the Development Code, which sets forth the required findings for Conditional Use Permits, the City Council hereby finds:

- A. That the proposed design and location of the conditional use and the conditions under which it would be operated are not in accordance with the purpose of the Development Code, the zoning regulations applicable to the site, the City of Twentynine Palms General Plan, and other applicable development policies and standards of the City; and
- B. That the proposed design and location of the conditional use and the conditions under which it would be operated will be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity; and
- G. That the proposed site would not accommodate the use and integrate it with the existing and planned uses in the vicinity.
- H. Appeal of the project would allow for the intrusion of commercial uses in the rural residential neighborhood;
- I. The project is not consistent with development in the vicinity.
- J. The project would have growth inducing impacts and stimulate additional commercial development in the vicinity uncharacteristic of the rural residential area.

WHEREAS, pursuant to Section 19.34.050 of the Development Code, which sets forth the required Findings for Variances, the City Council hereby finds:

- A. That, because of special circumstances applicable to the property, (size, shape, topography, location or surroundings) or the intended use of the property, the strict application of the Development Code does not deprive the property of privileges enjoyed by other properties in the vicinity under identical zoning classification; and

- B. That granting the Variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning classification; and
- C. That granting the Variance will be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements; and
- D. That granting of the Variance does constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which the property is located; and
- L. That granting the Variance does allow a use or activity which is prohibited by the zoning regulation governing the parcel; and
- M. That granting the Variance will be inconsistent with the City of Twentynine Palms General Plan and the Development Code.
- N. The property has no unique characteristics that would justify approval of a Variance.
- O. The intended use would not justify approval of the Variance.
- P. No properties in the vicinity and under identical zoning enjoy the privilege of zero lot line development.
- Q. No properties in the vicinity, under identical zoning classification enjoy the property right of zero lot line development.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Twentynine Palms following the public hearing, consideration of public testimony, and all written materials and correspondence upholds the Planning Commission's action and denies the General Plan Amendment, Change of Zone, Conditional Use Permit and Variance.

APPROVED AND ADOPTED THIS 9th DAY OF OCTOBER, 2007.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Joel A. Klink, Mayor

ATTEST:

Charlene L. Sherwood, City Clerk

I hereby certify that the foregoing is a true copy of Resolution No. 07-37 duly adopted by the City Council of the City of Twentynine Palms in a meeting held on the 9th day of October, 2007, in Twentynine Palms, California.

Dated this _____ day of _____, _____.

Charlene L. Sherwood, City Clerk



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT: Discussion on Flood Issues in Hanson Track

RECOMMENDATION: The recommendation is to receive staff presentation and provide direction as appropriate.

ORDER OF PROCEDURE:

Request Staff Report (Richard Pedersen Presenting)
Council Questions of Staff
Request Public Comment
Provide Direction as Appropriate

BACKGROUND: One of the goals and strategies of the City Council in FY 07/08 is to look at flood issues in the Hanson Track. The City Engineer, Richard Pedersen, has prepared a presentation to introduce the City Council to the topic.

ALTERNATIVES: N/A

FISCAL IMPACT: N/A

Review of Staff Report:

City Manager

City Attorney

City Engineer

Department Head



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT: Discussion in Regard to Seeking Public Input for Consideration of a General Plan Update

RECOMMENDATION: It is recommended that the Council receive staff report and provide direction as appropriate

ORDER OF PROCEDURE:

Request Staff Report (Michael Tree Presenting)
Council Questions of Staff
Request Public Comment
Direction to Staff

BACKGROUND: One of the City's goals this year is to establish and enforce planning and development policies and standards which support the adopted Vision and Values Statement of the City. To achieve this goal one of the strategies that was established by the City Council was to consider a review and update of the General Plan.

The following are some of the challenges/opportunities present with the current General Plan:

- The City's current General Plan is fragmented, having been periodically updated over several years.
- An imbalance between commercial development and other land uses has developed.
- Approximately 20-25% of the City's land area is currently developed, presenting land use, development, and preservation issues for large amounts of remaining land.

As discussed in the strategic planning session by the City Council, the consideration as to whether a general plan update might take place would come after a more thorough review of the General Plan and an opportunity to hear from the residents.

At the August 28, 2007, Council meeting the City Council directed staff to inquire of current Twentynine Palms Redevelopment Agency Consultant Frank Spevacek (of Rosenow Spevacek Group) whether his firm would be available to assist the Council in a review of the General Plan, to include a series of public forums to gain input from the residents.

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

Mr. Spevacek is interested in providing the abovementioned work at his current contract rate. The following is a sample of the envisioned work plan, which the Council can modify as it sees appropriate:

Preparation

RSG will focus on gathering information throughout an approximate 30-45 day research effort. During this time RSG will conduct necessary site visits, review land use and zoning information, gather development data, and perform other research activities to gain a complete understanding of the City's development and land use issues in relation to the General Plan.

Council Workshop(s)

The next step will be to interact with the City Council through a workshop(s) and other meetings as needed. Staff envisions the workshop to include:

- Review of land use goals and policies, development regulations, and zoning ordinances
- Presentation of data related to conforming and non-conforming land uses, breakdowns of developed areas by land use and zoning categories, and an analysis of vacant land
- Review of development and build-out scenarios based on current zoning and land use designations.
- Focus on land use balance in relation to existing and proposed commercial development
- Discussion with Council members on the General Plan and long term goals

The overall goal of the workshop(s) will be to gain a comprehensive understanding of how Council members view development trends in the City, their understanding of long range planning goals, their vision for future growth and preservation, and Council perception of the effectiveness of current land use planning policies.

Public Workshop(s)

Following the opportunity to work with the City Council, RSG proposes a series of three workshops or charrettes. The workshops would include a review of the General Plan with workshop participants in an effort to gain meaningful discussion and input.

Summary Report

The culmination of work will include a presentation of recommendations for moving forward in a summary report to the City Council and staff.

ALTERNATIVES: The City Council can modify the draft work plan as appropriate.

FISCAL IMPACT: It is anticipated that the abovementioned work plan will cost \$25,000, which is based on the abovementioned research work, a workshop with the Council, three workshops with the public, and a summary presentation to the Council. Advertising for workshops will be the responsibility of the City.



STAFF REPORT

TO: City Council
FROM: City Manager
DATE: October 9, 2007

SUBJECT

City Council Agency Liaison and Task Force Assignments

RECOMMENDATION

Review Council assignments and take action as appropriate.

BACKGROUND

Members of the City Council are assigned to represent the City on various public agencies as board members, members of committees, or delegates. The Council reassigns these posts every two years. Due to the resignation of Kevin Cole and the appointment of Jim Harris to the City Council, the assignments should be reviewed and modified as necessary.

The amount of required participation varies depending on the assignment. Although attendance is not always convenient, it is important that the City have continuing representation on these boards and committees because much of the work affects the City fiscally and otherwise. As a consequence, most of the appointments have an alternate delegate who attends if the primary representative is not available.

The Council should give some thought to committing to long term (multi-year) participation in their assignments due to the value of networking and establishing alliances, which can positively affect the City's ability to obtain grants and other revenues.

The following is a list of the assignments and their basic function:

San Bernardino Association of Governments (SANBAG)

SANBAG is the association of all cities and county government in San Bernardino County. Meetings are held on a monthly basis.

Desert Mountain Division

The Desert Mountain Division is our local alliance group within the statewide League of California Cities. Meetings are held on a monthly basis.

Measure I Committee

The Measure I committee is the Countywide body that allocates the Measure I sales tax to local agencies. The committee meets monthly.

Morongo Basin Transit Authority (MBTA)

The MBTA is the Basin's public transportation agency. The agency meets monthly.

San Bernardino County Flood Control District

The San Bernardino County Flood Control District is charged with flood control issues. The meetings are held annually, or on call of the chairperson.

County Solid Waste Task Force and/or Desert Mountain Joint Powers Integrated Waste Authority

These entities meet quarterly, or on call of the chairperson.

Mojave Desert Air Quality Management District (MDAQMD)

The MDAQMD is charged with oversight of air quality issues. Meetings are held monthly or more often depending on business before the District.

Attached to this report is a list of current Council assignments indicating vacancies and meeting times of the various organizations. Most of the appointments require an alternate.

Task Forces of City Council

The following are assignments and vacancies on the task forces, which are formed by the City Council via appointment by the Mayor. They meet infrequently but as needed.

Franchise Task Force:	Joel Klink and Steve Spear
*** Neighborhood Clean Up Task Force:	VACANT and Steve Spear
Economic Development Task Force:	Steve Spear and Elaine Bernal
*** Circulation Task Force:	VACANT and Steve Spear
Finance Task Force:	Joel Klink and Elaine Bernal
*** Personnel Task Force:	VACANT and Steve Spear
*** Park Task Force:	VACANT and Steve Flock
Wastewater Task Force:	Steve Flock and Steve Spear
Crosswalk Task Force:	Steve Spear and Elaine Bernal
Chamber Liaison:	Elaine Bernal
Fee Task Force:	Joel Klink and Steve Spear
*** Fire Department Task Force:	VACANT and Steve Spear
Government Center Task Force:	Elaine Bernal and Steve Flock

COUNCIL ORGANIZATIONAL ASSIGNMENTS

Council Officers

Mayor—Joel Klink

Mayor ProTem—Elaine Bernal

San Bernardino Associated Governments (SANBAG)

Meets 1st Wednesday at 9:30 a.m. in San Bernardino

*** Council Representative: **VACANT**
Alternate: Elaine Bernal

SANBAG Measure I Committee

Meets 3rd Friday at 9:00 a.m. in Apple Valley

*** Council Representative: **VACANT**
Alternate: Steve Flock

Desert/Mountain Division of the League of California Cities

Meets quarterly on 4th Friday at 10 a.m. to 2 p.m. at various locations

Council Representative: Joel Klink
Alternate: **VACANT**

Morongo Basin Transit Authority (MBTA)

Meets 3rd Thursday at 3:00 p.m. in Joshua Tree

Council Representative: Steve Spear
Council Representative: Elaine Bernal
*** Alternate: **VACANT**

San Bernardino County Flood Control Advisory Committee

Council Representative: Steve Spear
Council Representative: Elaine Bernal
Alternate: Steve Flock

San Bernardino County Solid Waste Task Force (2x year)

Mojave Desert/Mountain Recycling Authority

Meets quarterly on 2nd Thursday at 10 a.m. in Victorville

Council Representative: Steve Spear
Alternate: Joel Klink

Mojave Desert Air Quality Management District (MDAQMD)

Meets 4th Monday at 10:00 a.m. in Victorville

Council Representative: Elaine Bernal
Alternate: Steve Flock