

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, OCTOBER 28, 2003
7:00 P.M.**

MINUTES

1.0 CALL TO ORDER - Mayor Bagley called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE - Councilmember Cole led the Pledge of Allegiance to the Flag.

INVOCATION - Pastor Frank Ferrandini of the First Assembly of God Church gave the Invocation.

ROLL CALL - On the call of the roll the following Councilmembers were present: Dawn Benton Jr., Kevin Cole, Glenn Freshour, Steve Spear and Jim Bagley.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

2.1 Assemblymember Russ Bogh will speak to the City Council about the end-of-year updates and budget.

Assemblyman Russ Bogh addressed the City Council regarding the budget and the end of the year updates.

2.2 Resolution Recognizing November 23, 2003 as a Day of Thanksgiving in Support of the Twentynine Palms Ministerial Association.
RECOMMENDATION: The City Council adopt Resolution 03-20, recognizing November 23, 2003 as a Day of Thanksgiving in the City of Twentynine Palms as requested by the Twentynine Palms Ministerial Association.

On a motion of Councilmember Freshour, seconded by Councilmember Benton and carried with a 5-0 voice vote, the City Council adopted Resolution No. 03-20.

Mayor Bagley presented the Resolution to Pastor Ferrandini, who spoke about the upcoming Thanksgiving Dinner to be held on November 23rd at 6:00 p.m. at Smith's Ranch.

3.0 ANNOUNCEMENTS

- 3.1 City Clerk Sherwood announced that an item needed to be placed on the agenda under item 7.0. She said that the item was brought to the City Council subsequent to the agenda being posted. In accordance with Government Code Section 54954.2, a motion was made by Mayor Pro Tem Freshour, seconded by Councilman Cole and carried with a 5-0 roll call vote, to add the item to the agenda.
- 3.2 Mayor Bagley announced that these proceedings will be televised on Cable Television, Channel 6 as follows: Wednesday, October 29, at 7:00 p.m. and Saturday, November 1, 2003 at 3:00 p.m.
- 3.3 Mayor Bagley said that City offices will be closed and the City Council meeting scheduled for November 11, 2003 will be cancelled in observance of the Veteran's Day.
- 3.4 Mayor Bagley announced that a Veterans' Day Tribute is scheduled for Tuesday, November 11, 2003 from 10:00 a.m. to 2:00 p.m.. at Luckie Park. This event is sponsored by the City of Twentynine Palms, Town of Yucca Valley, Morongo Basin Veteran's of Foreign Wars and the Marine Corps Air Ground Combat Center. The ceremony will take place at 11:00 a.m. and there will be military static display, Sheriff's Department static display as well as various vendors.
- 3.5 Mayor Bagley announced that the City has received a federal grant from the Department of Defense. He said that the \$3.8 million dollar grant is for the reconstruction of Adobe Road from Amboy Road to the US Marine Corps main gate. Mayor Bagley said that the grant funding for this high priority project comes as a result of the effort of Congressman Jerry Lewis on behalf of the City and the MCAGCC.

4.0 PUBLIC COMMENTS – This is the time for the public to address the City Council on issues.

- 4.1 George Croft, Twentynine Palms, spoke to the City Council about the problem with the traffic lights and he also spoke about Recall 29 stating that he was not a part of the group as of yet.

Rocky Moore, Twentynine Palms, told the City Council that funds could be generated through growth and maybe the City should hire someone to help with growth. He said that he has no support for Recall 29 at this time.

Bill Easter, Twentynine Palms, said that he is opening a new one hour photo business aboard the base. He also encouraged citizens to be present at the City Council meetings. Mr. Easter thanked councilmembers Spear and Cole for taking the time to talk with him about issues.

Ron Brault, served the Mayor and each of the Councilmembers with a Notice of Intent to Circulate a Petition.

Merl Travers, told the City Council that he is a member of Recall 29 and he said that they were all guilty of malfeasance.

Jeri Hagman, Twentynine Palms, said that there is a problem with cell phone reception in some areas in the desert.

Granton Mark, Twentynine Palms, spoke to the City Council about the downtown crosswalk.

5.0 CITY COUNCIL COMMENTS - This is the time for comments from the City Councilmembers on any subjects.

Councilmember Cole thanked the Chamber of Commerce and the MCAGCC for the wonderful Pioneer Days Parade. He said that many people lined the streets to watch the parade and it was a great event. He said that the Preschool is filled more now than it was previously when the City was running it, and he congratulated the people at the preschool for all of their hard work. Councilmember Cole thanked Congressman Lewis for helping the City to get the grant Mayor Bagley spoke of earlier.

Councilmember Spear echoed his thanks to Dee Thompson and Danny Mintz of the Chamber of Commerce for the excellent Pioneer Day Parade. He said that he looked into a question from a citizen regarding a Conditional Use Permit (CUP) for The Roughly Manor. He said that he checked the Planning Commission minutes from the February 5, 2002 meeting and it was voted 5/0 that a CUP is not required because of a change of ownership. Councilman Spear thanked everyone who had brought him their concerns.

Councilmember Benton congratulated Dee Thompson and Danny Mintz of the Chamber of Commerce for what he said was the best ever Pioneer Days Parade. He also said that his prayers go out to the firefighters, and the families who lost their homes in the fires.

Mayor Bagley said that this was the most successful Pioneer Day Parade in history. He encouraged everyone to attend the Old Timers reunion and the Weed Show. He talked about the devastating fires taking place right now. He said he is having a meeting with Assemblyman Bogh and he will talk about traffic signals. Mayor Bagley said that a recall is part of the democratic process, and he said that he will not respond to anonymous phone calls or letters.

Councilmember Benton mentioned the Battle of the Bell football game between Twentynine Palms and Yucca Valley High School.

Councilmember Cole said that people should go to the game and show support for Twentynine Palms.

6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT

CALENDAR All matters listed under the Consent Calendar are to be considered routine by the City Council/Redevelopment Agency and will be enacted by one motion in the form listed. Any item may be removed from the Consent Calendar and considered separately by the City Council under item number 7.0 on the agenda. The public will be given an opportunity to comment on consent Calendar items prior to the City Council action (roll call vote).

At this time, the City Clerk will read the title(s) of the ordinance(s) listed herein except those that are removed for separate action.

- 6.1 Waive the Reading of Ordinances and Approve Reading by Title Only
RECOMMENDATION: The City Council Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.
- 6.2 Warrant and Payroll Register
RECOMMENDATION: Receive and file registers totaling \$90,799.47.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the October 14, 2003 meeting.
- 6.4 Adoption of Resolution No. 03-19 Supporting the American Lung Association of California in the Effort to Promote State and Local Municipality Programs to Use Cleaner Vehicles.
RECOMMENDATION: Adopt Resolutions No. 03-19.

6.5 Development Code Update, Adoption of Chapters 19.16 Specific Plan (SP) Districts, 19.18 Over lay Districts, 19.72 Mobilehome/RV Parks and Campgrounds and 19.80 Recycling Facilities
RECOMMENDATION: Adopt Ordinance No. 176.

6.6 County Health Department Emergency Services Contract, West Nile Virus
RECOMMENDATION: Designate County Health as City service responder for West Nile Virus outbreak; authorize City Manager to execute Emergency Services Agreement.

6.7 Law Enforcement Report - September 2003
RECOMMENDATION Receive and file.

Councilmember Spear abstained from item 6.7. On a motion of Councilmember Freshour, seconded by Councilmember Cole and carried with a unanimous roll call vote, the Consent Calendar was approved.

7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND / OR ADDED AGENDA ITEMS

7.1 City Clerk Sherwood announced that an item needed to be placed on the agenda under item 7.0. She said that the item was brought to the City Council subsequent to the agenda being posted. In accordance with Government Code Section 54954.2, a motion was made by Mayor Pro Tem Freshour, seconded by Councilman Cole and carried with a 5-0 roll call vote, to add the item to the agenda.

Appointment of Authorized Agents

RECOMMENDATION: The City Council adopt Resolution No. 03-21

On a motion of Mayor Pro Tem Freshour, seconded by Councilmember Cole and carried with a 5-0 roll call vote the City Council adopted Resolution No. 03-21, authorizing the Mayor or the City Manager to act as an agent for the City in the execution of requests for disaster assistance.

8.0 PUBLIC HEARINGS - None

9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None

10.0 LEGISLATIVE / COUNCIL / REDEVELOPMENT AGENCY

11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS -

Note: In accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

12.0 CLOSED SESSION

12.1 Closed Session Pursuant to Government Code Section 54956.9 Potential Litigation, 1 case

12.2 Closed Session Pursuant to Government Code Sections 54957 Public Employees Performance Evaluation - City Manager

13.0 ADJOURN - The City Council adjourned to a Closed Session meeting at 7:55 p.m.

The Closed Sessions ended at 8:45 p.m. Item 12.1-City Council gave direction to staff. Item 12.2- Continued until January 13, 2004.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk