

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, MAY 25, 2004
7:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** – Mayor Freshour called the meeting to order at 7:00 p.m.
PLEDGE OF ALLEGIANCE- Councilmember Cole led the Pledge of Allegiance to the Flag.
INVOCATION – Mayor Freshour gave the Invocation.
ROLL CALL – Councilmember’s Bagley, Benton, Cole, Spear and Mayor Freshour

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Mayor Freshour will present a City Tile to General and Mrs. Cowdrey

General and Mrs. Cowdrey joined Mayor Freshour at the podium. He presented the Cowdrey’s with a City tile, and thanked the General for the welcome home parade for the troops, and he thanked Mrs. Cowdrey for running the enduring Families Program. General Cowdrey thanked the City Council for the tile and said that they would miss Twentynine Palms very much.

- 2.2 Mayor Freshour presented a City Tile to Colonel and Mrs. J.D. Nichols

Mayor Freshour presented a City tile to Colonel and Mrs. J.D. Nichols and thanked both of them for their involvement in the community. Colonel Nichols said that they would also miss Twentynine Palms and he said that it has been an honor to live in this town.

- 2.3 A Representative from San Bernardino Associated Governments (SANBAG) will give a presentation regarding Measure I.

Councilmember Bagley introduced Ms. Deborah Barmack, San Bernardino Associated Governments (SANBAG) representative to the City /Council. She gave a presentation regarding Measure I, explaining that the one-half of one percent transactions and use tax is set to expire in 2010, and if approved by the voters would authorize the collection of the one-half of one percent sales tax for a 30-year period. She explained the many reasons why people should vote for Measure I on the November ballot. She said Measure I provided funding for numerous transportation projects and the money that comes from the Morongo Basin comes back to the Morongo Basin for roads and transportation. She encouraged the City Council to approve the resolution approving the expenditure plan for the revenues expected to be derived from the proposed continuance of Measure I.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Freshour announced that these proceedings will be televised on Cable T.V., Channel 6, as Follows: Wednesday, May 26, 2004 at 7:00 p.m. and Saturday, May 29, 2004 at 3:00 p.m.
- 3.2 Mayor Freshour announced City Offices will be closed on Monday, May 31, 2004 in Observance of the Memorial Day Holiday.

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

- 4.1 Don Brackett, Twentynine Palms spoke to the Council about an off leash dog area being created near, or in Luckie Park, He submitted diagrams of where he thinks the proposed area should be, as well as twenty signatures on a petition of people in favor of the dog area.

Anonymous, said that he thinks the City should be doing something about getting rid of oleander bushes because they are toxic to people.

- 4.2 Public comments on specific agenda items will be deferred until consideration of the item on the agenda.

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

Mayor Pro Tem Benton said that he attended a Shopping Center Conference with Mayor Freshour in Las Vegas. He said there were many people there and they received a lot of information as well as leaving information.

Councilmember Spear reported that the last neighborhood cleanup was in the area of Sunmore Estates by the Twentynine Palms High School Football team.

Councilmember Cole congratulated the High School youth who recently received awards. He thanked General Cowdrey and Colonel Nichols for all they have done for the community during their time here. Councilmember Cole encouraged people to vote for Measure I because it is very important to the community.

Councilmember Spear said that he attended the Pops Concert at the Twentynine Palms High School. He said the student talent was spectacular and the food prepared by Ms. Karon Masterson was wonderful.

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 \$ 425,511.37.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the May 11, 2004 City Council meeting.
- 6.4 Law Enforcement Report – April 2004
RECOMMENDATION: Receive and file.
- 6.5 Development Code Update, Chapter 19.49, Outdoor Dining Facilities
RECOMMENDATION: The City Council adopt Ordinance No. 182.
- 6.6 Resolution No. 04-15 Supporting a Joint League/CSAC Policy statement to decrease impacts on Public Health and Safety Resulting from Wildland Urban Interface Fires.
RECOMMENDATION: The City Council adopt Resolution No. 04-15.
- 6.7 Treasurer's Report – April, 2004
RECOMMENDATION: Receive and file.
- 6.8 Resolution No. 04-17 Approving the Expenditure Plan for the Revenues Expected to be Derived from the Proposed Continuation of Measure I
RECOMMENDATION: The City Council adopt Resolution No. 04-17.
- 6.9 Renewal of Service Agreements with Chamber of Commerce
RECOMMENDATION: Receive updated and revised service agreement with the Chamber of Commerce; adopt as submitted.
- 6.10 Resolution No. RDA 04-01 Incentives for Revitalization, Continuing Existing Redevelopment Project Area Infill Incentives, and Adding Right of Way Dedication Fees as an Additional Incentive.
RECOMMENDATION: Adopt Resolution RDA 04-01 continuing Redevelopment Project Area infill incentives and adding the City's Right of Way (R.O.W.) Dedication Fee to those incentives.

Councilmember Bagley requested item 6.8 of the Consent Calendar be pulled for discussion.

Councilmember Spear abstained from Check No. 34762 of the warrant register and Item 6.4.

On a motion of Councilmember Bagley, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the balance of the Consent Calendar was approved as submitted.

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

- 6.8 Resolution No. 04-17 Approving the Expenditure Plan for the Revenues Expected to be Derived from the Proposed Continuation of Measure I
RECOMMENDATION: The City Council adopt Resolution No. 04-17.

Councilmember Bagley said that Ms. Barmack gave an excellent presentation about Measure I. He stressed that the money from this Measure stays in Twentynine Palms and he urged people to vote for it in November.

On a motion of Councilmember Bagley, seconded by Councilmember Cole and carried with a unanimous voice vote, the City Council adopted Resolution No. 04-17

8.0 PUBLIC HEARINGS

- 8.1 Completion of Development Code Update, Revising Circulation Plan, Land Use Plan, and Land Use Map of the General Plan to Ensure Consistency, and Adoption of the General Plan Land Use Map as the City's Zoning Map. (PC 04-11)
RECOMMENDATION: Conduct the Public Hearing and Adopt Resolution No. 04-13 and Introduce Ordinance No. 183.

Community Development Director Corbin (Director Corbin) presented his staff report.

Mayor Freshour opened the Public Hearing. There were no requests to speak and Mayor Freshour closed the Public Hearing.

Councilmember Cole commended staff and the Planning Commission for the four years of work that went into completing the Development Code.

City Clerk Sherwood read Ordinance No. 183 by title only, thereby introducing Ordinance No. 183.

On a motion of Councilmember Cole, seconded by Mayor Pro Tem Benton and carried with a 5-0 roll call vote, the City Council adopted Resolution No.04-13 and introduced Ordinance No. 183.

- 8.2 Development Code Update, Revision of Chapter 19.54 Bed and Breakfast Uses
RECOMMENDATION: Conduct the Public Hearing, introduce Ordinance No. 184, and direct staff to bring the matter back to the City Council for adoption.

Mayor Freshour opened the Public Hearing.

Director Corbin presented his staff report.

A consensus was reached by the Council that a maximum of ten guests rooms was not acceptable in a residential area.

Mayor Freshour closed the Public Hearing.

City Manager Swigart said that the City Council has the option of changing part of the Development Code, excepting the alternative, or send it back to the Planning Commission for further review.

Councilmember Bagley referred to page 54-1 Item C, stating that he would like to see Item C deleted from the Development Code. He said that 10 rooms in a Bed and Breakfast in a residential neighborhood will change the character of the neighborhood.

On a motion of Councilmember Bagley, seconded by Councilmember Spear and carried with a 5-0 voice vote, the City Council continued item 8.2 until July 13, 2004, sending it back to the Planning Commission for their review and recommendation.

8.3 Confirmation of Cost, El Sol Ave, Continued from March 23 Meeting
RECOMMENDATION: Conduct the Public Hearing, adopt Resolution 04-16.

Director Corbin presented his staff report.

Mayor Freshour opened the Public Hearing. There were no requests to speak and Mayor Freshour closed the Public Hearing.

Councilmember Bagley asked if the owners of the property had indicated how long they wanted to amortize their payments.

Director Corbin said that they had just called this afternoon and they did not indicate what they wanted to do.

Director Corbin said that his recommendation is to move forward with the assessment. He said that if this is not recorded and the property owner sells, the cities ability to collect the money is gone.

Mayor Freshour said that if the owners are allowed to make payments it will put staff in the position of being a collection agency.

On a motion of Mayor Pro Tem Benton, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the City Council adopted Resolution No. 04-16.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT AGENCY

10.1 Formation of an Ad-Hoc Council Subcommittee to Review Aspects of the General Plan Circulation Element and City Systems of Streets.

RECOMMENDATION: The City Council will appoint a two person subcommittee to examine the circulation element.

Mayor Freshour appointed Councilmember Cole and Councilmember Spear to participate on a subcommittee to examine the circulation element.

11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS – None

12.0 CLOSED SESSION - None

13.0 ADJOURN - The City Council meeting adjourned at 8:10 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC
City Clerk