

## MINUTES

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD  
TWENTYNINE PALMS, CALIFORNIA  
TUESDAY, SEPTEMBER 14, 2004  
7:00 P.M.**

**1.0 CALL TO ORDER** – Mayor Freshour called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE** – Mayor Freshour led the Pledge of Allegiance.

**INVOCATION** - Milt Merrit, Retired Navy Chaplin.

**ROLL CALL** – The following Councilmembers/Boardmembers were present:  
Bagley, Benton, Cole, Spear, and Freshour

### **2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

2.1 Chamber of Commerce President Dan Mintz introduced Christina Dooley, as the new Executive Director.

2.2 Mayor Freshour presented Susan Patane from the Inland Empire Health Plan with a Proclamation recognizing the month of September as Back to School Immunization Awareness Month.

### **3.0 ANNOUNCEMENTS**

3.1 Mayor Freshour announced that these proceedings would be televised on Cable T.V., Channel 6, as follows: Wednesday, September 15, 2004 at 7:00 p.m. and Saturday, September 18, 2004 at 3:00 p.m.

### **4.0 PUBLIC COMMENTS**

4.1 Ray Kinsman, Twentynine Palms gave a report to the City Council about his trip to the Global Mural Conference in Ely, Nevada. Mr. Kinsman stated that our Mural #20 "Iragi Freedom" is now known all over the world. He asked if one of the Councilmembers would join him at the next Mural Conference in Bishop, California.

Eva Kinsman, Twentynine Palms spoke regarding the Copper Mountain College Bond, Measure "C" which will be on the November ballot and asked that they please vote for "C" on the November ballot.

### **5.0 CITY COUNCIL COMMENTS**

Councilmember Spear spoke regarding the 300 Marines & Sailors from the MCAGCC that are expected to return to Twentynine Palms on September 15, 2004, another 80 on the 16<sup>th</sup> of September and 50 on the 17<sup>th</sup> of September. He urged the citizens to listen to the radio to track their locations from the Z107.7 mobile news crew.

Mayor Freshour asked the community to be patient with the Two Mile Road improvements and widening project. There are a lot of construction projects in the city, bear with us as our City is growing.

## **6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR**

- 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 \$ 283,447.54
- 6.3 Law Enforcement Report – July 2004  
RECOMMENDATION: Receive and file.
- 6.4 Chamber of Commerce Report – July 2004  
RECOMMENDATION: Receive and file.
- 6.5 Change of Zoning from Service Commercial (CS) to General Commercial, southwest corner of Amboy Road and Adobe Road (APN 621-051-08). Applicant John Peruzzi Architects representing Navy Federal Credit Union.  
RECOMMENDATION: The City Council take adopt Ordinance No.189.
- 6.6 Revised Massage Regulations Allowing for Verifiable Experience to be Submitted for Required Training  
RECOMMENDATION: The City Council take action to adopt Ordinance No. 186.
- 6.7 Public Employees Retirement System (PERS) Contract Ordinance  
RECOMMENDATION: The City Council take action to adopt Ordinance No. 188.
- 6.8 Amendment to PARSAC (Public Agency Risk Sharing Authority of California) Joint Powers Agreement  
RECOMMENDATION: The City Council approve Resolution No. 04-23 accepting the amendment to the PARSAC joint Powers Agreement.
- 6.9 Resolution 04-24, Federal Surplus Property Program  
RECOMMENDATION: The City Council declare that the City of Twentynine Palms renew its eligibility with the Federal Surplus Property Program so that the City may acquire surplus property from Federal and State programs.
- 6.10 Purchase of 1995 John Deere 670B Grader  
RECOMMENDATION: The City Council authorize purchase of a 1995 John Deere Grader Model No. 670b. Funds have been allocated for the upgrade of equipment from the Gas Tax Budget Account No. 22-1004-4508 in the amount of \$65,000.00.

Mayor Pro Tem Benton abstained from Item 6.2, Check #35474  
Councilmember Spear abstained from Item 6.3, Law Enforcement Report;  
do to a possible conflict of interest.

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.

**7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND/OR  
PARTICIPATION AND /OR ADDED AGENDA ITEMS – None**

**8.0 PUBLIC HEARINGS – None**

**9.0 REPORTS, REQUESTS AND COMMUNICATIONS**

9.1 Budget Amendment  
RECOMMENDATION: Receive and file

City Manager Michael Swigart presented a staff report to the City Council.

Mayor Freshour asked if there were any questions of the Council.

On a motion of Councilmember Cole, seconded by Mayor Pro Tem  
Benton, and carried with a 5-0 roll call vote, Item 9.1 was approved.

**10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT AGENCY**

10.1 Solid Waste Collection and Disposal Ordinance  
RECOMMENDATION: The City Council take action to adopt Ordinance  
No. 187.

City Manager Michael Swigart presented a staff report to the Council.

Mayor Freshour opened the Public Hearing.

Alex Nichols, Twentynine Palms, asked the Council if he would have to  
pay for commercial service and private service at the same location with  
the new tax billing process that is in place.

City Manager Swigart informed Mr. Nichols, he would not have to pay for  
both services.

Councilmember Bagley said that as you can see we still have issues that  
need to be worked out and thanked Mr. Nichols for bringing this issue to  
the Councils attention.

Mayor Freshour closed the Public Hearing.

A brief discussion from the Council occurred regarding problems that may  
occur during this transitional phase and they asked that the public please

bring these issues to the City Manager as well as the City Council so that each issue can be addressed and handled so the program works for the citizens as well as the City.

On a motion of Councilmember Bagley, seconded by Mayor Pro Tem Benton and carried with a 5-0 roll call vote, Item 10.1 was approved.

- 10.2 Residential Neighborhood Beautification: Home Improvement Permit Fee RECOMMENDATION: The City Council discuss and adopt Resolution No. 04-25 establishing neighborhood home improvement incentives.

City Manager Swigart presented a staff report to the Council.

Mayor Freshour asked City Manager Swigart if the non permitted structures would be covered under this new program.

City Manager Swigart replied, yes.

Mayor Freshour discussed the savings to the community in these designated areas set in Exhibit "A", for non permitted structures as well as for anyone who would be interested in doing additions to their homes. He then stated that this is a limited time offer.

City Manager Swigart said should someone have an existing structure that has not been permitted they will issue the Permit, but before the final can be issued it will have to meet the code.

Councilmember Cole asked if he understands correctly that the City will pay for the building permits in the neighborhoods outside the Redevelopment Area (RDA), and the RDA will pay for the permits inside the RDA.

City Manager Swigart responded, yes.

Mayor Freshour opened the Public Hearing, hearing no requests to speak he closed the Public Hearing.

On a motion of Councilmember Cole, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the City Council adopted Resolution No. 04-25.

- 10.3 Resolution No. 4-22 Supporting Proposition 1A RECOMMENDATION: The City Council discuss Proposition 1A and take action to adopt Resolution No. 04-22.

City Manager Swigart presented a staff report to the City Council

Councilmember Spear spoke in favor of Proposition 1A.

Councilmember Bagley spoke in favor of Proposition 1A. He said that he

is available to any service clubs or organizations who want information on Proposition 1A, Measure I, and the College Measure C and or wants speakers on any of these topics.

Mayor Freshour wanted to thank the people locally who came out to the Stater Bros. shopping center, where he and Councilmember Spear were gathering signatures. He said they gathered enough signatures to qualify for Proposition No. 65, which was the City initiative to force the Governor and the Legislature to the bargaining table.

On a motion of Mayor Pro Tem Benton, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council voted to adopt Resolution No. 04-22.

**11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS – None**

**12.0 CLOSED SESSION – None**

**13.0 ADJOURN – The City Council meeting adjourned at 7:55 p.m.**

Respectfully submitted,

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Adda L. Harris, Deputy City Clerk