

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

MINUTES

- 1.0 CALL TO ORDER** - Mayor Pro Tem Benton called the meeting to order at 7:05 p.m.
PLEDGE OF ALLEGIANCE – Councilmember Bagley led the Pledge of Allegiance to the Flag.
INVOCATION – Pastor Robert Harris of the Little Church of the Desert gave the Invocation.
ROLL CALL – The following Councilmembers were present: Bagley, Benton, Cole and Spear. Mayor Freshour arrived at 7:23 p.m.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Presentation of the Mayor's Recognition Award and Distribution of Remaining Campaign Funds to Theatre 29 and the Twentynine Palms Youth Club.

Mayor Freshour presented a check to Theatre 29 and the Twentynine Palms Youth Club in the amount of \$753.27 each. These funds were distributed from Mayor Freshour's campaign funds. Danny Mintz, Twentynine Palms Youth Club President presented a plaque to Mayor Freshour in appreciation of his support to the Twentynine Palms Youth Club.

Mayor Freshour presented a City tile to Gary and Cindy Daigneault, recipients of the Mayor's Recognition Award. Mayor Freshour thanked the Daigneaults for giving over 25 years of community service to the City of Twentynine Palms, and for helping the Community to grow.

- 2.2 Mayor Pro Tem Benton announced that these proceedings would be televised on Cable T.V., Channel 6, as follows:
Wednesday, December 15, 2004 at 7:00 p.m. and Saturday, December 18, 2004 at 3:00 p.m.

3.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- 3.1 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.
- 3.2 Warrant and Payroll Register
RECOMMENDATION: Receive and file registers totaling \$ 18,052.74.
- 3.3 Treasurer's Report - October 2004
RECOMMENDATION: Receive and file.
- 3.4 Approval of Minutes - November 23, 2004
RECOMMENDATION: Receive and file.
- 3.5 Presentation of the International City/County Management Association Service Award to City Manager Michael Swigart for Twenty Years of Service to Local Government.
RECOMMENDATION: Receive and file.

- 3.6 Application of Red Curbs Prohibiting Parking
RECOMMENDATION: Receive and file.
- 3.7 Chamber Report – November 2004
RECOMMENDATION: Receive and file.
- 3.8 General Plan Amendment for proposed Change of Zoning from General Commercial (CG) to Multi-family Residential (RM) for six parcels located north side of Gorgonio Drive, west of Aztec Avenue (APN's 623-062-10, 11,12,13,14, and 15).
RECOMMENDATION: Adopt Ordinance No. 191.
- 3.9 Municipal Election Certification
RECOMMENDATION: The City Council adopt Resolution No. 04-34, confirming and certifying the November 2, 2004 election results.
- 3.10 Two Mile Road and Utah Trail Project
RECOMMENDATION: 1) Accept the completed work on the Two Mile Road and Utah Trail project by Yeager Shanska Inc. for the amount of \$660,847.74, 2) Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds, and 3) Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.
- 3.11 Two Mile Road, Downtown Parking Lot and Community Services Center Parking Lot Project
RECOMMENDATION: Award Contract to Match Corporation for the amount of \$1,349,349 for the "Two Mile Road, Downtown Parking Lot and Community Services Center Parking Lot Project".
- 3.12 Purchasing of a 40' x 80' Picnic Shelter
RECOMMENDATION: The City purchase the 40' x 80' picnic shelter from G & W Builders Inc., in the amount of \$33,098.
- 3.13 Approval of Submitting City's Application for Roberti-Z'ieberg Grant
RECOMMENDATION: Adopt Resolution No. 04-39.

Councilmember Bagley requested that Item 3.5 and 3.6 be pulled from the Consent Calendar. Councilmember Spear requested item 3.11 be pulled from the Consent Calendar and Councilmember Cole requested item 3.12 be pulled from the Consent Calendar.

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

4.0 PUBLIC COMMENTS - There were no public comments.

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

- 3.5 Presentation of the International City/County Management Association Service Award to City Manager Michael Swigart for Twenty Years of Service to Local Government.
RECOMMENDATION: Receive and file.

Councilmember Bagley requested this item be pulled to allow the Council to recognize City Manager Swigart's 20 years of Government Service and to say thank you.

On a motion of Councilmember Bagley, seconded by Councilmember Cole and carried with a 4-0-1 voice vote (Freshour-absent), the City Council approved Item 3.5.

3.6 Application of Red Curbs Prohibiting Parking

RECOMMENDATION: Receive and file.

Councilmember Bagley requested this item be pulled from the Consent Calendar because a member of the audience wished to speak about it.

City Manager Swigart presented a staff report.

R.R. Surrant, Twentynine Palms, Owner of Cactus Tavern, spoke in opposition of the red curb in front of his business

Councilmember Spear asked what it was that drew attention to this curb. He said that the history from the San Bernardino County Sheriffs was that there had been no collisions in that area of Adobe Road. He said that parking is allowed on Highway 62 and there have been accidents there.

City Manager Swigart said that people driving by were complaining and because of possible litigation the City acted.

Following a discussion, Councilmember Spear requested that a green zone, per the California Vehicle Code, be looked into.

Councilmember Bagley said this is a receive and file item on the consent calendar which is basically ministerial, and the recommendation back to staff should be a review of the parking situation on Adobe Road with the receive and file of this report.

On a motion of Councilmember Bagley, seconded by Councilmember Cole and carried with a 5-0 voice vote, the City Council approved filing the report.

3.11 Two Mile Road, Downtown Parking Lot and Community Services Center Parking Lot Project

RECOMMENDATION: Award Contract to Match Corporation for the amount of \$1,349,349 for the "Two Mile Road, Downtown Parking Lot and Community Services Center Parking Lot Project".

Director Corbin presented a staff report.

Councilmember Spear said that he has concerns for traffic safety. He said that the City could save \$39.7 thousand dollars for other parking lots in the city.

City Manager Swigart said that Community Development Block Grant (CDBG) funds as well as other Redevelopment Agency funds were being used for the Community Services Center parking lot. He specified the uses for the CDBG Funds, and stated the funds could not be used for the downtown area.

Councilmember Cole said that this is an opportunity for the City to set an example for paved parking.

On a motion of Councilmember Spear, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council awarded the "Two Mile Road, Downtown Parking Lot and Community Services Center Parking Lot project" contract to Match Corporation for the amount of \$1,349,349.

- 3.12 Purchasing of a 40' x 80' Picnic Shelter
RECOMMENDATION: The City purchase the 40' x 80' picnic shelter from G & W Builders Inc., in the amount of \$33,098.

Councilmember Cole pulled this item for discussion.

Director Corbin presented a staff report.

Councilmember Cole asked where the master plan was for Knott's Sky Park.

City Manager Swigart said that an aerial photo of the park would be taken soon, and the master plan would follow shortly thereafter.

On a motion of Councilmember Bagley, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the City Council approved the purchase of a 40' x 80' picnic shelter from G & W Builders, Inc., in the amount of \$33,098.

5.0 OUTGOING COUNCIL COMMENTS

- 5.1 Outgoing Council Comments – Jim Bagley and Glenn Freshour

Councilmember Bagley thanked the people of Twentynine Palms for giving him an opportunity to serve for 12 years on the City Council.

He said that Twentynine Palms is an extraordinary small town with a lot of great people. He said that it has been a pleasure and a privilege to represent the people of Twentynine Palms for over a decade. He said that this is one of the ugliest years he has ever had in Twentynine Palms and that was unfortunate, and he said that he hopes that is a part of history that is behind them. He hopes that the new City Council will not have to deal with the despicable things that the outgoing City Council had to deal with.

Mayor Freshour said that he thought they had accomplished almost all of the things he had set out to do when he took office. He said that the only thing he did not finish was flood control for the Hansen Tract, which Councilmember Klink said he would work on. Mayor Freshour said that he had every confidence in the new City Councilmembers that they would do a fantastic job.

Councilmember Cole said thank you to Councilmember Bagley for all he has done personally for the City over the years. He also said that it was a pleasure working with Mayor Freshour.

Councilmember Spear said that Jim Bagley and Glenn Freshour were two of the finest men he has ever known.

- 6.0 ADJOURN** – This City Council meeting adjourned to an Adjourned Regular Meeting at 7:45 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk