

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, MAY 24, 2005
7:00 P.M.**

MINUTES

- 1.0 ALL TO ORDER** - Mayor Benton called the meeting to order at 7:00 p.m.
PLEDGE OF ALLEGIANCE- Councilmember Cole led the Pledge of Allegiance.
INVOCATION – Reverend Lou Gerhardt, retired, gave the Invocation.
ROLL CALL - Councilmembers Cole, Klink, Spear and Benton, Councilmember Bernal had an excused absence.

1.0 SPECIAL RECOGNITION AND PRESENTATIONS

Mayor Pro Tem Spear presented a \$100 check from Michael Duncan at Triad Realty, \$100 check from Mayor Pro Tem Spear, and \$200 check from Waste Management to Steve Ambuehl representing the Twentynine Palms High School Varsity Baseball Team. The baseball team cleaned up the area near the High School on Mesquite Springs Avenue. Mayor Pro Tem Spear said that Councilmember Klink will be donating \$100 for the clean up program next year.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Benton announced that these proceedings will be televised on Cable T.V., Channel 6, as follows: Wednesday, May 25, 2005 at 7:00 p.m. and Saturday, May 28, 2005 at 3:00 p.m.
- 3.2 Mayor Benton announced that Assemblyman Roy Ashburn's Representative Russell Johnson will have visiting hours on May 25th from 9 am to 11 am at City Hall.

4.0 PUBLIC COMMENTS - None

5.0 CITY COUNCIL COMMENTS

- 5.1 Councilmember Klink said that he had not received a response from Assemblyman Bogh regarding his inquiry about a turn lane at Sunrise and Canyon. He said that he would continue to try to get an answer.

Mayor Pro Tem Spear said that he had not received a retraction from the Radio Station regarding comments about a Brown Act violation. He said if a Brown Act violation occurred he apologizes. Mayor Pro Tem Spear said that during a Planning Commission meeting he had been referred to as being in the Recall 29 camp. He said that if this is the case he must be in the BMX track camp, the D.J. Masker/Sr. Center camp, and the Theatre 29 camp. He said to date he has donated \$2,300 to youth groups and organizations for clean up projects in the City.

Councilmember Cole encouraged people to meet with the Assemblyman Ashburn's representative. He said that Assemblyman Ashburn is our Assemblyman because of the gerrymandering of districts, but Assemblyman

Ashburn is out of the Bakersfield area. He said that representatives should come from our area, otherwise the interests do not coincide. Councilman Cole said the public knows he and Mayor Pro Tem Spear butt heads, but they agree to disagree. Councilmember Cole said he requested the Attorney and City Manager report on the Brown Act and the City Manager form of Government. He said there was a Brown Act violation, but he did not necessarily think it was on purpose.

Mayor Pro Tem Spear said that his issue is with the Radio Station.

At this time City Manager Swigart said this is the time to make statements, not for interaction.

6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

- 6.1 Waive the Reading of Ordinance and Approve the 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 register totaling \$ 326,034.03.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the May 10, 2005 meeting.
- 6.4 Treasurers Report – April 2005
RECOMMENDATION: Receive and file.
- 6.5 Law Enforcement Report – April 2005
RECOMMENDATION: Receive and file.
- 6.6 Loan to Morongo Basin Transit Authority (MBTA)
RECOMMENDATION: The City Council adopt Resolution No. 05-08 authorizing the Mayor and/or City Manager to execute the loan documents.
- 6.7 Surplus Equipment
RECOMMENDATION: The City Council declare the 1988 Case 621 front wheel loader and the 1987 Komatsu 530 front wheel loader surplus, and allow the sale of this equipment at a public auction on June 7th and 8th, 2005 in Perris, California by Ritchie Brother Auctioneers.
- 6.8 Ordinance No.195 Adopting Municipal Code Chapter 12.67 Establishing Truck Routes Within the City.
RECOMMENDATION: Adopt Ordinance No.195.
- 6.9 Accept the Final Map for Tract No. 16729
RECOMMENDATION: The City Council accept the final map, securities and agreements for Tract Map No. 16729.
- 6.10 State Population and Housing Estimates for Twentynine Palms
RECOMMENDATION: Receive and file.

- 6.11 Lupine Avenue Widening Project
RECOMMENDATION: The City Council accept the bid from Ficara Paving in the amount of \$58,073 for the widening and repaving of Lupine Avenue from Hwy. 62 to Two Mile Road.

Mayor Benton abstained from check no. 36896 of the warrant register.

Mayor Pro Tem Spear abstained from check no. 36895 on the warrant register. He also abstained from item 6.5.

On a motion of Councilmember Cole, seconded by Mayor Pro Tem Spear and carried with a 4-0-1 roll call vote (Bernal absent), the City Council approved the Consent Calendar.

7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND/OR ADDED AGENDA ITEMS - None

8.0 PUBLIC HEARING - None

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Pavement Management Study
RECOMMENDATION: Receive pavement management study report, direct staff to incorporate with the Council's 5 Year Capital Improvement Plan.

City Manager Swigart presented a staff report. City Manager Swigart introduced John Whitman of Charles Abbott and Associates. Mr. Whitman thanked the City Council for allowing him to make a presentation to the City. He presented a power point presentation to the City Council. He said that the City should spend the money when the road begins to deteriorate. He said the City should support slurry seal. Mr. Whitman displayed several maps describing the various types of roads in the City, and he encouraged the public to look at the maps.

Councilman Klink asked how long slurry seal lasts.

Mr. Whitman responded slurry seal lasts about 5 years.

Councilman Cole asked how many roads are slurry sealed now. City Manager Swigart said 30 miles. Councilman Cole asked about the width of the street, what happens when a street is broken up, and if there is a larger toll on the roads here because of harsher climates.

Mr. Whitman said yes, the width of the street is paved. He said when the road is broken up it is paved in sections, and he said that the City is blessed in terms of climate.

Mr. Whitman presented the City Council with a final report saying it was a powerful tool. He suggested that the newer roads be kept in shape first. City Manager Swigart said that this study was money well spent.

The consensus of the City Council was to incorporate the Pavement Management Plan with the Council's 5-year Capital Improvement Plan.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Draft Budget FY 2005 – 2007 Budget

RECOMMENDATION: Receive report on draft budget for the fiscal period covering 2005-2007; give comments and direction for the budget to be finalized for Council hearing and adoption on June 14, 2005.

City Manager Swigart presented a staff report and a power point presentation to the City Council. He said that the Finance Committee consisted of Mayor Benton and Councilmember Bernal. City Manager Swigart said that this is the first 2 year budget, and it is a proactive budget.

The City Council asked several questions. Councilmember Cole asked about having a Professional Park Planner incorporated into the budget.

City Manager Swigart said that they would look into Community Development Block Grant funds. He said money for a Park Planner would be added into the 2006-07 budget.

Councilmember Cole said that it is too bad that there was no voice from public participation.

Michael Collins, Twentynine Palms, said that the draft budget was a lot of hard work. He said that the public could not review the budget because he did not see any line items.

The consensus of the City Council was to bring the draft budget back for approval on June 14, 2005.

11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS

- 11.1 Mayor Pro Tem Spear said that in July he would like to see a report from the Police and City Engineer referencing safety considerations in regards to parking. Is there a line of sight problem.
- 11.2 Mayor Pro Tem Spear also requested a report on possibly installing rubber traffic poles along painted divider and turn lane in front of Stater Brothers.
- 11.3 Councilmember Cole asked about a crosswalk at Tamarisk Avenue when research is conducted on the above listed items.

12.0 CLOSED SESSION - None

13.0 ADJOURN -The City Council meeting adjourned at 8:24 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk