

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, JUNE 28, 2005
7:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** - Mayor Benton called the meeting to order at 7:00 p.m.
PLEDGE OF ALLEGIANCE - Councilmember Bernal led the Pledge of Allegiance.
INVOCATION - Pastor Frank Ferrandini of the Assembly of God Church gave the Invocation.
ROLL CALL - Councilmembers Bernal, Cole, Klink, Spear and Mayor Benton.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Mayor Pro Tem Spear presented checks to Hannah Beard, representing the Twentynine Palms High School Swim Team in the amount of \$400. The checks were donated from himself, Mike Duncan and Waste Management to the group for their participation in the Neighborhood Clean-Up Program.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Benton announced that these proceedings will be televised on Cable T.V., Channel 6, as follows: Wednesday, June 29, 2005 at 7:00 p.m. and Saturday, July 2, 2005 at 3:00 p.m.

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

David Horn, President of the Hi-Desert Football Association, presented Mayor Benton with the second installment of \$8,000 towards the repayment of the loan the City gave to the organization.

David Piston, Twentynine Palms spoke to the City Council about the lack of sidewalks in the City. He said that he is in a wheelchair, and he is forced to ride in the street and it is scary.

Valerie Driscoll, Twentynine Palms, spoke to the City Council about the building codes not being enforced fairly.

Milt Merritt, Twentynine Palms, told the City Council that the roadwork done on Two Mile Road is wonderful. He said that he was almost hit by a fast moving car traveling from the west and he suggested that the City put in 3 or 4 way stop signs on Sunrise and Two Mile. He also asked that the City remove the shrubbery that blocks a drivers view at the intersection of Sunrise and Two Mile Road.

Paul Smith, Twentynine Palms, said that the County of San Bernardino has an ordinance to define the legalities regarding Off Road Vehicles. He suggested that the City of Twentynine Palms adopt a similar ordinance. He also said that he would like to

see a discussion in regards to clarifying the laws for Off Road Vehicles placed on a future agenda.

David Piston spoke to the City Council again regarding the possibility of bike lanes in the City. Mr. Piston was asked to see the City Manager for clarification on his issues.

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

Councilmember Cole thanked the Morongo Basin Firefighters for their service in fighting the recent fires. He also extended his sympathies to the family of Deputy Greg Gariepy.

Mayor Pro Tem Spear said that the Joshua Tree Drug Court is holding a Golf tournament on July 9th with the proceeds going to the Joshua Tree Drugs Court Programs.

Councilmember Cole said that he and Councilmember Klink attended the Once Upon a Desert Moon event and the proceeds would be going to Action Council 29. He also thanked the Hi Desert Football Association for the second repayment on the loan the City made. He said that there are 120 to 150 kids in the program and it is a tremendous success.

Councilmember Bernal thanked those people who made public comments. She said that the Council is not knowledgeable in all areas and she appreciates people coming out and addressing the Council with their issues.

Mayor Benton said that the Gariepy Family is in his thoughts and prayers.

Councilmember Klink said that he received a copy of a letter sent by Senator Roy Ashburn to Ms. Ann Roger with Caltrans. The Senator was asking in the letter for an update on the project to install a turn lane between Canyon and Sunrise. Councilmember Klink said that he had not heard anything from Assemblyman Bogh yet.

Councilmember Cole said that he thought that project is scheduled to be completed in the 2005-2006 year.

City Manager Swigart said that it would be looked up in the files and he would provide a copy of the letter.

6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

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 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 \$ 145,885.07.

- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the June 14, 2005 meeting.
- 6.4 Treasurers Report – May 2005
RECOMMENDATION: Receive and file.
- 6.5 Day and Time of City Council Meetings
RECOMMENDATION: The City Council adopt Resolution No. 05-16 establishing the day and time of City Council meetings.
- 6.6 PERS Resolution of Intention
RECOMMENDATION: The City Council adopt Resolution Number 05-17 authorizing the above action.
- 6.7 Capitalization Policy
RECOMMENDATION: The City Council approve the recommended policy.
- 6.8 Approval of Measure I Five-Year Plan
RECOMMENDATION: The City Council adopt Resolution No. 05-15, establishing the Measure I Five-Year Plan for the year 2005-2006 through 2009-2010.
- 6.9 Loan to Gas Tax Fund
RECOMMENDATION: The City Council approve the loan of \$60,000 to the Gas Tax Fund by the Capital Purchases Fund.
- 6.10 Lighting and Assessment District #1, Engineer's Report, and Levy of Assessment for Fiscal Year 2005-2006
RECOMMENDATION: 1) Adopt Resolution No. 05-18, a Resolution of the City Council of the City of Twentynine Palms Directing the Filing of the Annual Report for the Twentynine Palms Landscaping and Lighting Assessment District No.1, 2) Receive and approve the Engineer's report as filed or amended, 3) Adopt Resolution No. 05-19, (A Resolution of the City of Council of the City of Twentynine Palms Declaring its intention to order improvements, and to levy and collect assessments pursuant to the Lighting and Landscaping Act of 1972 for Fiscal Year 2005-2006).

Mayor Benton abstained from check no. 37103 and 37147 on the warrant register.

Councilmember Cole wanted the public to know that the change of time for the Council Meetings (Item 6.5) was to have the meetings align with the Planning Commission meetings that begin at 6:00 p.m.

Jane Smith, Twentynine Palms, (Item 6.8) wanted to tell the City Council that a lot of plans were made on what to do with the Measure I money and she hoped that the Council would look into the ideas.

On a motion of Councilmember Cole, seconded by Mayor Pro Tem Spear and carried with a 5-0 roll call vote, 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 - None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT - None

11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS

11.1 Councilmember Klink requested that the phone books that are thrown near everyone's mailbox and left as trash be discussed.

11.2 Mayor Pro Tem Spear requested a brief from the City Attorney about the recent Supreme Court Kalo decision referencing the eminent domain issue ramifications. He asked for this to be placed on the agenda the last meeting in July or August.

12.0 CLOSED SESSION - None

13.0 ADJOURN - Mayor Benton adjourned the meeting at 7:25 p.m. in honor of Deputy Greg Gariepy.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk