

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, AUGUST 9, 2005
6:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** – Mayor Benton called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE – Mayor Pro Tem Spear led the pledge of Allegiance to the Flag.
INVOCATION – Pastor Beth Glass of the United Methodist Church gave the Invocation.
ROLL CALL – Councilmembers Bernal, Cole, Klink, Spear and Mayor Benton

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Mayor Benton read a letter he received from the Government Finance Officers Association informing him that the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2004, qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is for Ronald Peck, Finance Director. He said that a plaque will be presented in a few weeks and he wanted to thank Ron and the Finance Department for doing a great job.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Benton announced that these proceedings will be televised on Cable T.V. Channel 6, as follows: Wednesday, August 10, 2005 at 7:00 p.m. and Saturday, August 13, 2005 at 3:00 p.m.

4.0 PUBLIC COMMENTS

- 4.1 Merl Travers, Twentynine Palms, spoke the to City Council regarding Waste Management.
- 4.2 Sandy Fleck representing Reach Out 29, presented a 6 month report to the City Council regarding the improvements and changes to the facility and programs.

5.0 CITY COUNCIL COMMENTS

- 5.1 Councilmember Cole asked everyone to please slow down and drive safely because of the water and the sand that is on the roads right now. He said that the gates across the dips in the flood control channels worked great. He said school is getting ready to begin, and people should slow down and be aware of kids.

Councilmember Klink said that he attended a Leadership Academy with the League of California Cities in Monterey and a conference for the Desert Mountain Division meeting in Mammoth Lakes. He said he was surprised to learn that 83% of Californians cannot afford median housing. He also welcomed Beth Glass to Twentynine Palms.

Mayor Benton said it is a dangerous time to drive right now and there is flooding going on everyday. He said that once the rain stops the road crews will begin cleaning up. He said the conference in Monterey was very interesting giving insight into what is going on with State Government.

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 \$ 663,865.87.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the July 12, 2005 meeting.
- 6.4 Chamber of Commerce Report – July 2005
RECOMMENDATION: Receive and file.
- 6.5 Authority to Negotiate Cable Transfer Agreement
RECOMMENDATION: The City Council adopt Resolution No. 05-24 authorizing the above actions.
- 6.6 Resolution No. 05-25 Commemorating SCAG's 40th Anniversary
RECOMMENDATION: The City Council adopt Resolution 05-25 recognizing SCAG's 40th Anniversary.
- 6.7 Resolution No. 05-23 Declaring the Month of September 2005 as National Alcohol and Drug Addiction Recovery Month
RECOMMENDATION: The City Council adopt Resolution No. 05-23.
- 6.8 Award Contract for the National Park Drive Landscape Median Project
RECOMMENDATION: Award a contract to Landscape Diversified Management Inc., for the National Park Drive Landscaped Median Project subject to "Approval as to Form" by the City Attorney and "Approved as to Content" by the City Manager.
- 6.9 Twentynine Palms Highway in the Downtown
RECOMMENDATION: Receive and file.
- 6.10 Designation of a Voting and Alternate Delegate for League of California
RECOMMENDATION: The City Council designate Mayor Benton as the voting delegate and Councilmember Cole as the alternate for the League of California Cities Annual Conference in San Francisco, October 6-8, 2005.

Mayor Benton abstained from item no. 37356 on the warrant register.

Mayor Pro Tem Spear pulled item 6.5 for discussion.

Councilmember Bernal pulled item 6.8 for discussion.

Councilmember Klink pulled item 6.9 for discussion.

On a motion of Councilmember Cole, seconded by Councilmember Klink and carried with a 5-0 roll call vote the City Council approved the balance of the Consent Calendar.

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

6.5 Authority to Negotiate Cable Transfer Agreement

RECOMMENDATION: The City Council adopt Resolution No. 05-24 authorizing the above actions.

Mayor Pro Tem Spear pointed out that it is the City Council who makes contractual decisions for the Cable Transfer Agreement.

Mayor Benton suggested Councilmember Cole and Mayor Pro Tem Spear serve on a Franchise Subcommittee.

The consensus of the City Council was to appoint Councilmember Cole and Mayor Pro Tem Spear as the Franchise Subcommittee.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Cole and carried with a 5-0 roll call vote the City Council adopted Resolution 05-24, and authorized Councilmember Cole and Mayor Pro Tem Spear to sit on the Franchise Subcommittee.

6.8 Award Contract for the National Park Drive Landscape Median Project

RECOMMENDATION: Award a contract to Landscape Diversified Management Inc., for the National Park Drive Landscaped Median Project subject to "Approval as to Form" by the City Attorney and "Approved as to Content" by the City Manager.

City Manager Swigart presented a staff report to the Council. He said that \$350,000 was allocated for the project so they are well under budget.

Councilmember Bernal said that there was only one bid for the project and asked if the \$219,000 was the amount they wanted for the project. She asked if there was a way to compare this project to other projects.

Councilmember Klink asked if the privately owned signs would remain.

City Manager Swigart said that they would remain for the mean time, but a volunteer group had expressed an interest in getting the signs done after the project is completed.

Mayor Pro Tem Spear asked if the median would be curved or raised from the highway.

City Manager Swigart answered that it would be a raised median.

Councilmember Cole said that this project is long over due. He said that the public needs to know that Caltrans has held the City up on a number of projects, even if it was not a Caltrans road. He said that he is happy to see Federal Grants being used for this project, and he wished that the signs could have been included.

Christopher Stephenson, Twentynine Palms, said he is thrilled that this project is finally getting under way. He said that the contractor has no knowledge about native plants. He said he would like to volunteer his help with the project. He also asked if a continual maintenance plan was part of this contract.

Mayor Benton said that it was to be taken care of for a period of time and then the City would be taking care of it.

Jane Smith, Twentynine Palms, commended the City Council and staff for moving forward with this project. She said it is a beautiful plan and it is in the budget and they are all there to make sure it happens right.

On a motion of Councilmember Cole, seconded by Councilmember Klink and carried with a 5-0 roll call vote, the City Council approved the contract to Landscape Diversified Management, Inc, for the National Park Drive Landscaped Median Project.

6.9 Twentynine Palms Highway in the Downtown
RECOMMENDATION: Receive and file.

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

Councilmember Klink said that the businessmen are concerned about taking parking off the highway. He said that there should be a meeting with the City Council and the businessman to discuss the downtown parking.

Mayor Pro Tem Spear said the City recently built a parking lot that easily holds 2 ½ times more parking spaces than the parking spaces that would lost in front of Tamarisk. He said when he balances the public safety of pedestrians over the needs of 13 parking spaces as opposed to a City built parking lot, his scale falls for the pedestrian.

Councilmember Cole said he has spoken to many businessmen and he said that parking is secondary in their concerns. He said that speed is the main concern He said that they think if the parking is taken off the road it will widen the road along the highway and increase the speed downtown. He said that maybe they should sit down with the business owners and see what their ideas are on dealing with the speed issue.

Councilmember Klink said that maybe some of the palm trees need to be removed before the crosswalk for better visibility of pedestrians.

City Manager Swigart said that there will be a series of workshops as they prepare a specific plan. There will be workshops on the economy of the downtown, traffic and circulation, parking, downtown design. He said that all of those workshops the business community will be invited.

Dee Ritchhart, President of the Chamber of Commerce, said that they would help by hosting an informal workshop, and then report back with the information.

After a brief discussion, the City Council reached a consensus to continue this as an action item at the August 23, 2005 City Council meeting.

8.0 PUBLIC HEARING

8.1 Public Hearing on PERS Contract Ordinance
RECOMMENDATION: Receive staff report, conduct the Public Hearing, and introduce Ordinance No. 196.

City Manager Swigart presented a staff report.

Mayor Benton opened the Public Hearing.

Mayor Benton closed the Public Hearing.

On a motion of Councilmember Cole, seconded by Mayor Pro Tem Spear and carried with a 5-0 roll call vote, the City Council directed City Clerk Sherwood to read Ordinance No.196 by title only, thereby introducing Ordinance No 196.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS – None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT – None

11.0 FUTURE COUNCIL-INITIATED AGENDA ITEMS

- 11.1 Councilmember Cole requested a discussion sometime in the future regarding Big-Box retailers.

City Manager Swigart suggested, and it was agreed that this issue be discussed at the joint Planning Commission/City Council meeting on August 30th.

- 11.2 Mayor Pro Tem Spear asked if the City has a current policy in place regarding sending out letters to various State legislatures, regarding endorsing or not endorsing various political bills without the public's input or commentary or consensus by the City Council. Mayor Pro Tem Spear said that he would like an answer from Caltrans regarding rubberized poles on Highway 62, if they were approved and what the cost would be.

12.0 CLOSED SESSION – None

13.0 ADJOURN – The City Council meeting adjourned at 7:00 p.m.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk