

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, AUGUST 23, 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- Councilmember Cole led the Pledge of Allegiance.
INVOCATION - Pastor Kevin Brewer with Faith in the Word Church gave the Invocation.
ROLL CALL - Councilmembers Cole, Klink, Spear and Mayor Benton were present.
Councilmember Bernal had an excused absence.

- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS** - None

3.0 ANNOUNCEMENTS

- 3.1 Mayor Benton announced that these proceedings will be televised on Cable T.V., Channel 6, as follows: Wednesday, August 24, 2005 at 7:00 p.m. and Saturday, August 27, 2005 at 3:00 p.m.

4.0 PUBLIC COMMENTS

George Hall, 5781 Easy Street, Twentynine Palms, spoke to the City Council about a problem with water running down off of Encelia Avenue, coming from the new housing project. He said there is a big sump or hole in the ground and they are pumping all the water quite often and flooding the houses on the south side of El Paseo. He said he wanted to bring it to the City Council's attention in the hopes that something can be done because they are saturating the area. He said that he would appreciate an answer from the City Council. Mr. Hall presented pictures demonstrating the water being pumped out and onto City streets going into all the properties in the area.

Matthew Hall, 6241 Chia Avenue, Twentynine Palms, also wanted to bring this matter to the attention of the City Council. He said that the damage being caused in the surrounding area was from the water being pumped out from that project.

Larry Briggs, Chairman of Action Council 29, Twentynine Palms, 73903 Old Dale Road, thanked the City Council and the City staff for the past support given to Action Council 29 for the mural project and for the help they are giving in their future projects.

Ronald O'Connor, 5691 Mariposa Avenue, Twentynine Palms, said he contacted the City because his street had been undermined from the flooding and he was told he had not lived there long enough, he also said that he has two kreosote bushes encroaching on his property knocking down his fence and obscuring a traffic control sign. He asked the Mayor why the City Employees were busy working at the Unity Home instead of taking care of the streets.

Merl Travers, Twentynine Palms, said that he has to leave Twentynine Palms because of business. He said that he has a hand delivered letter to the President asking him why

he has not come here to see our troops. He encouraged the Mayor to send the President a letter and encouraged the Editor of the Desert Trail to write an article about people writing letters to the President encouraging him to come to Twentynine Palms. He thanked the City Council and the citizens of Twentynine Palms and said good-bye to many people, and said it has been his pleasure.

Carol Metzger, 6230 Mojave Avenue, Twentynine Palms said that there is a drainage problem in her area because of the development that was put in her neighborhood. Ms. Metzger presented photos for the City Council. She also said a pile of asphalt was left on her road and she would like it removed.

Paul Smith, Twentynine Palms, thanked City Manager Swigart and the Public Works Crew for the organized way they dealt with the two one hundred year floods the City has had.

Kathleen Derosa, Representing SCE, reminded everyone of the Care Program which allows all those who qualify by income a 20% discount on their electric bill all year round, and the medical baseline program which allows anyone who is a critical care customer to be notified in the case of an outage.

Jim Harris, Twentynine Palms, thanked City Manager Swigart for making a portion of his road passable for emergency equipment. He informed the City Council that there is a severe problem above him with flooding and he is being inundated with horse stuff.

5.0 CITY COUNCIL COMMENTS

Councilmember Klink said thank goodness the sun is out and the City is drying up a little bit.

Mayor Pro Tem Spear thanked Kurt Schauppner, editor of the Desert Trail and Hi Desert Star newspaper staff for all they do in keeping the Morongo Basin informed of accurate news. He said the story about the Marine and the bronze medal was outstanding and he said that they perform a valuable service to the community.

Councilmember Cole said that all of the rain gives the City the ability to look at some specific areas and how the water flows.

Mayor Benton thanked City Staff, the County of San Bernanrdino, Supervisor Postmus and Supervisor Hansberger for helping so much during the last 100-year flood. He said that every time there is a storm the City crews get better and better, knocking the main debris off the main roads and then moving along to make the roads drivable. Mayor Benton announced that Caltrans is out working on Highway 62. He encouraged everyone to slow down when driving and he said he is grateful it has dried up a little.

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 Register
RECOMMENDATION: Receive and file register totaling \$ 265,239.32.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the August 9, 2005 meeting.
- 6.4 Amendment of Measure I Five-Year Plan
RECOMMENDATION: The City Council adopt Resolution No. 05-26, amending the Measure I Five-year Plan for the years 2004-2005 through 2008-2009
- 6.5 Surplus of 15 Passenger Van
RECOMMENDATION: The City Council declare it surplus and direct the City Manager to convey 1997 Ford 15 Passenger Van to Reach Out 29 for the amount of \$1.
- 6.6 Public Employees Retirement System (PERS) Contract Ordinance #196
RECOMMENDATION: The City Council take action to adopt PERS Contract Ordinance No. 196.

Mayor Pro Tem Spear abstained from Item No. 37470 on the warrant register.

Mayor Benton abstained from Item No. 37429 on the warrant register.

City Manager Swigart asked that Item No. 6.5 be pulled from the Consent Calendar.

On a motion of Councilmember Cole, seconded by Councilmember Klink and carried with a 4-0-1 (Bernal-absent) 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 Surplus of 15-Passenger Van
RECOMMENDATION: The City Council declare it surplus and direct the City Manager to convey 1997 Ford 15 Passenger Van to Reach Out 29 for the amount of \$1.

City Manager Swigart said that this item is not ready to report to the City Council on yet.

8.0 PUBLIC HEARING

- 8.1 AB 3229 (Brulte) Supplemental Law Enforcement Services Fund
RECOMMENDATION: The City Council approve the spending recommendations of the Chief of Police.

Mayor Pro Tem Spear recused himself from Item No. 8.1.

Twentynine Palms Chief of Police, Jim Williams presented a staff report.

Mayor Benton opened the Public Hearing.

Mayor Benton closed the Public Hearing.

On a motion of Councilmember Cole, seconded by Councilmember Klink and carried with a 3-0-1-1 (Spear-recused, Bernal absent) roll call vote, the City Council approved the spending recommendations of the Chief of Police for the AB 3229 (Brulte) Supplemental Law Enforcement Services Fund.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Twentynine Palms Highway Circulation and Parking in the Downtown RECOMMENDATION: Discuss, give direction.

City Manager Swigart presented a staff report.

Councilmember Klink read a letter expressing Councilmember Bernal's thoughts to red mark the curb as soon as possible.

Esther Herbert, Twentynine Palms, said the City should work with a consultant to develop a comprehensive plan and she requested this item be tabled.

Pat Flanagan, Twentynine Palms, agreed the item should be tabled.

Paul Smith, Twentynine Palms, said that it would be wise planning to wait until the City Council has some comprehensive recommendations that deal with the area as a whole.

Jane Smith, Twentynine Palms, agreed with Pat Flanagan and Paul Smith.

Councilmember Klink said he spoke to five downtown business owners and the consensus is the same; to wait for the downtown comprehensive plan. He said the business owners do understand about the safety of the pedestrians and about losing business if there is no front parking. He said he believes they should discuss this as a whole with the Planning Commission and see what they can come up with. Councilmember Klink said that he does see that the City needs to do something for the safety of the people.

Mayor Benton said that he has no problem waiting for the study.

Councilmember Cole said that in an effort to protect the safety of the public, the comprehensive study should be addressed as quickly as possible.

Mayor Pro Tem Spear agreed that this issue should receive priority action. He asked City Manager Swigart how long he thought it would take for the study.

City Manager Swigart said that a downtown specific plan would be done and he said that traffic circulation is an important component of the plan. He said at the workshop discussion on August 30th there would be a discussion regarding a citywide traffic study and as part of that would be a focus study on the downtown traffic. He said that they can proceed with that and get that done and then staff can get the information back to the City Council. City Manager Swigart said the process may take 3 to 4 months to accomplish. He said that staff will begin preparing some Request for Proposals (RFP's) from traffic engineering firms and the City Engineer would circulate it and bring it back so the City Council will have something to award as soon as possible.

Councilmember Klink asked if a traffic study would include the pedestrians going across the street.

Mayor Benton said that the traffic study would be a complete study and would cover the gamut.

Mayor Benton said that the consensus is to move forward and get the RFP's out and get moving on this right away.

Councilmember Cole asked if the time element could be part of the RFP.

City Manager Swigart responded yes, a time element could be part of the RFP.

11.0 FUTURE COUNCIL - INITIATED AGENDA ITEMS - None

12.0 CLOSED SESSION - None

13.0 ADJOURN - The City Council meeting adjourned at 6:41 p.m. to the joint City Council/Planning Commission Workshop to be held on August 30, 2005.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk