

MINUTES

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD
TWENTYNINE PALMS, CALIFORNIA
TUESDAY, NOVEMBER 22, 2005
6:00 P.M.**

- 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.
INVOCATION – Pastor Lou Gerhardt, Retired Congregational Pastor gave the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Klink, Spear and Mayor Benton. Councilmember Bernal had an excused absence.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Adda Harris, Community Clean-Up Day Coordinator presented a Staff Report on the City Wide Clean Up to the City Council. Mayor Benton asked the Council to assist him in presenting checks to the participants of the Buck a Bag competition as follows:

Place	Organization	Total Winnings
18 and Over Group		
1 st	Reach Out 29	\$633.00
2 nd	23 RD Dental Company	\$275.00
3 rd	Kiwanis	\$142.00
18 and Under Group		
1 st	TPHS Boy Basketball Team	\$596.00
2 nd	The Cadet Corps	\$313.00
3 rd	Boy Scouts Pack #78	\$251.00
4 th	Wonder Valley Church	\$124.00

- 2.2 Mayor Benton, Jr. presented his State of the City Address.(see Exhibit A.)

3.0 ANNOUNCEMENTS

- 3.1 Mayor Benton announced that these proceedings would be televised on Cable T.V., Channel 6, as follows Wednesday, November 23, 2005 at 7:00 p.m. and Saturday, November 26, 2005 at 3:00 p.m.
- 3.2 Mayor Benton announced that the City of Twentynine Palms' 18th Birthday would be Wednesday, November 23, 2005, and wished the City a Happy Birthday.
- 3.3 Mayor Benton announced that the Community Christmas Tree Lighting, would be on December 6, 2005 at 5:00 p.m. and that the Soroptomist Organization would be in charge of this event.
- 3.4 Mayor Benton announced that the Annual Light Parade would take place on Saturday, December 10, 2005 at 5:30 p.m.

4.0 PUBLIC COMMENTS

Jim Harris, Twentynine Palms, spoke to the City Council regarding an incident with a local contractor and himself and is asking the City Council to please check into the Contractors that are conducting businesses in our City.

5.0 CITY COUNCIL COMMENTS –

Joel Klink thanked General and Mrs. Zilmer for inviting him to the Marine Corp. Ball in Las Vegas and commented that it was just amazing. He thanked the Interact Club for handing out 150 Thanksgiving baskets to needy families here in Twentynine Palms. He thanked Adda Harris and Waste Management for their work with the Community Clean up Day event, and all the groups and individuals who participated in this event. Councilmember Klink then wished everyone in Twentynine Palms and the Morongo Basin a very Happy Thanksgiving.

Steve Spear thanked the Kiwanis for the fine clean up work on Larrea Ave. He reminded all pedestrians to please wear light colored clothing so that we can avoid the tragedy that occurred last Friday night when a young man 11 years of age was fatally injured.

Kevin Cole echoed Mayor Pro Tem Spear's comments regarding wearing light colored clothing and asked drivers to please be aware of pedestrians in the road ways. He too thanked the Kiwanis for a great job on the Larrea Ave. street clean up. He then thanked all the Fall sports programs at Twentynine Palms High School including the Tennis, Cross Country, Volleyball and Football teams and said that they all had great seasons and encouraged the public to come out and see the winter sports programs with the Boy's & Girl's Basketball teams. Councilmember Cole congratulated the MBTA for hosting the Can a Ride Day. He said they collected 10 - 15 large boxes of food that it will be donated to the needy families in the area.

Mayor Benton wished a Happy Birthday to the Marine Corp and thanked them for allowing him to attend the Headquarters Ball in Las Vegas. He said he had a great time. He congratulated the award winners of the Community Clean up and thanked the Adopt a Street Program folks who do it every day. He spoke of the Ministerial Associations Thanksgiving Day Celebration and what an honor it was for him to attend. Mayor Benton then read a letter submitted by Councilmember Elaine Bernal into the record. (see Exhibit "B").

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 \$ 196,882.62.

- 6.3 Approval of Minutes
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of the October 25, 2005 meeting.
- 6.4 Treasurer's Report - June 30, 2005
RECOMMENDATION: Receive and file.
- 6.5 Donation of Art Works to the City
RECOMMENDATION: The City Council thank and accept the donation of two pieces of artwork by Robert McClay titled Desert III, and Joshua Rocks by Electra Westmann of Roadside Attractions as per the recommendation of the Public Arts Advisory Committee (PAAC).
- 6.6 Chamber of Commerce Report – October 2005
RECOMMENDATION: Receive and file.
- 6.7 Purchase of Skateboard Park Components from Skate Concept in the Amount of \$119,783.
RECOMMENDATION: The City Council approve the purchase from Skate Concept in the amount of \$119,783. The funds are Per Capita Grant fund program, for the use in constructing the second phase of the Luckie Park Skateboard Park Facility.

Mayor Benton abstained from Item # 6.2 check # 38009

On a motion made by 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 as submitted.

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

8.0 PUBLIC HEARINGS – NOTE***Item's 8.1 and 8.2 were combined for one motion.**

- 8.1 PC 05-28 An Amendment to the General Plan Circulation Element in Order to Develop a Street System Capable of Handling the Traffic Generated by the Existing General Plan Land Use Designations While Also Eliminating Future Construction of Additional Unnecessary Roadway Capacity. The General Plan Circulation Element requires the Construction of New and Appropriate Roadways by the Private Sector as Part of the Privilege of Developing Property Within the City.
RECOMMENDATION: Conduct the Public Hearing, adopt the Negative Declaration and approve the General Plan Circulation Element Amendment.
- 8.2 PC 04-52 The City of Twentynine Palms Proposes an Amendment to the Development Code to Clarify Residential Land Use Criteria for the Development of Street Infrastructure. Pursuant to Section 15304 the California Environmental Quality Act Guidelines, a Notice of Exemption has been Prepared.
RECOMMENDATION: That the City Council opens the Public Hearing, take testimony, order filing of the Categorical Exemption, approve this Amendment to

the Development Code, and direct the City Clerk to introduce Ordinance No.197 by reading by title only.

Mayor Pro Tem opened the Public Hearing on Item 8.1.

City Manager Swigart recommended that Mayor Benton introduce Item 8.2 at the same time so that they could both be heard simultaneously.

Mayor Benton then introduced Item 8.2.

City Manager Swigart presented a Staff Report on Item 8.1 and Item 8.2 to the City Council.

The City Council discussed in great length serious concerns about which streets would or should not be designated as collectors due to traffic concerns for public safety and asked the City Manager if they should do the Traffic Study before the General Plan Circulation Element to Develop a Street System which is proposed.

Mayor Benton opened the Public Hearing.

Steve Urban, Twentynine Palms spoke about road construction done on Lupine and spoke of the dangers due to the turn lane that was constructed.

City Manager Swigart stated to Mr. Urban that this is not a Circulation Element nor a Development matter but did go on to say that they would be removing the turn lane and center stripe and be putting in bike lanes on both sides. This may take several weeks depending on how quickly he can get the contractor back out.

Mr. Urban recommended that they should have graded Lupine Road before they paved it. He asked the Council if they are going to pave Encelia Ave. out to Two Mile Road so that traffic could be removed off of Sunnyslope and Lupine. He then recommended paving Morongo Road down to Indian Trail to take stress off other roads.

Jim Harris, Twentynine Palms spoke regarding the septic systems draining into the aquifer and having to treat the water more than we are having to right now and asked if we should be looking to abate this in anyway.

City Manager Swigart said that the new subdivisions that they are approving have conditions that each of them will have their own sewer treatment plant if required by the Regional Quality Control Board.

Barbara Dunn, Twentynine Palms, asked if the City has considered when we may have to install a City wide sewer system.

City Manager Swigart repeated that we are currently approving conditions that each of them will have their own sewer treatment plant if required by the Regional Water Quality Control Board. He further explained the standard and requirements.

On a motion made by Mayor Pro Tem Spear, seconded by Councilmember Cole, and carried with a 4-0-1 voice vote (Bernal) absent, The City Council voted that

Items 8.1 and 8.2 be deferred till the first phase of the Traffic Study is done and turned in sometime in March 2006.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS – None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

- 10.1 Authorization of City Manager to Finalize Contract Negotiations With a Traffic Planning and Engineering Firm to Prepare the Citywide Traffic Study.
RECOMMENDATION: Direct the City Manager to finalize the contract negotiations.

Community Development Director Meyerhoff (Director Meyerhoff) presented a Staff Report to Council, stating the Traffic Planning and Engineering firm of Urban Crossroads would conduct the Citywide Traffic Study in the amount of \$93,000.

Councilmember Cole addressed a concern that the downtown was not in the proposal.

Director Meyerhoff said that they would be amending this scope of work to give the additional item on the Downtown.

On a motion made by Mayor Pro Tem Spear, seconded by Councilmember Klink and carried with a 4-0-1 roll call vote (Bernal absent) the City Council authorized the City Manager to finalize contract negotiations with Urban Crossroads to conduct the Citywide Traffic Study.

- 10.2 Selection of Mayor and Mayor Pro Tem
RECOMMENDATION: Select Mayor and Mayor Pro Tem.

On a motion made by Mayor Pro Tem Spear, seconded by Councilmember Cole and carried with a 4-0-1 voice vote the City Council elected Kevin Cole as Mayor and Joel Klink as Mayor Pro Tem.

City Manager Swigart thanked Mayor Benton for his services and said that it has been a pleasure to serve him. He then said that it would be a pleasure to work for the newly seated Mayor Cole.

Newly seated Mayor Cole presented former Mayor Benton with a plaque and gavel recognizing his outstanding leadership to the City of Twentynine Palms as Mayor.

Councilmember Klink thanked former Mayor Benton for taking the time to discuss things he did not understand and said he greatly appreciated it. He said that he knew that Kevin would do the same as Mayor.

Councilmember Spear thanked former Mayor Benton for being a fine, wonderful gentleman, and he said our City was well represented with him as Mayor.

- 10.3 Consideration of City Council Committee Assignments
RECOMMENDATION: Review assignments and appoint members to fill various agency seats.

Mayor Cole elected to continue Item 10.3 to a future agenda of December 13, 2005.

- 11.0 FUTURE COUNCIL INITIATED ITEMS** – Councilmember Spear requested a report from City Staff on the Mariposa and 62 the pedestrian crosswalk.

12.0 CLOSED SESSION

- 12.1 Closed Session Pursuant to Government Code Section 54957
Public Employees Performance Evaluation – City Manager

- 13.0 ADJOURN** – The City Council meeting adjourned to Closed Session at 7:39 p.m., The Closed Session adjourned at 8:21 p.m. with no action being taken.

Respectfully submitted,

Adda L. Harris
Deputy City Clerk