

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
TUESDAY, FEBRUARY 26, 2008
6:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** - Mayor Bernal called the meeting to order at 6:02 p.m.
PLEDGE OF ALLEGIANCE - Councilmember Klink led the Pledge of Allegiance.
INVOCATION - Pastor T.K. Washington, Gospel Fellowship Outreach Worship Center
ROLL CALL – The following Councilmembers were present: Flock, Harris, Klink, Spear and Mayor Bernal.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

Mike Sipra, Program Manager for the California Desert National Park Conservation Association, spoke to the City Council about the purpose of the Association. He said the goal is to protect and enhance the National Park systems for future generations. He thanked the City of Twentynine Palms for its continuing and ongoing support.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Bernal announced that these proceedings will be televised on Cable T.V., Channel 10, as follows Friday, February 29, 2008 at 7:00 p.m. and Saturday, March 1, 2008 at 5:00 p.m.

4.0 PUBLIC COMMENTS – This is the time for the public to address the City Council.

- 4.1 Nancy Shade, Twentynine Palms, thanked Councilmember Harris for representing the City at the Conference for a Climate Changing California Desert. She also spoke about amending the General Plan, CEQA and global warming.

Steve Van Duser, Twentynine Palms spoke to the City Council about the positive aspects of using canvas bags at the store when shopping instead of plastic white bags. He spoke about the Walgreen's coming to town and the problems of what to do with the mural on the building that is being demolished for the Walgreen's. He talked about the homeless survey in Twentynine Palms being fake and said the figures that are coming from San Bernardino are solid.

Allesia Ellis, Yucca Valley, representing Training with Pay, said that she was being slandered by the radio station. She said that her organization is a non-profit organization, and she hopes that this does not affect their Community Development Block Grant fund requests.

5.0 CITY COUNCIL COMMENTS

Councilmember Klink said that on Friday the 29 Palms High School Basketball Team will be playing the CIF 4A Basketball Championship in Ontario at Colony High School. He said they will be playing against Valley Christian School from Cerritos and if they win they may be buying more championship rings. Councilmember Klink wished the team luck and encouraged everyone that can attend to do so.

Mayor Pro Tem Spear said he would take whatever heat was necessary and would tap all of his good his friends to buy the rings for the basketball team for the second time in history.

Councilmember Harris said that he is the representative appointed by the City to the homeless committee in San Bernardino. He asked if anyone knows where they think the homeless are hiding or camped out to please let him know so he can bring the information to the meeting in San Bernardino.

Mayor Bernal said she hopes the lighting ordinance can get finalized soon. She said the plan for low flow toilets should keep moving forward. She also said the art work displayed at City Hall by local artists Ann Lear and Jim Bagley was really nice. Mayor Bernal encouraged everyone to attend the Council Connection meetings so they can receive input from people. She announced that on April 24th the Band of Mission Indians will have a fashion show and dinner to raise money for the Theresa A. Mike Scholarship Program.

Councilmember Klink said on Friday, February 29th, there will be a dedication of the Greg Garibay Memorial Highway on the north east corner of Old Women's Spring Road and Highway 62. He explained that Deputy Garibay was killed in a car accident two and a half years ago. Councilmember Klink also reminded everyone of the Battle Color Ceremony aboard the Base on February 29th at 10:00 a.m.

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 \$ 324,644.07.
- 6.3 Law Enforcement Report – December 2007/Year End 2007
RECOMMENDATION: Receive and file.
- 6.4 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the January 22, 2008 and February 12, 2008 City Council meeting.
- 6.5 Second Amendment to City Manager Employment Agreement
RECOMMENATION: The recommendation is that the City Council takes action

as appropriate.

Mayor Pro Tem Spear abstained from item no. 6.2; check numbers 43,143, 43,148 and 43,149 on the warrant register due to a possible conflict of interest.

Mayor Pro Tem Spear had a correction to the minutes of February 12, 2008.

Mayor Pro Tem Spear asked that item no. 6.5 be pulled for further discussion.

On a motion of Councilmember Klink, seconded by Mayor Pro Tem Spear and carried with a 5-0 roll call voice the balance of the Consent Calendar was approved as submitted.

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

- 7.1 6.4 Mayor Pro Tem had a correction to the minutes of February 12, 2008 Regarding item 6.4. He said that on item 11.1 Veterans Park should be stricken And be replaced with Stanley Park and to rename the park back to Veterans Park from Stanley Park.

6.5 Second Amendment to City Manager Employment Agreement

RECOMMENDATION: The recommendation is that the City Council takes action as appropriate.

Mayor Pro Tem Spear said that he wanted the City Manager to know that he is aware of the late hours and incredible amount of work he does. He said that he is getting a lot done in a timely manner. He said the raise that they are about to give him is not enough for all that he does for the City, and he hopes the City Manager accepts his thanks in lieu of a larger raise

On a motion of Councilmember Klink, seconded by Mayor Pro Tem Spear and carried with a 5-0 roll call vote items 6.4 and 6.5 from the Consent Calendar were approved.

8.0 PUBLIC HEARINGS

- 8.1 Public Hearing Regarding Prioritization for Funding of Community Development Block Grant (CDBG) Applications for Fiscal Year 2008-2009
RECOMMENDATION: The Public Hearing be opened and public comments be received and after consideration of the task force recommendation and the public comments, the City Council approve the funding for the Fiscal Year 2008-2009 Community Development Block Grant Program.

Kevin Cole, Recreation Supervisor, presented a staff report. He said that at a previous meeting one of the eligible groups was left off of the list due to a mistake by the Economic Community Development Department. He said that group was the American Red Cross and he was hoping they would be at the meeting to talk about their organization.

Mr. Cole said that the sub-committee consisting of Councilmembers Flock and Klink met with Community Services Director Randy Council to review the applications and develop a recommendation list.

Councilmember Flock proposed that Reach Out Morongo Basin be allotted \$5000.00 and the American Red Cross be given \$1,153.00.

Mayor Pro Tem Spear suggested that they contact Bob Elund, First District Supervisor Mitzlefelt's representative to see if more funding can be attained to be distributed.

Mr. Cole said that Supervisor Mitzlefelt has been extremely generous to Twentynine Palms and he has come up with a lot of money for CDBG funding.

Mayor Bernal opened the Public Hearing.

Having no requests to speak Mayor Bernal closed the Public Hearing.

Councilmember Klink read the names of the organizations that will receive CDBG funds: San Bernardino County Literacy Program, 29 Palms Youth Club Summer Program, Morongo Basin Unity Home, Reach Out Morongo Basin - \$5,000. each, and American Red Cross - \$1553. for a total of \$21,153. and Construction Projects – High Desert Football Storage Facility – \$29,863 and Luckie Park Improvements \$90,000 for a sub-total of \$119,869 for a grand total of \$141,022.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Klink, and carried with a 5-0 roll call vote, the City Council approved the funding for the Fiscal Year 2008-2009 Community Development Block Grant program. Supervisor Mitzlefelt's representative Bob Elund will also be contacted for the possibility of more funding.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Formation of a Task Force to Seek Remedy to the Plastic Bag Issues
RECOMMENDATION: The recommendation is to receive the staff report and take action to create a Plastic Bag Task Force.

City Manager Tree presented a staff report. He said he discussed with Stater Bros. an outright ban of plastic bags, and he gave them some recommendations if a ban did not work out. He said that Stater Bros. is working at a corporate level right now to see what they can do.

Mr. Van Duser, Twentynine Palms, said that some canvas bags could be bought for 99 cents, and he said that they really work. He also said paper bags with handles would help.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Klink and carried with a 5-0 roll call vote, Mayor Bernal and Mayor Pro Tem Spear were assigned to the plastic bag task force. Planning Commissioner Chuck Caplinger also volunteered to help with the plastic bag task force.

- 9.2 Adobe Road Crosswalk Relocation and Raised Median Project
RECOMMENDATION: Award the contract for the “Adobe Road Crosswalk Relocation and Raised Median Project” to Mr. Joe Putrino, General Contractor, for the amount of \$45,465.

City Engineer Richard Pederson gave a brief staff report.

On a motion of Councilmember Klink, seconded by Councilmember Harris and carried with a 5-0 roll call vote, a contract was awarded for the “Adobe Road Crosswalk Relocation and Raised Median Project” to Mr. Joe Putrino, General Contractor, for the amount of \$45,465.

- 9.3 Purchase of Vacant Commercial Lot Located at the Southeast Corner of Adobe and Cactus (APN 617-292-01)
RECOMMENDATION: The recommendation is that the Redevelopment Agency Board Members approve the purchase of Parcel No. 617-292-01 in the amount of \$54,400 with a \$1,000 contingency for minor variations in buyer related closing costs.

Executive Director Tree presented a staff report to the Redevelopment Agency Boardmembers. He said that the plan is to build a centralized Morongo Basin Transit Authority (MBTA) Transfer Station. He said that other potential plans include the transfer of the MBTA’S compressed natural gas station from the City Public Works Yard to this site. He said that there has been discussion of using this site for additional parking for the Senior Center and the downtown area.

Steve Van Duser, Twentynine Palms asked about the public having use of propane filling.

Executive Director Tree clarified that it was a compressed natural gas station, which many vehicles might be able to use.

D.J. Masker, Twentynine Palms, asked the Redevelopment Agency to review the figures for the appraisal.

Vice Chair Spear clarified that they are purchasing the property lower than the appraised value.

Boardmember Flock said that the addition of a natural gas filling station would also give an alternate station in the event of an emergency.

On a motion of Boardmember Klink, seconded by Vice Chair Spear and carried with a 5-0 roll call vote, the Redevelopment Agency Board approved the purchase of Parcel No. 617-292-01 in the amount of \$54,400. with a \$1,000 contingency for minor variations in buyer related closing costs.

- 9.4 Draft Documents for Proposed Changes to Street Improvement Impact Fee
RECOMMENDATION: The recommendation is that the City Council receives the staff report and provides direction as appropriate.

Engineer Pederson presented a staff report to the City Council. He said that

these are proposed ordinances that will be brought back at a future date after proper notification.

Philip Block, Joshua Tree, said that with projects that are already quite far down the road there is some decision making that will have to take place to see where the new ordinances fit in.

Following discussion Mayor Pro Tem Spear suggested, and the City Council concurred that this item be postponed to a study session in the near future to allow the City Council to review the documents in detail.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Mid-Year Budget Adjustment

RECOMMENDATION: The City Council adopt Resolution No. 08-04.

Finance Director Ron Peck (Director Peck) presented a staff report to the City Council.

Mayor Pro Tem Spear asked if the City would be dipping into the reserves.

Director Peck said that they are optimistic about the rest of the year.

Mayor Pro Tem Spear asked in a worse case scenario, how far would the City have to dig into its reserves this fiscal year if nothing comes through.

Director Peck said about \$270,000, with \$5,992,000 in the reserves.

Councilmember Harris commented that retrofitting the water truck with a diesel particulate filter is a great thing to do because it is going to be mandated by the Air Quality Management District (AQMD) and the City will be ahead of the curve. Councilmember Harris pointed out a typo in the Resolution that will be corrected.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Klink and carried with a 5-0 roll call vote, the City Council approved the mid-year adjustment and adopted Resolution No. 08-04.

11.0 FUTURE COUNCIL INITIATED ITEMS - None

12.0 CLOSED SESSION

12.1 Closed Session Pursuant to Government Code Section 54956.8
Property Acquisition – Conference with Real Property Negotiator, Michael Tree
617-292-01, 618-222-01, 618-222-04, 618-262-06, 617-041=01, 617-041-02,
617-041-23, 616-011-10, 620-091-01 through 02, 10, 11, 12, 13, 14, 15, 16, 17.

12.2 Closed Session Pursuant to Government Code Section 54956.8
Property Acquisition – Conference with Real Property Negotiator, Michael Tree
618-222-05, 618-231-20, 617-111-03, 617-111-04, 617-111-05

13.0 ADJOURN – the City Council meeting adjourned at 7:38 p.m. to Closed Session. The Closed Session adjourned at 8:15 p.m. with no action being taken.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk