

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, April 8, 2008
6:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** - Mayor Bernal called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE - Councilmember Flock led the Pledge of Allegiance to the Flag.
INVOCATION - Pastor Frank Ferrandini, First Assembly of God Church gave the Invocation.
ROLL CALL - The following Councilmembers were present: Flock, Harris, Spear and Mayor Bernal. Councilmember Klink had an excused absence.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Mayor Bernal will present a Proclamation recognizing National Day of Prayer.

Mayor Bernal presented Pastor Frank Ferrandini a Proclamation recognizing April 17, 2008 as the National Day of Prayer. Pastor Ferrandini, on behalf of the Ministerial Association thanked the City Council for the Proclamation and invited everyone to attend the prayers services on April 17th in the park between City Hall and the Library.

- 2.2 Employee of the Quarter Presentation for January through March 2008.

Mayor Bernal called Kelly Chaffin to the Podium and presented her with Employee of the Month award. Kelly thanked the City Council for the Honor.

3.0 ANNOUNCEMENTS

- 3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows
Saturday, April 12, at 5:00 p.m. and Friday, April 18, 2008 at 5:00 p.m.

Mayor Bernal presented information regarding the Annual Community Clean Up Day and Buck a Bag Competition on April 12, 2008.

- 4.0 PUBLIC COMMENTS** – None

5.0 CITY COUNCIL COMMENTS

Councilmember Flock said that he attended the Footprinters Officer of the Year program, the Fire Departments Awards Night hosted by Rotary, and the Boys Basketball Tournament. He said that Larry Bowden and the Park and Recreation Department did an excellent job as Master of Ceremonies for the event and honoring the volunteers. Councilmember Flock also said the Hilltoppers and the Art Gallery had things going on too.

Councilmember Spear presented checks totaling \$750.00 each to the Church of Latter Day Saints and Oasis Elementary School for their participation in the “Cash for Trash” program. Donations for the programs were from the following: Burttec Waste and Recycling \$300.00 each, City of Twentynine Palms \$200.00 each, Granite Construction \$150.00 each and Triad Realty \$100.00 each.

Mayor Bernal said that Little League Opening Ceremonies were held and the games have begun and the fields look great. She said “Tip-A-Cop” night was March 29th at Sizzlers and the Deputies, CHP, and Rebecca Rinkes brought in \$2,600.00 in donations. Mayor Bernal said that people should call the Park and Recreation office for information regarding Summer Day Camp, and she said that the Boys Basketball Tourney was inspirational.

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 \$619,591.59.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the March 25, 2008 City Council meeting.
- 6.4 Law Enforcement Report - February 2008
RECOMMENDATION: Receive and file.
- 6.5 Ordinance No. 208, Amending the General Plan and Zoning on the Land Use Map from RM-SP#4 (Residential Multi-Family, Specific Plan #4) to CG (General Commercial) and Removes Parcels from the Specific Plan #4 (SP#4) for APN 0617-102-07, -08, -14, AND -15.
RECOMMENDATION: The City Council adopt Ordinance No. 208.
- 6.6 2008 Slurry Seal Contract
RECOMMENDATION: Award the “2008 Slurry Seal Project” contract to American Asphalt for the amount of \$424,874.
- 6.7 Update Management Action Plans (MAP)
RECOMMENDATION: The City Council receives staff report and provide

direction as appropriate.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Harris and carried with a 4-0-1 roll call vote (Klink-absent), the Consent Calendar was approved as submitted.

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

8.0 PUBLIC HEARING

- 8.1 Resolution No. 08-11; Enforcement of the California Vehicle Code on Privately Owned and Maintained Roads within the City of Twentynine Palms
RECOMMENDATION: Conduct the Public Hearing, consider public comment and approve Resolution No. 08-11 as presented allowing the enforcement of California Vehicle Code on privately owned and maintained roads within the City of Twentynine Palms.

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

City Attorney Munoz explained what the enforcement of the Resolution would entail.

Mayor Bernal opened the Public Hearing.

Mr. Anonymous, Twentynine Palms, said that he would be reluctant to approve this item.

Ed Cobourn, Twentynine Palms, asked what determines right of way on maintained road and a privately owned road. He also asked how to get rid of the motorcycles that ride on his property.

Councilmember Flock said that Mr. Cobourn should post a sign stating Private Property. He said that people are not supposed to be on private property without written permission.

Ray Pessa, Yucca Valley, asked if the Sheriff applied the code, and he asked if the roads within the boundaries have an effect on incorporation.

Sherry Hall said that she is in favor of the Resolution.

Fritz Carnade said that the Sheriff's will do nothing to stop trespassing. He said that this Resolution will tell the police to enforce. He said that this resolution has been passed in Yucca Valley and he is in favor of it.

Phyllis Ann, Twentynine Palms, said the cost of infrastructure should be looked at.

Mayor Bernal closed the Public Hearing.

City Attorney Munoz explained that no one will have to give up their

property rights. He said that this will authorize the deputies to enforce the California Vehicle Code. He said that signs would be required by the Vehicle Code.

Mayor Pro Tem Spear and Councilmember Flock agreed that this a public safety issue.

Councilmember Harris said this is a personal issue as his vehicle was almost towed away. He said that uniform signs that meet the requirements should be posted on privately owned and maintained roads in the City limits.

Mayor Bernal said the public hearing has been beneficial and they have heard a lot of comments from both sides.

Mayor Pro Tem Spear said that a discussion regarding the cost of the signs should take place at a future meeting.

City Attorney Munoz said that the residents should pay for the signs.

Mayor Pro Tem Spear said that is not an issue of OHW (Off Road Vehicles).

On a motion of Councilmember Flock, seconded by Mayor Pro Tem Spear and carried with a 4-0-1 roll call vote (Klink-absent), the City Council approved Resolution No. 08-11, allowing the enforcement of the California Vehicle Code on privately owned and maintained roads within the City of Twentynine Palms.

9.0 REPORTS, REQUESTS AND COMMUNICATION

9.1 Report on the Food Pantry

RECOMMENDATION: The City Council receive the staff report and provide direction to staff.

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

Mayor Pro Tem Spear said that he is satisfied with the staff report.

Councilmember Flock said that Pastor Zwicker and staff worked things out and there will be no Conditional Use Permit at this time.

9.2 Consideration of Changing the Name of Clifford L. Stanley Park to Veterans Park

RECOMMENDATION: The Park Task force recommends that the name of Clifford L. Stanley Park be changed to Veterans Park.

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

Mayor Pro Tem Spears said that the Park Task Force did an excellent job, and he said that the Park is for Veterans.

Councilmember Harris said that the General Stanley was very active with the

Annexation, however; he said that he agrees the park should be named generally and honor every Veteran.

Councilmember Flock said that he thinks changing the name of the park from General Stanley Park to Veterans Park is a good idea.

Councilmember Flock suggested a plaque be put in place honoring General Stanley.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Harris and carried with a 4-0-1 roll call vote (Klink- absent), the City Council approved changing Clifford L. Stanley Park to Veterans Park. Staff was directed to bring back information regarding the cost to change the signs.

- 9.3 Presentation on Connect CTY Public Notifications System
RECOMMENDATION: The City Council receives the presentation and provides direction to staff.

City Manager Tree presented a staff report. He introduced Mr. Chad Castruitta with Connect CTY.

Mr. Castrate said the information being presented was about a comprehensive community emergency notification service that can be used in case of an emergency or for surveys among other things, to reach large numbers of people at the same time.

Mayor Pro Tem Spear said the system is definitely a good tool and a cost analysis would have to be performed and brought back to the City Council

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT - None

11.0 FUTURE COUNCIL INITIATED ITEMS - None

12.0 CLOSED SESSION

- 12.1 Property Acquisition – Conference with Real Property Negotiator, Michael Tree 618-222-01, 618-222-04, 620-091-01 through 02, 10, 11, 12, 13, 14, 15, 16, 17.

- 12.2 Closed Session Pursuant to Government Code Section 54956.9 Conference with Legal Counsel Regarding Potential Litigation (2 cases)

13.0 ADJOURN – The City Council meeting adjourned at 7:37 p.m. to Closed Session. The Closed Session ended at 8:05 p.m. with no action being taken.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk