

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD  
TWENTYNINE PALMS, CALIFORNIA  
www.ci.twentynine-palms.ca.us  
TUESDAY, April 22, 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 to the Flag.  
**INVOCATION** – Minister Melvin Brock gave the Invocation.  
**ROLL CALL** - The following Councilmembers were present: Flock, Harris, Klink, Spear and Mayor Bernal.

- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS-** None

**3.0 ANNOUNCEMENTS**

- 3.1 Mayor Bernal said that these proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, April 26, 2008 at 7:00 p.m. and Friday, May 2, 2008 at 5:00 p.m.

**4.0 PUBLIC COMMENTS**

- 4.1 Jerri Hagman, Twentynine Palms, reminded the public of “The Sale of the Century” this weekend and said that contributions go to the observatory for Sky’s the Limit.

**5.0 CITY COUNCIL COMMENTS**

Councilmember Klink thanked Coach Larry Bowden for a great 50 year Basketball tournament. He wished Happy Birthday to his nephew Jamie. He also asked the public that if they see the Local Pages phonebooks that are being delivered laying around in people’s yard to please pick them up and dispose of them because the paper ends up ripping out of the books and blowing around the community creating a lot of liter. He also reminded the public of the graffiti award for \$500 for the arrest and conviction to stop the vandalism that has been occurring around town. He expressed his condolences to the Crites family.

Councilmember Spear thanked City Engineer Richard Pedersen and Danny Chow for writing the grant that the City received \$443,000.00 for safer sidewalks in our City.

Mayor Bernal said she attended the National Park’s orientation, she said there was a lot of information available at the Visitor Center. She also said to visit the Chamber of Commerce’s website at [www.29chamber.com](http://www.29chamber.com) to get local information on events and activities in the community and for visitor information. She reminded everyone today is Earth Day and to check out the Internet for things you can do to give back to the Earth.

**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 \$382,038.58.
- 6.3 Approval of Minutes  
RECOMMENDATION: The City Council approve the minutes of the April 8, 2008 City Council meeting.
- 6.4 Chamber of Commerce Report- March 2008  
RECOMMENDATION: Receive and File

Mayor Pro Tem Sear abstained from Check No. 43,511 of the warrant register due to possible conflict of interest.

On a motion made by Mayor Pro Tem Spear, seconded by Councilmember Klink and carried with a 5-0 roll call vote 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-**

- 8.1 Ordinance No. 214, Amending Section 1.04.020 of the Twentynine Palms Municipal Code Relating to the City's Ability to Recover Attorney's Fees Incurred in Code Enforcement Proceedings.  
RECOMMENDATION: The City Council conduct the Public Hearing, consider public comment, direct the City Clerk to read Ordinance No. 214 by title only introducing Ordinance No. 214, and direct staff to bring the Ordinance back for adoption.

City Manager Tree presented a Staff Report to the City Council.

Mayor Bernal opened the Public Hearing.

Mayor Bernal closed the Public Hearing after there was no comment from the Public.

Mayor Bernal directed Deputy City Clerk Palmer to read Ordinance No. 214 by title only.

Deputy City Clerk Palmer introduced Ordinance No. 214 by title only.

On a motion made by Councilmember Harris, seconded by Mayor Pro Tem Spear and approved with a 5-0 roll call vote, the City Council conducted the Public Hearing, considered public comment, directed the City Clerk to read

Ordinance No. 214 by title only introducing Ordinance No. 214, and directed staff to bring the Ordinance back for adoption.

- 8.2 PC 08-06 – An application by Karen Provost of Sam’s Grille for a Conditional Use Permit and Letter of Public Convenience and Necessity for a restaurant and bar in the existing 2,200 sq. ft. building at 73527 Twentynine Palms Hwy (APN 617-112-12). Parking to be provided on a parking lot, located on the west side of Yucca Avenue, south of Twentynine Palms Highway, located on APN 617-112-18.

RECOMMENDATION: Conduct the Public Hearing, consider public comment, find the project Categorical Exempt pursuant to CEQA, adopt Resolution No. 08-07 and approve the project, subject to the attached Conditions of Approval.

Director Meyerhoff presented a staff report to the City Council.

Mayor Bernal opened the Public Hearing.

Karen Provost, applicant, spoke to the Council about the dining she would offer at her restaurant.

Mayor Bernal closed the Public Hearing.

On a motion made by Councilmember Klink, seconded by Councilmember Harris and approved with a 5-0 roll call vote the City Council conducted the Public Hearing, considered public comment, found the project Categorical Exempt pursuant to CEQA, adopted Resolution No. 08-07 and approved the project, subject to the Conditions of Approval.

- 8.3 Proposed changes to Street Improvement Impact Fee and Introduction of Ordinance No. 212 and 213.

RECOMMENDATION: The City Council conducts the Public Hearing, considers public comment, direct the City Clerk to read Ordinance No. 212 and 213 by title only, introducing Ordinance No. 212 and 213, and direct staff to bring the Ordinances back for adoption.

City Attorney Munoz presented a staff report to the City Council and handed out copies of redlined Ordinances with changes.

Mayor Bernal opened the Public Hearing.

Phillip Block, Twentynine Palms, requested to be recorded on item 8.3 and expressed his concerns with the item.

Mayor Bernal closed the Public Hearing.

Mayor Bernal directed Deputy City Clerk Palmer to read Ordinance No. 212 and 213 by title only.

Deputy City Clerk Palmer introduced Ordinance No. 212 and 213 by title only.

On a motion made by Councilmember Klink, seconded by Councilmember Flock and approved with a 5-0 roll call vote the City Council conducted the Public Hearing, considered public comment, directed the City Clerk to read Ordinance No. 212 and 213, and directed staff to bring the Ordinances back for adoption.

## **9.0 REPORTS, REQUESTS AND COMMUNICATIONS**

### **9.1 State of the Chamber of Commerce Report (oral report)**

**RECOMMENDATION:** Receive the report

Chamber of Commerce President Cindy McVay gave a PowerPoint presentation to the City Council on the State of the Chamber.

### **9.2 Public Arts Advisory Committee (“PAAC”) Selection**

**RECOMMENDATION:** The City Council receives the staff report and provides direction to staff.

City Manager Tree presented a Staff Report to the Council.

Councilmember Spear recommended the Public Arts Committee (PAAC) submit names to the City Council.

Councilmember Klink suggested advertising for the position throughout the City.

City Manager Tree said staff would take that recommendation and get back to the PAAC.

### **9.3 Contract Award for Technical Assistance Related to the Potential Transfer of Fire Protection from the Twentynine Palms Water District to the City of Twentynine Palms**

**RECOMMENDATION:**The City Council award a contract in the amount of \$18,700 to the Davis Company for technical assistance related to the potential transfer of fire protection from the Twentynine Palms Water District to the City of Twentynine Palms.

City Manager Tree presented a Staff Report to the City Council.

Councilmember Klink asked for a report from the task force for the City Council.

On a motion made by Mayor Pro Tem Spear seconded by Councilmember Klink and approved with a 4-1 (Harris no) roll call vote the City Council recommended item 9.3 be placed on a future agenda.

## **10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT- None**

## **11.0 FUTURE COUNCIL INITIATED ITEMS**

Mayor Pro Tem Spear said the second meeting in May would have a brief by the Fire Department task force, asking the Water Board task force to also attend. He said they

would have a discussion and determine if a majority exists to proceed with the expenditure of money under item 9.3.

Mayor Bernal said she would like to see if the City could get covers for the trash container bins to keep the animals out of the trash.

**12.0 CLOSED SESSION** – None

**13.0 ADJOURN-** City Manager Tree announced the Study Session had been cancelled and would be held at a later date. Mayor Bernal adjourned the meeting of the City Council at 7:48 p.m.

Respectfully Submitted,

Jacqueline Palmer, Deputy City Clerk