

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING  
6136 Adobe Road  
Twentynine Palms, CA 92277  
www.ci.twentynine-palms.ca.us  
Tuesday, June 10, 2008  
6:00 P.M.**

**MINUTES**

- 1.0 CALL TO ORDER** - Mayor Bernal called the meeting to order at 6:03 p.m.  
**PLEDGE OF ALLEGIANCE**- Mayor Bernal led the Pledge of Allegiance to the Flag.  
**INVOCATION** - Pastor Chris Wagner of Joshua Springs Calvary Church gave the Invocation.  
**ROLL CALL** – The following Councilmembers were present: Flock, Harris, Klink, Spear and Mayor Bernal.

**2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

- 2.1 Mr. Steven Dukett, Chairman of the California Association for Local Economic Development (CALED) Board, presented the 2007 Award of Merit by CALED to the City of Twentynine Palms for the Downtown Economic Revitalization Feasibility Study. Mayor Bernal received the award on behalf of the City Council.

**3.0 ANNOUNCEMENTS**

- 3.1 Mayor Bernal announced that it had been brought to her attention that an item needed to be placed on the agenda under Closed Session, Item 12.2., Code Section 54956.9: Conference with legal counsel, potential litigation (1 case). With a unanimous roll call vote the City Council added this item to the Closed Session.
- 3.2 Mayor Bernal announced that these proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, June 14, 2008 at 7:00 p.m. and Friday, June 20, 2008 at 5:00 p.m.

**4.0 PUBLIC COMMENTS:** None.

**5.0 COUNCIL COMMENTS**

Councilmember Klink said that people should be careful in the heat now, and they should keep their pets at home because it is too hot inside of vehicles.

Mayor Pro Tem Spear said that the Casino project would be changing into a bigger project than originally thought. He said that staff should have a watchful eye regarding what is going on with the Casino.

Councilmember Harris said he attended the Basin Wide Breakfast. He also said that the Practical Advances in Southwestern Sustainability (PAAS ) Conference will take place on Oct. 10, 11, 12, 2008, and at the conference there would be free dirt testing. Councilmember Harris said that on June 13, 2008 there will be "Coffee with

Assemblyman Paul Cook” and he said that everyone is invited. Councilmember Harris said that Dee Richhart emailed to him 10 reasons to shop locally.

Councilmember Flock said that he attended the LOCC (League of California Cities) Conference in Squaw Valley for Mayors and Councilmember’s. He said there were a lot of workshops that he found interesting.

Mayor Bernal said the Car Show had a very good turn out and there were a lot of nice vehicles on display. She said she attended the eighth Drug Court Graduation and wished the graduates well. Mayor Bernal also said that if people are looking for information on what is happening in the Morongo Basin they can call the Chamber of Commerce, visit their web site or check out the many publications in the area.

## **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 approves 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 \$902,051,04.
- 6.3 Approval of Minutes:  
RECOMMENDATION: The City Council approve the minutes of the May 27, 2008, City Council meeting.
- 6.4 Chamber of Commerce Report – May 2008  
RECOMMENDATION: Receive and file.
- 6.5 Law Enforcement Report – April 2008  
RECOMMENDATION - Receive and file.
- 6.6 Amendment of the Measure I Five-year Plans for Fiscal Years 2006-07 Through 2009-10 and 2007-08 through 2009-10.  
RECOMMENDATION: The City Council adopt Resolution No. 08-12 an 08-17 amending the Plans.
- 6.7 Update to Management Action Plan (MAP)  
RECOMMENDATION: The City Council receives the staff report and provides direction as appropriate.
- 6.8 Adoption of Ordinance No. 216 – Adoption of San Bernardino County Food Establishment Grading System  
RECOMMENDATION: The City Council adopt Ordinance No. 216.

Mayor Pro Tem Spear abstained from Item 6.2, Check No. 43875 due to a possible conflict of interest.

On a motion of Councilmember Klink, seconded by Councilmember Harris and carried with a 5-0 roll call vote the City Council approved the Consent Calendar.

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

**8.0 PUBLIC HEARING**

8.1 PC 08-30 – An application by Bettencourt Properties for approval of the issuance by the California Statewide Communities Development Authority of multifamily housing revenue bonds in the aggregate principal amount of approximately \$3,000,000, the proceeds of which will be applied to the financing of the acquisition and rehabilitation of a 48-unit multifamily residential rental facility commonly known as the El Paseo Apartments located at 72952 El Paseo Drive, RM Zone, T1N, R9E, Section 29.

RECOMMENDATION: Conduct the Public Hearing, consider public comment, find the project Categorically Exempt pursuant to CEQA, adopt Resolution 08-21, and approve the issuance of housing revenue bonds by the California Statewide Communities Development Authority.

Community Development Director Meyerhoff presented a staff report.

Mayor Bernal opened the public hearing.

Councilmember Harris asked the representative from Bettencourt Properties what they planned to do with the money.

Megan Backman, representative for Bettencourt Properties, said the money will be used to purchase the property and for rehabilitation.

Councilmember Harris asked Captain Miller of the San Bernardino County Sheriffs Department to talk about the Crime Free Multi Housing Program.

Director Meyerhoff said that this program allows for a higher level of tenant screening.

Mayor Pro Tem Spear and Councilmember Flock agreed that it is crucial with 3 million dollars at stake that Bettencourt Properties join the Crime Free Multi Housing Program.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Flock and carried with a 5-0 roll call vote, item 8.1 was approved, and the following wording added to Resolution 08-21: In applying for the multifamily housing revenue bonds, the “Borrower” agrees to actively participate with the City of Twentynine Palms in the San Bernardino County Sheriff’s Department Crime Free Multi-Family Housing program.

8.2 Adoption of Ordinances No. 212 and 213 – Street Improvement Impact Fee  
RECOMMENDATION: The City Council receives the staff report, conducts the Public Hearing, and introduces Ordinance No. 212 and 213.

Director Meyerhoff said that an earlier draft of Ordinance 212 and 213 were included with the packets. Staff recommendation was to continue this item to the

June 24, 2008 City Council meeting.

Mayor Bernal opened the Public Hearing and received no requests to speak.

The Public Hearing was continued to June 24, 2008.

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

- 9.1 Update on Joshua Tree National Park Visitor Center Planning  
RECOMMENDATION: The City Council receives the staff report and provides direction as appropriate.

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

John Slaughter, representing Joshua Tree National Park spoke to the City Council about accomplishments of the pre-design workshop that was held and what was upcoming.

The direction of the City Council was to continue moving forward.

- 9.2 Discussion on General Plan Elements  
RECOMMENDATION: The City Council receives the staff report and provides direction.

Frank Spevacek with Rosenow, Spevacek Group, Inc. (RSG) presented a staff report to the City Council.

Councilmember Flock said that he thought the study is important, but did not want to spend \$18,000 on a study if it looked like they cannot afford to do it if they complete the study.

City Manager Tree said if the City Council decides to move forward the expenditures would come out of the reserves.

Mayor Pro Tem Spear said that is a good expenditure to see how big of a check they may have to write in order to have a general plan that is comprehensive and vertically aligned.

On a motion of Councilmember Klink, seconded by Mayor Pro Tem Spear and carried with a 5-0 roll call vote, the City Council approved \$18,000 to RSG for the report on land use in different areas and have a report complete in 90 days.

- 9.3 Discussion on Schedule A of the Law Enforcement Services Contract  
RECOMMENDATION: The City Council receives the staff report and provides direction.

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

Captain Donnie Miller clarified questions regarding the Schedule A of the Law Enforcement.

The City Council thanked Captain Miller for bringing forward the information.

9.4 Update on Caltrans Road Widening Project

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

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

Mayor Bernal appointed Councilmember Harris and herself to a task force to deal with Caltrans issues.

The City Council directed staff to work with the Caltrans task force.

9.5 Adobe Road Crosswalk and Raised Median Project

RECOMMENDATION: 1.) Accept the completed work on the Adobe Road Crosswalk Median Project Contract with Joe Putrino General contractor for the amount of \$52,047. 2.) Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds. 3.) Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.

City Engineer Pederson presented a staff report to the City Council.

On a motion of Councilmember Harris, seconded by Councilmember Klink and carried with a 5-0 roll call vote, the City Council approved item 9.5.

## 10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Discussion for a Potential Redevelopment Agency (RDA) project for the Downtown Area

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

City Engineer Pederson presented a staff report to the City Council.

City Manager Tree presented a staff report regarding the "Phoenix" project. He suggested that two Councilmember's be appointed to work with staff to receive their input as they move forward looking into ideas.

Mr. Frank Cabolis, Commercial Diversified, said that in the solicitation for bids they might ask for two different quotes, one for concrete and once for asphalt.

Mayor Bernal appointed Mayor Pro Tem Spear and Councilmember Klink to a task force for a potential Redevelopment Agency project for the Downtown area.

10.2 Request for Financial Assistance: Pete's Restaurant

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

Frank Specevek, RSG presented a staff report to the City Council. He said that

Andy Masouris of Pete's Restaurant is requesting \$172,450 from the Redevelopment Agency to do curb, gutter and sidewalk improvements and an additional \$75,000 for air conditioning.

The City Manager said that per City Council direction a section would be added to the agreement that after a certain number of years after the reconstruction project is completed the applicant will maintain an "A" Rating through the County.

- 10.3 Request for RDA Assistance: Jelly Donut Building Renovation  
RECOMMENDATION: The City Council receives the staff report and provides direction.

Community Development Director Meyerhoff presented a staff report to the City Council.

City Council direction was to meet with the owners of the Jelly Donut and come up with an agreement to bring back to a future City Council meeting for discussion.

- 10.4 Twentynine Palms Lighting and Landscaping Assessment District #1, Engineer's Annual Report, and levy of Assessment for FY 2008-2009.  
RECOMMENDATION: 1.) Adopt Resolution No. 08-19, a Resolution of the City Council of the City of Twentynine Palms Directing the Filling of the Annual Report for the Twentynine Palms Landscaping and Lighting Assessment District No. 1) 2.) Receive and approve the engineer's report as filed or as amended. 3) Adopt Resolution No. 08-20, (A Resolution of the City Council of the City of Twentynine Palms Declaring its intention to order improvements, and to levy and collect assessments pursuant to the Lighting and Landscaping Act of 1972 for Fiscal Year 2008-2009.

City Engineer Pederson presented a staff report to the City Council.

On a motion of Councilmember Klink, seconded by Councilmember Harris and carried with a 5-0 roll call vote the City Council approved Item 10.4, adopting Resolution No. 08-19 and Resolution No. 08-20.

## **11.0 FUTURE COUNCIL INITIATED ITEMS**

## **12.0 CLOSED SESSION**

- 12.1 Closed Session Pursuant to Government Code Section 54956.8  
Property Acquisition - Conference with Real Property Negotiator, Michael Tree  
APN 618-222-01, 04
- 12.2 Closed Session Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel regarding Potential Litigation (1case)

**13.0 ADJOURN** – Mayor Pro Tem Spear requested the City Council meeting be adjourned in memory of Deputy Bud Kaloma. Mayor Bernal adjourned the meeting at 8:30 p.m. to Closed Session, in memory of Deputy Kaloma. The Closed Session ended at 9:15 p.m. with no action being taken.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk