

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, November 25, 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 – Father Ian Hanley, St. Martin in Fields Episcopal 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 Mayor Bernal will present the State of the City Address

Mayor Bernal presented the State of the City Address.
- 2.2 Brigadier General Gurganus will make a presentation to the City Council regarding Highway 62.

Brigadier General Gurganus presented the City Council with a power point presentation regarding Highway 62 and the accidents and deaths that have occurred over the years on the Highway. He thanked the City Council for their support and wished everyone Happy Holidays.
- 2.3 Proclamation to Father Ian Hanley of St. Martin in the Fields Episcopal Church

Mayor Bernal presented a Proclamation to Father Ian Hanley of St. Martin in the Fields Episcopal Church and thanked him for his contributions to the community.

Father Ian thanked the City Council for the Proclamation.
- 2.4 Community Clean Up Day Tonnage and Buck-a-Bag Results

Community Clean Up Day Coordinator Jacqueline Palmer presented a staff report to the City Council and asked Mayor Bernal to join her at the podium to present checks to the winners of the Buck-A-Bag competition.
- 2.5 Employee of the Quarter

Mayor Bernal announced Jacqueline Palmer, Deputy City Clerk as the Employee of the Quarter.

Jacqueline Palmer, Deputy City Clerk thanked the City Council for the recognition.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Bernal announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, November 29, 2008 at 7:00 p.m. and Friday, December 5, 2008 at 5:00 p.m.
- 3.2 The Annual Tree Lighting Ceremony will be held on December 2, 2008 at City Hall at 5:00 p.m.

4.0 PUBLIC COMMENTS- None

5.0 COUNCIL COMMENTS

Councilmember Harris said he met with the City Manager, City Engineer, and Debra Barmack the Executive Director of San Bernardino Associated Governments (SANBAG) regarding Highway 62 and working with Caltrans. He said Ms. Barmack assured them she would make her voice heard with Caltrans and express the City Council's concerns as well. He said November 17th he attended the 2nd Homeless summit in Rialto to talk about homeless issues. He said the people who head the homeless organization will be in the City in December to do a homeless count. He also said that seven people had been arrested this month regarding burglaries. He commended the officers who got those burglars off the street and said they did a wonderful job.

Councilmember Flock thanked Mayor Bernal for her work as Mayor the past year.

Councilmember Klink reminded the public the letter carriers food drive is on December 6th and encouraged the community to participate saying all the food stays local and goes to the Lutheran church. He thanked the Buck-A-Bag winners and citizens of Twentynine Palms for cleaning up the community so nicely during the past Community Clean Up. He thanked the General for his presentation and wished Father Ian the best. Lastly, he congratulated Jacqueline Palmer on her Employee of the Quarter recognition. He thanked everyone who voted for him and thanked Mayor Bernal for her service as Mayor the past year and encouraged everyone to shop local for the holidays.

Mayor Pro Tem Spear presented a check of \$750.00 to Danny Mintz and the Twentynine Palms High School softball team for the Neighborhood Clean Up program. He said they cleaned up Adobe and Highway 62 to Sunnyslope Drive.

Mayor Bernal encouraged the public to attend the Chamber of Commerce Mixers. She also said on December 3, 2008 from 5:00 to 9:00 p.m. at the Twentynine Palms Jr. High School gym the Marine Corps has invited the public to attend the training land and airspace acquisition project which is to expand the base. She reminded the public the light parade was December 6th at 5:30 p.m. and to contact the Chamber of Commerce if they were interested in participating.

6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

All matters listed under the Consent Calendar are to be considered routine by the City Council/Redevelopment Agency and will be enacted by one motion in the form listed. Any item may be removed from the Consent Calendar and considered separately by the City Council under item number 7.0 on the agenda. The public will be given an opportunity to comment on Consent Calendar items prior to the City Council action (roll call vote).

- 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 \$508,119.77.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the October 28, 2008, City Council meeting.
- 6.4 Renewal of Consultant Services Contract
RECOMMENDATION: The Redevelopment Agency Board receives the staff report and authorizes staff to sign a renewal contract for a five-year term at an amount not to exceed \$150,000 per year.

Mayor Pro Tem Spear abstained from item 6.2 check number 44956 for the San Bernardino County Sherriff Department due to conflict of interest.

On a motion made by Councilmember Flock, seconded by Councilmember Harris 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 HEARING

- 8.1 Parks and Recreation Master Plan
RECOMMENDATION: The City Council conduct the public hearing, consider all oral and written testimony, accept the Planning Commission's recommendation, adopt Resolution 08-34, adopt the Negative Declaration, adopt a De Minimis Finding, and adopt the Parks and Recreation Master Plan.

Mayor Bernal opened the Public Hearing.

Interim Community Development Director Bulmaro Canseco introduced Lauren Smith a representative from MIG Incorporated who helped the City of Twentynine Palms prepare the City of Twentynine Palms Parks and Recreation Master Plan.

Lauren Smith, representative of MIG Incorporated presented a power point presentation to the City Council

Councilmember Klink asked if there was anything that was discussed at length regarding off road vehicles for kids.

Ms. Smith responded yes, it was brought up and that there was a need and that the City could be a supportive partner for a facility but was not prepared to operate that type of facility.

Mayor Bernal closed the Public Hearing.

Councilmember Klink said MIG did a wonderful job on the Plan.

Councilmember Flock agreed MIG did a wonderful job and it addresses all the needs of the City.

Mayor Pro Tem Spear said he would like to include four findings as part of the Resolution, that the Park and Recreation Master Plan does not conflict with and is consistent with the goals and objects of the Twentynine Palms General Plan. That the proposed Parks and Recreation Master Plan is consistent with the Recreation Plan element and all other elements of the City of Twentynine Palms' General Plan. That the proposed Parks and Recreation Master Plan is a policy document that will guide future park and recreation development within the City of Twentynine Palms, and he said that an Initial Study has been prepared by the City of Twentynine Palms for the Parks and Recreation Master Plan, so as to evaluate the potential for adverse environmental impacts; and there is no evidence that the proposed project will have a potential adverse effect on wildlife resources.

On a motion made by Councilmember Klink, seconded by Mayor Pro Tem Spear and approved with a 5-0 roll call vote, the City Council conducted the Public Hearing, considered oral and written testimony, accepted the Planning Commission's recommendation, adopted Resolution 08-34, adopted the Negative Declaration and a De Minimis Finding, and adopted the Parks and Recreation Master Plan.

8.2 Historic Plaza Project

RECOMMENDATION: The Redevelopment Agency Board receives the staff report and directs staff to prepare construction drawings and bid specifications.

Mayor Bernal opened the Pubic Hearing.

Frank Spevacek, RSG consultants, presented a staff report to the City Council.

Danny Chow, Engineering representative for Charles Abbot and Associates, spoke to the City Council regarding the project and presented three plans, recommended flat work, landscape, and street furniture materials.

Boardmember Flock asked if the easements would be donated or would the City have to pay for them.

Danny Chow said the City would not have to pay for the easements.

Boardmember Klink asked about signage for the Plaza.

Danny Chow said they had come up with two different signs but had not come up with the final design.

Vice Chair Spear asked if the City was addressing a revamping of Homestead Avenue for the look to remain consistent with that of the Historic Plaza.

Danny Chow responded yes, that curbs would be added at the South West corner of Homestead and Adobe to make the overall look of the project look better.

Vice Chair Spear said he is aware that the business owners in the Historic Plaza are working closely with the City to make sure that what they are doing is in compliance with their current codes.

DJ Masker, Twentynine Palms resident said she would like to know the projected timeline of getting the project completely approved.

Frank Spavecek responded there are 10 landowners in the Historic Plaza and that 9 out of 10 of the landowners had participated in the 6 to 8 months process. He said by the end of December there should be a memoranda of understanding that sets forth business terms of this development. He said what they need to achieve before going out to bid on the projects is an agreement with each of the property owners. He said they would need all of the business owners to buy in before they could make a contract.

Diane Fox, Twentynine Palms resident and Historic Plaza business owner presented a model called "The Chain of Life" done by Steve Reman in collaboration with Tony Sorres for the Center Island of the Historic Plaza.

Boardmember Flock asked who would be funding for the display.

Frank Spavacek responded the cost would be incorporated in the total cost of the improvements. He said this piece would be \$15,000 to \$16,000.

Danny Chow said the estimate for the project total was \$420,000 including the art work.

Executive Director Michael Tree suggested staff and property owners work with the Public Arts Advisory Committee (PAAC) to create a sheet that gives ideas of what artists are trying to create and the PAAC could put out a request for proposals to artists to have an opportunity to create a vision on the theme that is trying to be presented.

Jack Briggs, Twentynine Palms, spoke in support of the renovation project.

Chair Bernal closed the Public Hearing.

The Boardmembers agreed it was a great project and would enhance the Historic Plaza.

The Redevelopment Agency directed staff to prepare construction drawings and bid specifications.

8.3 Michael Swigart Memorial

RECOMMENDATION: The City Council approve the installation of the Simi Dabah sculpture in the memory of Michael Swigart in the National Park Drive median.

Community Services Director Randy Council presented a staff report to the City Council.

Mayor Bernal opened the Public Hearing.

Mayor Bernal closed the Public Hearing.

Councilmember Harris had concerns regarding the sculpture and its hazards.

Mayor Pro Tem Spear asked if Simi Dabah would be able to change the design of his art piece to fit the concerns of the Council and public.

Randy Council replied yes he would meet with Mr. Dabah.

Mayor Pro Tem Spear asked if there was a fall back plan if Mr. Dabah did not wish to change his plan.

Randy Council responded not at this time.

On a motion made by Councilmember Harris, seconded by Councilmember Klink and approved with a 5-0 roll call vote. The City Council approved the project as long as the artist agreed to change it ever so slightly so the hazards were removed.

8.4 AB 3229 Supplemental Law Enforcement Services Fund

RECOMMENDATION: The City Council approve the spending recommendation as suggested.

Mayor Pro Tem Spear re-cused himself from the item due to possible conflict of interest.

Donnie Miller, City of Twentynine Palms Chief of Police presented a staff report to the City Council.

Mayor Bernal opened the Public Hearing.

Mayor Bernal closed the Public Hearing.

Councilmember Harris applauded the local police department and said they are doing a tremendous job in the community.

On a motion made by Councilmember Klink, seconded by Councilmember Flock and approved with a 4-0-1(Spear abstained) vote the City Council approved the spending recommendations as suggested.

Mayor Pro Tem Spear returned to the Council Chambers.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS -

- 9.1 Joint Agency Fire Department Task Force
RECOMMENDATION: The City Council receive the staff report and provide direction to staff.

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

Mayor Pro Tem Spear said it was too premature to do anything at this point in time. He the Davis Company was to come back with a final report and at that point in time staff could bring back a formal document for both agencies to vote to proceed or to abandon.

Councilmember Harris agreed. He said if the Fire Department goes under the Water Board they will go negative. He said the Water District confirmed the money they have to use cannot be used for the Fire Department.

Mayor Pro Tem Spear said the final report would go to the joint task force the first part of February to finalize it at the end of January.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

- 10.1 General Plan Analysis
RECOMMENDATION: The City Council directs staff to initiate the next phase of General Plan analysis.

City Manager Michael Tree introduced Georg Kramer from Koff and Associates.

Georg Kramer, representative from Koff and Associates presented a staff report to the City Council.

Ron Peck, Finance Director said they would like to go halfway now with the findings of the study and the rest of the way with the remaining amount of money in the next fiscal year.

Councilmember Klink asked how many weeks were between each step increase.

Ron Peck said a step is given once a year.

On a motion made by Councilmember Klink, seconded by Mayor Pro Tem Spear and approved with a 5-0 roll call vote the City Council adopted Resolution No. 08-35, a resolution adopting the Classification and Compensation Plan for FY 2008/2009.

11.0 FUTURE COUNCIL INITIATED ITEMS

Mayor Pro Tem Spear stated he will not seek position of Mayor on December 9, 2008.

12.0 CLOSED SESSION - None

13.0 ADJOURN – Mayor Bernal adjourned the City Council meeting at 8:15 p.m.

Respectfully Submitted,

Charlene L. Sherwood CMC, City Clerk