

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING  
6136 Adobe Road  
Twentynine Palms, CA 92277  
www.ci.twentynine-palms.ca.us  
Tuesday, December 9, 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** - Mayor Bernal led the Pledge of Allegiance to the flag.  
**INVOCATION** - Pastor Beth Glass, 29 Palms United Methodist Church, gave the Invocation.  
**ROLL CALL** – Councilmembers Flock, Harris, Klink, Spear and Mayor Bernal.

**2.0 SEATING OF CITY COUNCIL AND CITY COUNCIL REORGANIZATION**

- 2.1 Municipal Election Certification  
**RECOMMENDATION:** The City Council adopt Resolution No. 08-37, confirming and certifying the November 4, 2008 election results.

City Clerk Sherwood presented a staff report.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Harris and carried with a 5-0 roll call vote, the City Council adopted Resolution No. 08-37.

- 2.2 Comments by Outgoing Mayor Elaine Bernal and Presentation of Mayor's Recognition Award

Mayor Bernal presented Eli Marshall, of Marshall's Networking with the Mayor's Recognition Award. She said the Mr. Marshall always goes the extra mile and is always willing to help out, and doing it all out of the goodness of his heart.

The President of the Twentynine Palms Interact Club presented Mr. Marshall with a plaque in gratitude of his donation of turkeys to help feed 283 families.

Councilmember Klink donated leftover campaign funds of \$219.43 to Bob Byrd of the Twentynine Palms Food Pantry and \$219.43 to Sandy Fleck of Reach Out 29.

Mayor Bernal said that she would miss everybody she had come into contact with the last four years. She presented roses to Char Sherwood, City Clerk and Cindy Villescas, Assistant to the City Manager, and thanked the City Council for all of their time and dedication, encouraging them to stay focused, and stay vigilant to the needs of the community. She thanked Michael Tree, City Manager for his dedication and thanked the Citizens of the City of Twentynine Palms for allowing her to serve them and to always make their voices known.

**A short recess was held. Mayor Pro Tem Spear reconvened the meeting to order at 6:21 p.m.**

2.3 Seating of Councilmembers Elect, Oath Administered by the Honorable Bert L. Swift, Superior Court Judge

John E. Cole  
Joel A. Klink

The Honorable Bert L. Swift gave the Oath of Office to John E. Cole and Joel A. Klink.

2.4 Selection of Mayor and Mayor Pro Tem  
RECOMMENDATION: Select the Mayor and Mayor Pro Tem.

On a motion of Mayor Pro Tem Spear, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council selected Joel Klink as Mayor. On a motion of Mayor Pro Tem Spear, seconded by Mayor Klink, and carried with a 5-0 roll call vote, the City Council selected Steve Flock as Mayor Pro Tem.

2.5 Proclamation to Judge Bert L. Swift  
RECOMMENDATION: The Mayor will present a Proclamation to Judge Bert L. Swift.

On a motion of Councilmember Spear, seconded by Councilmember Cole and carried with a 5-0 voice vote, the Mayor presented a Proclamation to Judge Swift.

Judge Swift thanked the City Council and said it has been a pleasure serving them by swearing in the Councilmembers for so many years.

2.6 Resolution of Appreciation from the City of Twentynine Palms to Elaine Bernal  
RECOMMENDATION: The City Council adopt Resolution No. 08-36.

On a motion of Councilmember Cole, seconded by Mayor Klink, and carried with 5-0 voice vote, the City Council adopted Resolution No. 08-36. Mayor Klink presented the Resolution to outgoing Mayor Bernal.

2.7 Resolution to Elaine Bernal from First District Supervisor Brad Mitzelfelt.

Robert Elund, representing First District Supervisor Mitzelfelt, presented a Resolution on behalf of the San Bernardino County Board of Supervisors to former Mayor Bernal, for her service to the City.

2.8 Presentation to Elaine Bernal from the San Bernardino County Sheriff's Department

Lt. Dale Mondary, representing the San Bernardino County Morongo Basin

Sheriff's Station, presented former Mayor Bernal with a plaque mounted with her her City Council badge.

2.9 Presentation to Elaine Bernal from the MDAQMD (Mojave Desert Air Quality Management District).

Town of Yucca Valley Mayor Bob Leone, presented a plaque to former Mayor Bernal for two years of service to the MDAQMD.

**3.0 ANNOUNCEMENTS**

3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, December 13, 2008 at 7:00 p.m. and Friday, December 19, 2008 at 5:00 p.m.

**4.0 PUBLIC COMMENTS - None**

**5.0 COUNCIL COMMENTS**

Councilmember Cole thanked his family, friends and the other candidates who ran for office and Joel Klink upon being re-elected. He also thanked City Staff for their helpful, courteous, friendly and professional support. He said he was tremendously humbled by the communities support during the election and he said he is motivated to work hard and justify that faith in him. He also said "Go Wildcats" as they are on the way to a C.I.F. Championship.

Mayor Klink wished happy birthday to those having birthdays in December. He also said good luck to the Wildcats as they play in San Juan Capistrano. He also encouraged the candidates who were not elected to stay involved as there will be elections in two years as Planning Commission appointments coming up. He said the Chamber Mixer is on December 18, 2008 at the Roughly Manor.

Mayor Klink presented former Mayor Bernal with a gavel commemorating her year as Mayor.

Councilmember Harris wished his son a happy birthday. He thanked former Mayor Bernal for her service, and he said he would keep the fires burning on Caltrans. He said that he attended the Desert Mountain Division meeting in Palmdale and stated that the organization does a tremendous amount of work and imparts a lot of information. He congratulated Councilmember Cole and said he looks forward to working with him. He also encouraged the candidates who did not win to stay active.

Mayor Pro Tem Flock thanked former Mayor Bernal and he said he was very proud of her. He congratulated Mayor Klink and welcomed Councilmember Cole. He mentioned that Judge Swift is also an instructor pilot and is trying to be a golfer.

Councilmember Spear congratulated and thanked Mayor Klink and Councilmember Cole for running a fine election and for their conviction to do what is right for the City. He challenged the Councilmembers to buy the rings for the football team when they win the CIF Championship. All of the

Councilmembers agreed to pay for the rings. He said that he has been transferred by Sheriff Penrod to San Bernardino.

## **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 warrant register totaling \$193,785.16.
- 6.3 Submission of Applications for the Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Funds.  
RECOMMENDATION: The City Council approve the submission of projects for the Community Development Block Grant (CDBG) funds for Fiscal Year 2009-2010.
- 6.4 Chamber of Commerce Report – November 2008  
RECOMMENDATION: Receive and file.  
On a motion of Councilmember Cole, 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 Confirmation of the Costs of Abating Public Nuisances at 6515 Mariposa Avenue (APN 0615-083-04) and Adoption of Resolution No. 08-33 Directing the Redecoration of a Special Assessment against the Property to Recover the City's Cost of Abatement.  
RECOMMENDATION: Conduct the Public Hearing, consider public comment, confirm costs of abating 6515 Mariposa Avenue in the amount of \$4,078.15, and adopt Resolution No. 08-33 directing the recordation of a Special Assessment in the amount of \$4,078.15 against the property to recover the City's costs of abatement.

Interim Community Development Director Canseco (Director Canseco) presented a staff report to the City Council.

Councilmember Spear opened the Public Hearing.

Having no requests to speak, Councilmember Spear closed the Public Hearing

Councilmember Spear suggested that a task force be appointed to meet with City staff to streamline the code enforcement procedures that does not allow staff to work on a project for two years.

On a motion of Mayor Pro Tem Flock, seconded by Councilmember Harris, and carried with 5-0 roll call vote, the City Council adopted Resolution No. 08-33.

## **9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None**

## **10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT**

### **10.1 City Council Agency Liaison and Task Force Assignments**

**RECOMMENDATION:** Review assignments and take action as appropriate.

City Manager Tree presented a staff report to the City Council. He suggested that the Mayor look over the assignments for the next two weeks.

The consensus of the City Council was to bring this item back to the City Council at the meeting on December 23, 2008.

### **10.2 Planning Commission Appointment/Reappointment**

**RECOMMENDATION:** The City Council direct staff to fill terms expiring in December 2008.

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

The City Council directed staff to advertise the vacancies on the Planning Commission for thirty days.

Mayor Pro Tem Flock and Councilmember Cole were appointed to a task force to evaluate applications for Planning Commissioners and bring back a recommendation to the City Council.

## **11.0 FUTURE COUNCIL INITIATED ITEMS**

Mayor Klink requested an update on how far the progress is on resurfacing the Adobe/Amboy Road to the Marine Corp Base. He requested an update on Hwy. 62 from Canyon to Sunrise Road. He also requested information on constructing a new road from Two Mile to Sunnyslope on Encelia Avenue.

Councilmember Harris requested information regarding the meeting with the Department of Transportation in Sacramento.

Mayor Pro Tem Flock said the City should look at the various options concerning the Base Expansion. He said he is concerned with the effect on Amboy Road and the possible air space restrictions.

Councilmember Spear requested a report on a date for a mid-year budget review. He also thanked Mayor Klink and Mayor Pro Tem Flock for allowing him to conduct the City Council meeting. He said that it meant a lot to him.

**12.0 CLOSED SESSION**

12.1 Closed Session Pursuant to Government Code Section 54956.9 Conference with Legal Counsel Regarding Potential Litigation (1 case).

**13.0 ADJOURN** – Councilmember Spear adjourned the meeting at 7:16 p.m. to Closed Session. The Closed Session adjourned at 7:50 p.m. with no action being taken.

Respectfully submitted,

Charlene L. Sherwood CMC, City Clerk