

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, June 23, 2009
6:00 P.M.**

MINUTES

- 1.0 CALL TO ORDER** - Mayor Klink called the meeting to order at 6:03 p.m.
PLEDGE OF ALLEGIANCE- Councilmember Harris led the Pledge of Allegiance.
INVOCATION – Reverend Robert Harris, President, Food for Life Ministry gave the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Flock, Harris, and Klink. Councilmember Spear had an excused absence.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

- 2.1 Presentation by Ana Hernandez , Partnership Specialist with the U.S. Census Bureau

Mayor Klink introduced Ana Hernandez, Partnership Specialist with the U.S. Census Bureau.

Ana Hernandez, Partnership Specialist with the U.S. Census Bureau spoke to the City Council about the upcoming Census in 2010. She said the data is used to determine the county re-districting. She said the Census is important to do so that states can receive federal funding. She said there are three points the Census Bureau wants to get out to the public; that their information is safe and confidential, it is the easiest and shortest questionnaire in history, and lastly she said it is important for the public to participate because the community will benefit from the federal funding which comes into the communities for roads, hospitals, schools, and senior centers. She said not participating can hurt the community. She said she had met with a lot of leaders in the different communities, and she said Vicki Waite is the liaison between the City and herself.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Klink announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, June 27, 2009, at 7:00 p.m. and Friday, July 3, 2009, at 5:00 p.m.

4.0 PUBLIC COMMENTS

Mike Veto, Director of Municipal Services at Burrtec Waste and Recycling, introduced himself and Roy Villarreal who is the Manager for the desert region for Burrtec.

Roy Villarreal, Burrtec Waste and Recycling, welcomed the City Council to call him 24/7 and he would take care of any issues.

Jack Shay, Twentynine Palms, wanted to know about the trash left around town including phone books and pizza flyers. He wanted to know what was being done about everything lying around town. He also said the City Council T.V. showings on channel 10 were not showing. He said Doreen Chamberlin who had recently passed away had contributed a lot to the City.

5.0 COUNCIL COMMENTS

Councilmember Harris said he attended the Chamber Mixer at the Holiday Inn Express and it was a great event. He said a job well done to the Chamber and the Holiday Inn. He said he was very pleased to announce the new Commander of the California Highway Patrol (CHP) Tim Tompkins, was a Military Policeman on the base and has joined the station and welcome the Lieutenant.

Commander Tim Tompkins said he was a military police and was recruited by the CHP. He said he was happy to be in the community and the CHP work very well with the Marine Base and the communities. He said he looked forward to working with the public.

Mayor Pro Tem Flock said he was on vacation during the last City Council meeting and said he felt bad that he missed the car show that was in town. He congratulated Councilmember Harris on his car winning 1st place in the car show.

Mayor Klink reminded the public to shop local. He also reminded the public to drinks lots of water and not to leave their kids and pets in the car during the summer. He gave his condolences to the Chamberlin family for their loss and he said Joe Fabian passed as way as well and gave his condolences to his family.

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 \$ 392,245.17.
- 6.3 Contract Renewal with Innovative Federal Strategies
RECOMMENDATION: The City Council renews it's contract with Innovative Federal Strategies in the amount of \$48,000 for FY 2009/2010 for continued representation with Congress and the administration.
- 6.4 Approval to Award Contract to D. Webb Inc. in the amount of \$32,876 for the Construction and Installation of Lighting for the Basketball Courts in Luckie Park.
RECOMMENDATION: The City Council approve the Basketball Court Lighting project to D. Webb, Inc. in the amount of \$32,876.
- 6.5 Sheriff's Contract
RECOMMENDATION: The City Council approve the Law Enforcement Services Contract (Schedule A) for fiscal year 2009-2010.
- 6.6 Updating Information for the Local Agency Investment Fund (LAIF)
RECOMMENDATION: The City Council adopt Resolution No. 09-08.
- 6.7 Appropriation Limit
RECOMMENDATION: The City Council establish the appropriation limit for fiscal year 2009-2010 by the adoption of Resolution No. 09-15.
- 6.8 Adoption of the Measure I One-year Plan for fiscal year 2009-2010.
RECOMMENDATION: The City Council adopt Resolution No. 09-19 approving the Plan.
- 6.9 Investment Policy
RECOMMENDATION: The City Council approve the City Investment Policy
- 6.10 Resolution Opposing Governor's Proposal to Seize Highway User Tax Revenues
RECOMMENDATION: The City Council approves Resolution No. 09-22.

Mayor Pro Tem Flock suggested on item 6.5 local mechanics do the maintenance for the deputy vehicles to reduce costs.

ACTION: On a motion made by Councilmember Harris, seconded by Councilmember Cole and carried with a 4-0-1 (Spear absent) 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 – None

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Presentation on Red Light Cameras
RECOMMENDATION: The City Council receives the staff report and provides direction to staff.

City Manager Tree presented a brief staff report to the City Council regarding the Red Light Cameras. He introduced Dawn Davis of Red Flex Traffic Systems. Dawn Davis, Red Flex Traffic Systems, gave a power point presentation to the City Council regarding red light cameras.

Jack Shay, Twentynine Palms, asked the City Council if there were competitive bids from other companies that do the same thing. He asked if this was even a problem in Twentynine Palms and do we really need these cameras at the stop lights.

Mel Berlin, Twentynine Palms, said Twentynine Palms only has three (3) soon to be four (4) traffic lights and said the rollover in assessments to the City far outweighs the benefit.

Mayor Klink said Mr. Shay's suggestion of getting other quotes from different companies would be a good idea.

Mayor Pro Tem Flock asked Captain Miller if he had any input.

Captain Miller said there have been 57 accidents, 29 were turning violations and 3 were red light violations in the past 2 years.

Mayor Pro Tem Flock if they did go with the cameras would this add expenses to the Sheriff contract.

Captain Miller responded probably yes.

City Manager Tree said staff had not looked at other companies yet but in talking with other City Managers Red Flex was the industry leader.

Councilmember Cole inquired about pre contract survey.

Ms. Davis responded Red Flex can do pre-contract and post contract surveys. She said the difference is with the pre-contract they can only do up to four intersections and there is not contractual agreement that the City would have to go with them. She said pre-contract surveying is at no cost to the City and is a service that Red Flex offers.

Mayor Klink said with survey is a good idea but he would like to see price comparisons with other companies.

The City Council agreed they would like to move forward with a pre contractual survey.

9.2 Draft Economic Development Action Plan

RECOMMENDATION: The City Council approves the Draft Economic Development Action Plan.

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

Mayor Klink thanked Leslie Thornburg and the Economic Development Committee for their hard work. He said retail and restaurants need to be brought to Twentynine Palms.

Mayor Pro Tem Flock said it was a job done very well. He said it bothered him there were so many “musts” in the draft Development Action plan. He said the clustering needed to be discussed and the recommendation is too strong on assisting to get businesses started. He said the infrastructure should be addressed.

Leslie Thornburg, Chair of the Economic Development Action Plan Committee, said they wanted to add a lot of strong language to realize how important the issues were. She said there was a lot of verbiage on beautification and if there was any verbiage that bothered the City Council they would be happy to change it.

Mayor Pro Tem Flock said he was not completely happy with the document. He said did not like use of the word “must” or the clustering requirements.

Dee Ritchart, Economic Development Task Force Committee, said the task force was chosen by the City Council themselves. She said the document mostly advises the City Council and their job was to figure out the most important things that the cross section of people felt was most important to the community and then to prioritize them. She said the words “must”, “shall” and “need” are to indicate what priorities are.

Paul Smith, Economic Development Task Force Committee, said the terms used are very important to the committee.

City Attorney Munoz said if the City Council was troubled by the word “must”, based on what the committee indicated that was meant by the word, a motion could be made to adopt the report and say that your motion is made with the understanding that when the term “must” is used with regard to any of the suggested goals it is understood to mean it is given the highest priority of all the possible options of actions to be taken.

The City Council agreed on the verbiage used by City Attorney Munoz.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Harris and carried with a 4-0-1 (Spear absent) the City Council approved the Draft Economic Development Plan.

9.3 Enterprise Car Rental

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

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

Councilmember Harris asked if the contract would preclude Enterprise from doing business with anyone other than authorized customers of the Marine Corps Exchange.

Community Liaison of Public Affairs, Jim Ricker, responded this was one of the issues they were working on and he said this was something they could look at when modifying the contract in the future.

Councilmember Harris asked if that could be done at a local level.

Mayor Pro Tem Flock had questions and concerns regarding the contract between the Military Base and Enterprise Car Rental.

Mr. Ricker responded it would have to go for further review. He said first the dynamics of how to make it work would be worked on, then to present that external for review and consent. He said they were not stalling or delaying the issue that they were just asked to modify the contract and it takes some time.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Historic Plaza Maintenance Assessment Duties

RECOMMENDATION: Adopt Resolution No. 09-20 approving the Engineer's report for a Maintenance Assessment District in Historic Plaza, declaring the City's intent to order formation of said District, and setting August 11, 2009 as the date for the Public Hearing.

Frank Spevacek, RSG, said he met with property owners this afternoon and questions came up about how the assessments were spread amongst the various properties. This resulted in having to go back to the Engineer and have him re-look at the spread calculation and have him re-do it. He requested the item be continued to July 14, 2009 to look at the process again and have the report considered at that time and move forward with the public hearing in September.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Harris and carried with a 4-0-1 (Spear absent) voice vote, the City Council continued the item to the July 14, 2009 City Council meeting.

11.0 FUTURE COUNCIL INITIATED ITEMS

Mayor Pro Tem Flock requested to be brought up to date on the status of the second phase of the Highway 62 widening project. He also requested updates on the Casino project and the National Park Visitors Center.

Councilmember Harris said he spoke with Deborah Barmack regarding the Highway 62 widening project and she indicated SANBAG would look at giving some funding towards the second phase.

Mayor Klink requested the Chuck Donaldson property on Twentynine Palms Highway and Adobe Road be discussed.

12.0 CLOSED SESSION

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

12.2 Closed Session Pursuant to Government Code Section 54956.8
Property Negotiations-Conference with Real Property Negotiator, Michael Tree
0618-332-01, 0618-332-02, 0618-332-03, 0618-332-04.

13.0 ADJOURN – Mayor Klink adjourned the meeting at 7:50 p.m. to Closed Session in memory of Doreen Chamberlain and Joe Fabian. The Closed Session adjourned at 8:30 p.m. with no action being taken.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk