

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, October 13, 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 – Eva Kinsman led the Pledge of Allegiance.
INVOCATION - Pastor Frank Ferrandini, First Assembly of God Church gave the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Flock, Harris, Spear, Klink.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

Presentation of a Proclamation to 2009 Pioneer Days Parade Grand Marshal's Ray and Eva Kinsman

Mayor Klink presented a Proclamation to 2009 Pioneer Days Parade Grand Marshal's Ray and Eva Kinsman.

Mr. and Mrs. Kinsman thanked Mayor Klink and the City Council for the Proclamation.

Presentation to Finance Director Ron Peck, and the Finance Department

Mayor Klink presented recognition to the Finance Department and Finance Director Ron Peck for receiving a certificate of achievement in financial reporting for 2008.

Finance Director Ron Peck received the recognition and thanked the City Council.

Employee of the Quarter for the Month ending June, 2009

Mayor Klink presented Employee of the Quarter recognition to Dina Soriano, Shelter Technician from Palms n Paws.

Ms. Soriano accepted the recognition and thanked the City Council and Mayor.

3.0 ANNOUNCEMENTS

- 3.1 Mayor Klink announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, October 19, 2009 at 6:30 p.m. and Friday, October 23, 2009 at 6:30 p.m.

4.0 PUBLIC COMMENTS

Carol Marie Metzger, Twentynine Palms, suggested Luckie Park pool be open three days a week for physical therapy.

Steve Van Duser, Twentynine Palms, spoke to the City Council regarding AB811 and energy efficiency.

5.0 COUNCIL COMMENTS

Councilmember Cole congratulated Mr. and Mrs. Kinsman on receiving the Proclamation for 2009 Pioneer Days Grand Marshals. He also congratulated Dina Soriano on her recognition for Employee of the Quarter. He reminded the public it is breast cancer awareness month and this weekend is Pioneer Days.

Mayor Pro Tem Flock also reminded the public it is breast cancer awareness month. He said for a schedule of Pioneer Days, the public can go online to the Chamber of Commerce's website. He said Happy Birthday to his wife Joanne.

Councilmember Harris said at the Grand Marshal's luncheon there was standing room only. He said Geri Hagman said \$3100.00 was raised at the Sky's The Limit sale. He wished Happy Birthday to Christie Buckley.

Mayor Klink wished all the people who are celebrating Birthdays in October a Happy Birthday. He said there was going to be a BBQ on Saturday for Pioneer Days and invited the public to attend the BBQ.

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 registers totaling \$688,276.93.

6.3 Approval of Minutes

RECOMMENDATION: The City Council approve the minutes of the September 22, 2009.

6.4 Chamber of Commerce Report- September 2009

RECOMMENDATION: Receive and file.

6.5 Proposition 1A Securitization

RECOMMENDATION: The City Council adopt Resolution No. 09-31 approving the City's participation in the program.

6.6 Update to Management Action Plan (MAP)
RECOMMENDATION: The City Council receives the staff report and provides direction as appropriate.

6.7 Request for Participation in Region Greenhouse Gas Inventory and Reduction Plan and Related Environmental Impact Report
RECOMMENDATION: The City Council authorizes the City Manager to participate in the Regional Greenhouse Gas Inventory and Reduction Plan and Related Environmental Impact Report in an amount not to exceed \$25,000.

Councilmember Spear abstained from check number 46966 from the San Bernardino County Sherriff's Department due to possible conflict of interest.

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Cole 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 PC 09-51 (Amendments to Chapters 19.06, 19.10, 19.12, 19.48, 19.74, and 19.80 of the "Development Code" of the City of Twentynine Palms)
RECOMMENDATION: Conduct the Public Hearing, consider public comment and introduce Ordinance No. 224 making a determination that PC 09-51 is Exempt from further environmental review and adopting the proposed changes to Chapters 19.06, 19.10, 19.12, 19.48, 19.74, and 19.80 of the "Development Code."

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

Mayor Klink opened the Public Hearing.

Anna O'Hare, Twentynine Palms, spoke to the City Council regarding temporary bins placed at construction sites.

Frank Thomas, Twentynine Palms, spoke to the City Council expressing concerns with the cargo containers and how his business used them.

Mayor Klink closed the Public Hearing.

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Harris and approved with a 5-0 voice vote the City Council introduced Ordinance No. 224 making a determination that PC 09-51 is Exempt from further environmental review and adopting the proposed changes to Chapters 19.06, 19.10, 19.12, 19.48, 19.74, and 19.80 of the "Development Code."

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Open Air Ranges
RECOMMENDATION: The City Council receives staff report and provides direction.

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

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Harris and carried with 3-2 (Cole and Flock no) voice vote the City Council agreed to discuss weapons within City limits on a future agenda.

- 9.2 Request for Funding by Copper Mountain College for Signalization Project
RECOMMENDATION: The City Council provides \$65,000 in funding towards the signalization project at Copper Mountain College.

Councilmember Cole recused himself at 7:09 p.m. due to possible conflict of interest as a member of the faculty of Copper Mountain College.

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

Dr. Joseph Olson, Copper Mountain College spoke to the City Council regarding the Signalization Project.

Roger Wagner, Joshua Tree, affiliated with Copper Mountain College, spoke to the City Council regarding the Signalization Project and the funding process.

ACTION: On a motion made by Councilmember Spear, seconded by Mayor Pro Tem Flock and carried with a 3-1-1 roll call vote (Cole abstained, Klink no) the City Council denied the request for funding by Copper Mountain College for signalization project at this time.

Councilmember Cole returned to the Council Chambers at 7:28 p.m.

- 9.3 Update on Joint Agency Fire Department Task Force Workshop
RECOMMENDATION: The City Council receives the report and takes action as appropriate.

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

Steve Van Duser, Twentynine Palms, spoke in favor of item 9.3.

Councilmember Harris said the Task Force recommended purchasing a new ladder truck for \$250,000.00 as an additional vehicle to the fleet.

Jim Thompson, Fire Chief, addressed concerns of the City Council regarding the costs of the additional truck.

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Harris and carried with a 4-1 voice vote (Flock no) the City Council agreed the City should acquire a ladder truck.

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Harris and carried with a 3-2 voice vote (Flock and Cole no) the City Council directed the City Manager to set up a study session as soon as possible to discuss the various options of purchasing the ladder truck.

The City Council directed Chief Thompson to go with his mechanic to inspect the ladder truck and bring back plans at the next City Council meeting in October.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Award of Bids for City's Visitor Center Remodel

RECOMMENDATION: The Redevelopment Agency Board awards the following contracts:

Roofing contract to .S.R Building in the amount of \$24,800

Plumbing contract to S.R. Building in the amount of \$7,400

Electrical contract to Dana Cooper electric in the amount of \$21,500

HVAC contract to Kyle's AC/ Services in the amount of \$19,335

Flooring contract to Carpet-N-Things in the amount of \$5,900

City Manager Tree requested the item to be tabled due to contractual issues and licensing issues and be brought back at the next City Council meeting.

10.2 Alternate Workweek Discussion

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

City Manager Tree presented a staff report.

Councilmember Harris requested a pager be provided to staff so that someone would be on call on Friday's and if there was an urgent matter a staff member who is on duty with the pager can return the call. He said the duty can be rotated to different staff members on the Fridays off.

The City Council agreed with staff's recommendation for a three month trial of an alternate workweek and directed the City Manager to make the final decision on the alternate workweek, saying they would stand behind his decision.

10.3 Contract Award for Environmental Study and Preliminary Design of the Highway 62 Rehabilitation and Street Improvement Project

RECOMMENDATION: The Redevelopment Agency Board awards a contract to Dokken Engineering in the amount of \$320,000 subject to the final contract being approved as to form by the Agency Attorney.

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

City Engineer Pedersen spoke to the City Council regarding the project. He said the environmental reports are good for typically three years.

ACTION: On a motion made by Boardmember Cole, seconded by Boardmember Harris and approved with a 5-0 roll call vote, the Redevelopment Agency Board

awarded a contract to Dokken Engineering in the amount of \$320,000 subject to the final contract being approved as to form by the Agency Attorney.

11.0 FUTURE COUNCIL INITIATED ITEMS

Councilmember Spear requested staff provide a tool that can be used at the staff level to cease the cost over runs.

Mayor Klink requested a cost estimate of how much it would be to run the pool three times a week for therapy as requested by a member of the public.

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 54956.8 Property Negotiations-Conference with Real Property Negotiator, City Manager, Michael Tree, APNs 0623-131-10 and 11, APNs, 0623-163-01, 02 and 05.

13.0 ADJOURN- Mayor Klink adjourned the meeting at 8:58 p.m. City Manager Tree reported the Closed Session ended at 9:30 p.m. with no action being taken.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk