

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING  
6136 Adobe Road  
Twentynine Palms, CA 92277  
www.ci.twentynine-palms.ca.us  
Tuesday, November 10, 2009  
6:00 P.M.**

**MINUTES**

- 1.0 CALL TO ORDER** - Mayor Klink called the meeting to order at 6:00 p.m.  
**PLEDGE OF ALLEGIANCE** – Councilmember Cole led the Pledge of Allegiance.  
**INVOCATION** – Chaplain Conrad Targonski, Religious Ministries Directorate, MCAGCC gave the Invocation.  
**ROLL CALL** – The following Councilmembers were present: Cole, Flock, Harris, Spear, and Klink.

**2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

2.1 Proclamation of November 22, 2009 as a Community Day of Thanksgiving

Mayor Klink presented a Proclamation of November 22, 2009 as a Community Day of Thanksgiving to Pastor Ferrandine.

2.2 Proclamation of November 22 – 28, 2009 National Family Week

Mayor Klink presented a Proclamation of November 22-28, 2009 as National Family Week to Pastor Ferrandine.

**3.0 ANNOUNCEMENTS**

- 3.1 Mayor Klink announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, November 16, 2009 at 6:30 p.m. and Friday, November 20, 2009 at 6:30 p.m.

**4.0 PUBLIC COMMENTS**

Sherry Hall, Twentynine Palms, spoke in support of Vacation Home Rentals and asked that the issue be brought back to the General Plan Advisory Committee (GPAC) for consideration.

Nicole Panter, Twentynine Palms, spoke in support of Vacation Home Rentals.

**5.0 COUNCIL COMMENTS**

Mayor Pro Tem Flock wished the Marines Corps Happy 234<sup>th</sup> Birthday. He thanked the Veteran's and he reminded the public about Veteran's Day and said there was a new cannon added to the Veteran's Park next to City Hall.

Councilmember Cole wished the Marines a Happy Birthday. He congratulated the football team on the League Championship in Big Bear.

Councilmember Spear wished the Marines a Happy Birthday and he said Veterans day is to honor those who have served.

Councilmember Harris wished a Happy Birthday to the Marine Corps. He said the public should enjoy the ceremony for Veterans Day. He welcomed his family who has just moved to Twentynine Palms.

Councilmember Spear thanked Glenn Freshour, Councilmember Harris, Jim Ricker and the Base General for the howitzer.

Mayor Klink wished the Marine Corps a Happy Birthday. He also wished a Happy Birthday to his family members. He said November 22, 2009 is the Community Day of Thanksgiving at the Palms Baptist Church at 6 p.m.

## **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 \$238,202.79
- 6.3 Approval of Minutes  
RECOMMENDATION: The City Council approve the minutes of the October 27, 2009 meeting.
- 6.4 Amendment to the Owner Participation Agreement between the Redevelopment Agency and Jerry Mattos and Stephanie Ince  
RECOMMENDATION: The Redevelopment Agency should approve Amendment No. 1 to the Owner Participation Agreement with Jerry Mattos and Stephanie Ince, and appropriate \$11,000 in unallocated reserves from the Capital Projects Fund to the Property Improvement Program.

ACTION: On motion made by Councilmember Harris, seconded by Mayor Pro Tem Flock 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 09-61 (An Amendment to Chapters 19.32 and 19.84 of the “Development Code” of the City of Twentynine Palms pertaining to the standards and criteria applicable to temporary Sidewalk Sales and Outdoor Displays).

RECOMMENDATION: Conduct the Public Hearing, consider public comment and introduce Ordinance No. 225 making a determination that PC 09-61 is Exempt from further environmental review and adopting the proposed changes to Chapters 19.32 “Temporary Use Permits” and 19.84 “Signs” of the “Development Code”.

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

Mayor Klink opened the Public Hearing.

Mayor Klink closed the Public Hearing after there were no requests to speak from the public.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Spear and carried with a 5-0 voice vote, the City Council continued the item and directed staff to bring back the item with draft language at the first meeting in January.

## 9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Solar Energy Presentation by PE Consulting

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

Project Manager Kevin Cole presented a staff report to the City Council.

Doug Hoffenburger, PE Consulting, presented a power point presentation on solar energy to the City Council.

City Manager Tree said staff recommended moving forward with Phase I and a plan for implementing Phase II.

The City Council directed staff to move forward with Phase I.

- 9.2 Chamber of Commerce Contracts to Occupy and Operate the City’s Visitor Center Building

RECOMMENDATION: The City Council provides direction to staff.

City Manager Tree presented a staff report to the City Council. He said the Chamber of Commerce would be moving out of the current location into a downtown location to get downtown exposure.

Steve Brown, Twentynine Palms, President of California Desert Visitors Association (CDVA) and publisher of The Sun Runner, said if the Visitor Center was opened for bid the CDVA would be interested in bidding.

Rob Fleck, Chamber of Commerce Director, said it is the Chamber's intent to occupy the Visitor Center. He said the Chamber of Commerce office would move into the building and operate the Visitor Center as well.

Councilmember Cole recommended the City work with the Chamber of Commerce to open the Visitor Center.

Mayor Pro Tem Flock said the direction of the City seemed to be for the Chamber to occupy the building. He said if the Chamber of Commerce wants to renew the contract and move in then that is the direction to move in.

Councilmember Spear spoke in favor of open bidding for the City's Visitor Center Building. He said he wanted to get the service for the City at the best possible rate doing the best possible job.

Councilmember Harris said he felt it was only fair that the Chamber of Commerce is given a lot of consideration because it was the City that initiated their move out of the building.

Steve Van Duser, Twentynine Palms, spoke in favor of open bidding for the Visitor Center.

Jay Corbin, Twentynine Palms, spoke in favor of open bidding for the Visitor Center.

Steve Dutt, Twentynine Palms, said the City needs to develop a definition of what it means to run the Visitor Center.

Ben Holstrum, Twentynine Palms, spoke in favor of open bidding for the Visitor Center.

D.J. Masker, Twentynine Palms, spoke in favor of open bidding for the Visitor Center.

Steve Brown, Twentynine Palms, said the Visitor Center would have both the CDVA and The Sun Runner at the Visitor Center.

**ACTION:** On a 4-1 voice vote (Spear no) the City Council recommended staff begin discussions about occupying and running the Visitor Center with the Chamber of Commerce.

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

### **10.1 Approval to Award Contracts for Visitor Center Remodel**

**RECOMMENDATION:** The Redevelopment Agency Board to award four contracts for the Visitor Center remodel project, to Brad Hite Plumbing for the Plumbing system \$12,500, S.R. Builders Inc. for the Roofing system \$24,599,

and Systems West Group Inc. for the Interior Framing system, \$26,700 and to Carpet-N-Things for the Flooring system \$4,280.

Project Manager Kevin Cole presented a staff report to the City Council. He noted the amount on the staff report for the interior framing system was \$26,700, not \$28,776.

Councilmember Cole said the contracts awarded to date totaled \$111,000 which is \$36,000 more than original estimates.

City Manager Tree responded contingency funds would cover the difference.

**ACTION:** On a motion made by Boardmember Cole, seconded by Vice Chair Flock and carried with a 4-0-1 roll call vote (Spear abstained) the Redevelopment Agency Board awarded four contracts for the Visitor Center remodel project, to Brad Hite Plumbing for the Plumbing system \$12,500, S.R. Builders Inc. for the Roofing system \$24,599, and Systems West Group Inc. for the Interior Framing system, \$26,700 and to Carpet-N-Things for the Flooring system \$4,280.

10.2 Purchase of Ladder Truck for Fire Department of Water District

**RECOMMENDATION:** The Joint Agency Fire Department Task Force recommendation is that the City purchases the used ladder truck from Kern County in the amount of \$250,000 at no cost to the Water District. Additionally, the Task Force recommends that staff move forward with a study and potential implementation of a development impact fee for the future funding of Fire Department equipment and facilities.

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

Mayor Klink said he was concerned with impact fees and people not wanting to buy homes here due to the impact fees.

Chief Thompson addressed Mayor Klink's concerns on impact fees. He said the distribution rating is going down and in the future the City is going to need more fire stations. He said the developments coming in and the building of new houses should be able to pay for the new fire station. He said the Water District Board is looking to back the recommendation of the task force.

Mayor Pro Tem Flock said the two issues should be separated. He said the City can help out by established development impact fees.

Anna O'Hare, Twentynine Palms, spoke in opposition of the item.

Nicole Panter, Twentynine Palms, said it was objectionable to hear the Mayor say he does not want development impact fees.

**ACTION:** ON a motion made by Mayor Pro Tem Flock, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the City Council authorized a \$14,650 study on the imposition of development impact fees to fund future improvement to fire services.

ACTION: On a motion made by Mayor Klink, seconded by Councilmember Harris, and carried with a 5-0 roll call vote, the City Council approved a 10 year loan for the fire department of \$250,000 at no interest for a used ladder truck and pumper, with the loan to be repaid from impact fees, if they are implemented.

**11.0 FUTURE COUNCIL INITIATED ITEMS**

Mayor Klink requested Vacation Home Rentals be brought back to the City Council for future discussion, responding to the residents who protested that the issue had been denied at the last City Council meeting without fair consideration.

**12.0 CLOSED SESSION - None**

**13.0 ADJOURN-** Mayor Klink adjourned the meeting at 9:19 p.m.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk