

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
SPECIAL MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, December 15, 2009
5:00 P.M. (or as soon as possible thereafter)**

MINUTES

- 1.0 CALL TO ORDER** - Mayor Flock called the meeting to order at 5:35 p.m.
PLEDGE OF ALLEGIANCE – Owen Gillick led the Pledge of Allegiance.
INVOCATION - Chaplain Milt Merritt, United States Navy (Retired) gave the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Harris, Klink, Spear and Flock.

- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS** - None

3.0 ANNOUNCEMENTS

- 3.1 Mayor Flock announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, December 21, 2009 at 6:30 p.m. and Friday, December 25, 2009 at 6:30 p.m.

4.0 PUBLIC COMMENTS

Peggy Bryant, Twentynine Palms, spoke in opposition of having the trash bins removed from properties in the City. She suggested issuing waivers to home owners.

Jerry Foster, Twentynine Palms, spoke in opposition of having the trash bins removed from residential properties.

Doris Wren, Twentynine Palms, spoke in opposition of having her trash bin removed.

5.0 COUNCIL COMMENTS

Councilmember Klink wished the public a Merry Christmas and Happy New Year. He also wished all December Birthday's a Happy Birthday.

Mayor Pro Tem Harris warned the public about scams on the internet and receiving fraudulent emails. He said to be careful of emails going around asking for your personal information. He wished the public a Merry Christmas and a safe and Happy New Year.

Councilmember Spear wished the public a Happy Holiday.

Councilmember Cole said he attended the open space meeting and had learned a lot of useful information. He wished the public a Merry Christmas and Happy Holidays.

Mayor Flock wished the public a Merry Christmas.

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 Purchase of a Replacement Water Truck
RECOMMENDATION: The City Council approve the purchase of a replacement water truck through Valenti Sales and Rental in an amount not to exceed \$28,000.

6.3 Resolution Authorizing the Application for Grant Funding Under the California Energy Commission's Energy Efficiency and Conservation Block Grant Program
RECOMMENDATION: The City Council approve Resolution No. 09-35.

ACTION: On a motion made by Councilmember Klink, 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 Award of City's Visitor Center Parking Lot Construction Project
RECOMMENDATION: The City Council and the Redevelopment Agency Adopts City Council Resolution 09-32 and RDA Resolution 09-08, and awards the contract for the City's Visitor Center Parking lot to Cooley Construction, Inc. for the amount of \$62,943.15.

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

Councilmember Spear clarified the sidewalk was going to be concrete and not asphalt.

City Manager Tree responded yes, the sidewalk was going to be concrete.

Mayor Flock opened the Public Hearing.

After there were no requests to speak from the public, Mayor Flock closed the Public Hearing.

ACTION: On a motion made by Councilmember Cole, seconded by Mayor Flock and carried with a 4-1 roll call vote (Spear no) the City Council and the Redevelopment Agency adopted City Council Resolution 09-34 and RDA Resolution 09-08, and awarded the contract for the City's Visitor Center Parking lot to Cooley Construction, Inc. for the amount of \$62,943.15.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

9.1 Redevelopment Agency (RDA) Annual Financial Report and other required reports

RECOMMENDATION: The Agency receive the reports and adopt Resolution RDA 07-09.

Finance Director Peck presented a brief staff report to the RDA.

ACTION: On a motion made by Boardmember Klink, seconded by Boardmember Spear and carried with a 5-0 roll call vote the RDA adopted Resolution RDA 07-09.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Adobe Road Rehabilitation Project – Amboy Road to USMC Air Ground Combat Training Center

RECOMMENDATION: The City Council award the contract for the Adobe Road Rehabilitation Project – Amboy Road to USMC Air Ground Combat Training Center” to Matich Corporation for the amount of \$4,199,914.

City Engineer Pedersen presented a staff report to the City Council.

Councilmember Cole asked when the project would begin.

City Engineer Pedersen responded the project could begin as early as January.

ACTION: On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council awarded the contract for the Adobe Road Rehabilitation Project-Amboy Road to USMC Air Ground Combat Training Center to Matich Corporation for the amount of \$4,199,914.

10.2 Update on Historic Plaza Project to Include Transfer of City's Contractual Rights Obligations with Respect to Historic Plaza Bid Documents to City's Redevelopment Agency

RECOMMENDATION: Staff recommends the City Council receives an update on the project and transfers its contractual rights and obligations with respect to the bid documents to the City Redevelopment Agency by approving the attached Assignment and Assumption Agreement

Frank Spavacek, RSG Consultants, presented an update to the City Council. He said a Public Hearing will be held January 12, 2010 regarding the agreements with the property owners.

ACTION: On a motion made by Councilmember Spear, seconded by Mayor Pro Tem Harris and carried with a 5-0 voice vote, the City Council transferred its contractual rights and obligations with respect to the bid documents to the City Redevelopment Agency by approving the Assignment and Assumption agreement.

- 10.3 Property Improvement Program Applicant – Twentynine Palms Artists Guild
RECOMMENDATION: Staff recommends that the Redevelopment Agency approve RDA Resolution No. 09-09 approving an Owner Participation Agreement with the Twentynine Palms Artists' Guild. Staff also recommends that the Redevelopment Agency appropriate \$20,150 in unallocated funds from the Capital Projects Fund to the Property Improvement Program. Fulfilled

Mayor Flock recused himself from the Council Chambers at 6:10 p.m. due to a possible conflict of interest.

Frank Spavacek, RSG Consultants, presented a staff report to the City Council.

Audrey Gillick, Vice President of the Artist Guild, thanked the City Council for their improvements.

ACTION: On a motion made by Boardmember Klink, seconded by Boardmember Spear and carried with a 4-0-1 roll call vote (Flock abstained) the Redevelopment Agency approved RDA Resolution No. 09-09 approving an Owner Participation Agreement with the Twentynine Palms Artists' Guild and the Redevelopment Agency appropriated \$20,150 in unallocated funds from the Capital Projects Fund to the Property Improvement Program.

Mayor Flock returned to the Council Chambers at 6:18 p.m.

- 10.4 City Solar Project
RECOMMENDATION: The recommendation is that the City Council directs staff to continue utilizing PE Consulting for professional guidance on the City's Solar Project at the quoted rate schedule.

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

ACTION: On a motion made by Councilmember Spear, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council directed staff to continue utilizing PE Consulting for professional guidance on the City's Solar Project at the quoted rate schedule.

11.0 FUTURE COUNCIL INITIATED ITEMS

Councilmember Cole said he had concern regarding the dumpsters and the issues that were raised by residents at the meeting.

City Manager Tree responded there would be a discussion at the City Council meeting on January 12, 2010 regarding the dumpsters and staff would be able to notify residents.

Councilmember Spear requested a status brief on buildings on Homestead Drive.

City Attorney Munoz responded he would let the Council know if this was an active Code Enforcement case.

Councilmember Spear said he did not want to hear that staff was looking into the issue and that he wanted answers.

12.0 CLOSED SESSION - None

13.0 ADJOURN- Mayor Flock adjourned the meeting at 6:30 p.m.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk