TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, March 9, 2010
6:00 P.M.

MINUTES

1.0 CALL TO ORDER - Mayor Flock called the meeting to order at 6:00 p.m.
PLEDGE OF ALLEGIANCE - Councilmember Klink led the Pledge of Allegiance.
INVOCATION – City Manager Tree gave the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Harris, Klink, Spear and Flock.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

2.1 The Mayor will present a Proclamation to the Desert Trail recognizing the Desert Trail Newspaper's 75th Anniversary.

Mayor Flock presented a Proclamation to the Kurt Shaupner, Kelly O'Sullivan, Courtney Vaughn and Cindy Melland from the Desert Trail recognizing the Desert Trail Newspaper's 75th Anniversary.

Cindy Melland, Publisher from the Desert Trail, thanked the City Council, City, community and the Desert Trail staff and invited the public to the Desert Trail mixer on the 18th of March to celebrate the Desert Trail's 75th Anniversary.

3.0 ANNOUNCEMENTS

3.1 Mayor Flock announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, March 15, 2010 at 6:30 p.m. and Friday, March 19, 2010 at 6:30 p.m.

4.0 PUBLIC COMMENTS

Liz Meyer, Twentynine Palms, said the amount requested to spend on item 10.2 should not be spent. She expressed her concerns that the City is spending more money than it has.

Jerri Hagman, Twentynine Palms, said the petting zoo that was in Luckie Park was very well run and she thanked Michael Tree for bringing it into the City for the youth. She said it was a positive thing to have in the City. She said the entrance sign into Twentynine Palms looks nice and the Public Works Department is doing a wonderful job and she appreciates all the positive things that are going on in the City.

Chuck Uyeda, Twentynine Palms, spoke on behalf of his neighbors who felt they had been unfairly cited by Code Enforcement.

Marcelle Vinsone, Los Angeles, said she loves Twentynine Palms. She expressed concerns about her lot being zoned as public use and asked the City Council to reconsider and to not freeze the lot.

Mike Behringer, Ohio, said his son owns the property behind Oscar Bailey and he had some inexpensive ideas for the City Engineer, and that he would like to help out if he could.

5.0 COUNCIL COMMENTS

Councilmember Cole congratulated the Desert Trail on their 75 years in business and said they have done fine work over the many years. He said it is Census season and that the Census is very important.

Mayor Pro Tem Harris thanked the Desert Trail for their 75 years of great service. He said they always provide great information and congratulated them on a job well done. He said he spoke with Ester Herbert, a concerned citizen in Twentynine Palms, about the crosswalk in front of City Hall and she said she almost got hit while crossing the street there. He said he discussed the situation with the City Manager and they are going to look at the possibility of blinking yellow lights and signs for the crosswalk.

Councilmember Klink wished everyone celebrating a Birthday in March, a Happy Birthday. He said the Census forms will be at the Post Office in 10 days and he urged everyone to fill out the forms. He said to have patience on Adobe Road because they are laying down asphalt and it is down to 2 lanes. He said Happy Birthday to the Desert Trail.

Mayor Flock congratulated the Desert Trail on their 75 years.

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 $267,251.40.

6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the regular City Council Meeting of February 23, 2010.

6.4 PC 10-02 – An Amendment to the City of Twentynine Palms Municipal Code, Creating a New Chapter 19.93 "Unclaimed or Abandoned Property" to Title 19 "Development Code" Establishing the Procedures and Circumstances where through Code Enforcement Efforts the City may Process and Dispose of Abandoned Property within the City of Twentynine Palms.
RECOMMENDATION: The City Council adopt Ordinance No. 228

6.5 Accept the Final Map for Tract Map No. 17168-2
RECOMMENDATION: The City Council adopt the final Tract Map No. 17168-2.

6.6 City Financial Statements
RECOMMENDATION: Receive and file financial reports.

Councilmember Spear requested item 6.5 be removed from the Consent Calendar for discussion.

Councilmember Spear abstained from check number 47788 and 47798 to the San Bernardino County Sherriff's Department due to possible conflict of interest.

ACTION: On a motion Mayor Pro Tem Harris, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council approved the balance of the Consent Calendar.

7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND/OR ADDED AGENDA ITEMS

6.5 Accept the Final Map for Tract Map No. 17168-2
RECOMMENDATION: The City Council adopt the final Tract Map No. 17168-2.

Councilmember Spear pulled the item for discussion.

Councilmember Spear asked how long the tract map that was for approval tonight was good for.

Community Development Director LaClaire (Director LaClaire) responded it was good forever.

ACTION: On a motion made by Mayor Pro Tem Harris, seconded by Councilmember Klink and approved with a 5-0 roll call vote, the City Council approved item 6.5.

8.0 PUBLIC HEARING

8.1 PC 08-80 – A Public Hearing to Allow the City Council to Receive the Planning Commission's Recommendation for Conceptual Approval of the "Draft" Downtown Economic Revitalization Specific Plan.
RECOMMENDATION: Conduct the Public Hearing, consider public comment and discuss the "draft" Downtown Economic Revitalization Specific Plan, then either provide guidance to staff and consultants on changes needed to the Plan or provide conceptual approval of the Plan for its inclusion within the Update to the City's General Plan.

Director LaClaire presented a brief staff report and introduced Mark Brodeur, from PMC Consultants

Mark Broduer, PMC Consultants, presented a power point presentation to the City Council regarding the draft Downtown Economic Revitalization Specific Plan. He presented a vision of the City that included diagonal parking downtown, traffic-calming actions and a pedestrian-friendly atmosphere. He said this would include mixed-use zoning recommendations for the commercial and residential areas in the downtown core, design guidelines, and presented streetscape suggestions for traffic-calming medians on the Highway 62 and Adobe Road. He also provided a visual presentation on decorative street furniture, public art, creative signage and trees to encourage a walkable and tourist friendly downtown.

Mayor Flock opened the Public Hearing.

Jay Corbin, Twentynine Palms, said it was a good idea to have the plan but he felt that some areas needed to be discussed more.

Mayor Flock closed the Public Hearing.

Councilmember Klink said he would like to see commercial mixed use in the downtown.

Councilmember Cole expressed his concerns regarding public land and not being able to get it.

Consensus of the City Council was that all blue areas on the Land Use map currently designated as Public-Quasi Public Use would be modified to a purple color for a Mixed Use/Public Use (MU/PU) hybrid zone which would contain all of the uses allowed by the Downtown Retail Mixed Uses (DRMU) and the Public/Quasi Public Uses (PQP).

Steve Van Duser, Twentynine Palms, said it would save more money if the City were to put in a sewer now while there is vacant land and there would be a lot less damage to the roads and sidewalks prior to expanding the roads and sidewalks.

Mayor Flock closed the Public Hearing.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Klink and carried with a 5-0 voice vote the City Council granted conceptual approval of the project and directed that the specific plan be amended as noted in the consensus and that it be forwarded to Hogle Ireland for inclusion in the General Plan and the environmental impact report for the General Plan update.

A recess was called by Mayor Flock at 7:37 p.m.

Mayor Flock resumed the meeting at 7:45 p.m.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

9.1 Update on Major City Projects
RECOMMENDATION: The City Council receives the staff report and provides direction.

Project Manager Cole presented a staff report to the City Council. He reported on the Adobe Road paving project which he said was scheduled for completion sometime in May. He said they were going to kick off the Historic Plaza Renovations starting the 23rd of March. He said the Visitor Center is nearing interior completion and the outside front façade has moved along quickly. He said he is hoping to get started on the parking lot in the rear of the building and the Chamber is expected to be in use by the end of March. He said the Public Arts Committee (PAC) is going to have a portion of the Visitor Center and they will be administering a program which will be ongoing and will be a great addition to the Visitor Center. He said they are searching for renters for the Indian Cove properties and Del Gagnon is looking for tenants for the properties.

9.2 Fifth Amendment to Employment Contract for City Manager
RECOMMENDATION: The City Council approve the fifth amendment to the employment contract for the City Manager.

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

ACTION: On a motion made by Councilmember Cole, seconded by Mayor Pro Tem Harris and carried with a 5-0 roll call vote the City Council approved the fifth amendment to the employment contract for the City Manager.

9.3 Naming of Adobe Road Bicycle Path after Petty Officer Steven Collins
RECOMMENDATION: The City Council approve that the bicycle path along Adobe Road, between Amboy Road and the MCAGCC Main Gate, be named for Petty Officer Steven Collins.

Finance Director Peck presented a staff report to the City Council.

Mayor Pro Tem Harris asked if there would be signs on the bicycle path that would indicate the path was in Petty Officer Steven Collins' honor.

Finance Director Peck responded yes.

ACTION: On a motion made by Councilmember Klink, seconded by Councilmember Cole and carried with a 5-0 voice vote, the City Council approved that the bicycle path along Adobe Road, between Amboy Road and the MCAGCC Main Gate, be named for Petty Officer Steven Collins.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Plans and Specifications for the Mesquite Springs Road Rehabilitation Project

RECOMMENDATION: Review and approve construction plans and specifications for the Mesquite Springs Road Rehabilitation Project, agreement with San Bernardino County and authorize staff to proceed with advertisement for this project.

City Manager Tree presented a brief staff report to the City Council. He said he would like to bring this item back at the next City Council meeting with a modified agreement with the County and with a budget for the project and bid specifications.

10.2 Mid Year Financial Update and Economic Development/Redevelopment Specialist Position.
RECOMMENDATION: The City Council reviews the mid-year financials and provides direction to staff to hire an Economic Development/Redevelopment Specialist (EDS).

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

Mayor Flock asked how the position could be structured so it could be on probation and the employee would understand that they are not only asked to perform but so is the position.

City Manager Tree said the severance would be determined up front and would be understood with the employee upon hiring.

David Hite, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Jay Corbin, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Larry Briggs, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Jack Briggs, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Steve Van Duser, Twentynine Palms, spoke in opposition of item 10.2 (EDS).

Marlene Brown, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Bill Easter, Twentynine Palms, spoke in opposition of item 10.2 (EDS).

Dawn Benton, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Dee Richhart, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Erin Pew, Twentynine Palms, spoke in favor of item 10.2 (EDS).

Councilmember Klink said he does not like going into the reserves but now is the time to do it and salary could be based on merit.

Councilmember Cole said if the City does not hire now, it could get worse. He said the position is necessary.

Councilmember Spear said the job description needs a lot of work and he is not prepared to vote on the job description he has seen. He said that he felt the employees however should get the remainder of the classification study compensation.

Mayor Flock said the position would be a great asset to the City and he is in favor of the Economic Development Specialist. He said he was also in favor of giving the City employees what they deserved.

Mayor Pro Tem Harris suggested bringing the job description back after being refined.

Councilmember Klink suggested the Personnel Task Force meet with the City Manager to refine the job description.

ACTION: On a motion made by Mayor Flock, seconded by Councilmember Cole, and carried with a 3-2 roll call vote (Harris and Spear no) the City Council accepted staff's recommendation to establish the position of an Economic Development Specialist. The job description will be reviewed by staff with input from the Council and the description will be approved by the Council at a later date.

Councilmember Cole asked when the second half of the employee increase would be given.

City Manager Tree responded that was at the discretion of the City Council.

Councilmember Spear said he supports getting the City employees the second half of their increases.

ACTION: On a motion made by Councilmember Spear, seconded by Mayor Pro Tem Harris and carried with a 4-1 roll call vote (Cole-no) the City Council approved the FY 2010/2011, flat revenues, 2% COLA, 2% inflation, Step increase, hire an Economic Development Specialist and 2nd half increase retroactive to January 1, 2010.

Councilmember Spear requested the Personnel Task Force meet and bring the Economic Development Specialist description back to the City Council.

10.3 Letter of Support for Southern California Edison's (SCE) Leatherneck Substation
RECOMMENDATION: The City Council approve the letter of support.

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

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 letter of support for Southern California Edison's Leatherneck Substation.

11.0 FUTURE COUNCIL INITIATED ITEMS

Councilmember Cole said he would like the Feinstein Legislation on a future agenda.

12.0 CLOSED SESSION

12.1 Closed Session pursuant to Government Code Section 54956.9
Potential Litigation (1 case)

13.0 ADJOURN- Mayor Flock adjourned the meeting at 9:40 p.m. The Closed Session ended at 10:10 p.m. with no action being taken.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk