



**TWENTYNINE PALMS CITY COUNCIL
REGULAR MEETING AGENDA
6136 Adobe Road
Twentynine Palms, CA 92277
www.29palms.org**

Tuesday, March 8, 2022

NOTICE IS HEREBY GIVEN, that the City Council will hold a Regular Meeting on Tuesday, March 8, 2022 at City Hall, 6136 Adobe Road, Twentynine Palms, CA 92277 to consider the following:

REGULAR SESSION AGENDA

6:00 P.M.

CALL TO ORDER

Pledge of Allegiance.
Invocation - TBD.
Roll Call.
Closed Session Announcements.
Changes to the Agenda.

ANNOUNCEMENTS

These proceedings may be viewed on demand on the City of Twentynine Palms website at www.29palms.org. You may also Live Stream this meeting by going on our website and clicking on the "Meeting Agendas" link.

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Presentation to Feathers n Fur Wildlife Rehabilitation Team for their Participation in the Cash for Trash and Recycling Program.
2. Proclamation proclaiming March 2022 as Women's History Month. 5
[Proclamation proclaiming March 2022 as Women's History Month](#)

COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

CONSENT CALENDAR

All matters listed under the Consent Calendar are to be considered routine by the City Council 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. The public will be given an opportunity to comment on Consent Calendar items prior to the City Council action.

3. Waive the Reading of Ordinance and Approve the Reading by Title Only.

4. Approval of Minutes of the City Council Meeting Held on January 25, 2022, and February 22, 2022. 7 - 16
- [City Council - Regular Meeting - 25 Jan 2022 - Minutes - Pdf](#)
[City Council - Regular Meeting with Closed Session - 22 Feb 2022 - Minutes - Pdf](#)
5. Approval of Project Phoenix Warrant Register Totaling \$962,669.12. 17
- [Approval of Project Phoenix Warrant Register Totaling \\$962,669.12 - Pdf](#)
6. Approval of Warrant Register Totaling \$1,517,368.58. 19 - 22
- [Approval of Warrant Register Totaling \\$1,517,368.58](#)
7. Investment Policy. 23 - 27
RECOMMENDATION: The City Council review and approve the City's Investment Policy.
- [Investment Policy. - Pdf](#)
8. Project Phoenix Wastewater System Service Contract Amendment. 29 - 33
RECOMMENDATION: That the City Council:
1. Approve Amendment No. 1 to the contract for the Project Phoenix Wastewater System Operations and Maintenance with the County of San Bernardino Special Districts Department County Service Area 70 (CSA 70) in the amount of \$135,718.92 for a total not-to-exceed amount of \$199,689.00;
2. Authorize the City Manager to execute all documents necessary to execute the Amendment, including any necessary amendments thereto.
- [Project Phoenix Wastewater System Service Contract Amendment. - Pdf](#)
9. Overlay Paving. 35 - 37
RECOMMENDATION: The City Council approve the expenditure not to exceed \$190,000.00 from Measure I and Article 8 funding to overlay Valle Vista from Condor Road to Utah Trail and Raymond Way from Mesquite Springs Road to Yucca Avenue.
- [Overlay Paving. - Pdf](#)

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

PUBLIC HEARING

10. Adopting City Council District Map Pursuant to Election Codes 21607 and 21607.1. 39 - 66
RECOMMENDATION: That the City Council:
- A. Hold a fourth public hearing regarding the State-mandated redistricting process, pursuant to Elections Code sections 21607 and 21607.1; and
- B. Adopt a Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA ADOPTING A DISTRICT MAP FOLLOWING THE 2020 CENSUS PURSUANT TO ELECTIONS CODE SECTIONS 21607 AND 21607.1.
- C.
- [Adopting City Council District Map Pursuant to Election Codes 21607 and 21607.1. - Pdf](#)

DISCUSSION AND POTENTIAL ACTION ITEMS

11. Amboy Road Bike Path.

67 - 68

RECOMMENDATION: The City Council approve the expenditure of an amount not to exceed \$110,000.00 and approve the use of a Type 2 bike path.

[Amboy Road Bike Path. - Pdf](#)

FUTURE COUNCIL INITIATED ITEMS

1. Adding sidewalk and picnic tables in Veterans' Park.
2. Shopping Carts.
3. Voting for Mayor as opposed to current selection process.
4. Seasonal banners throughout the City.
5. Solar Moratorium.

PUBLIC COMMENTS

This is the time for the public to address the City Council on issues within the jurisdiction of the City Council that are NOT on this agenda. All comments are to be directed to the City Council and shall not consist of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during their comments. There is a time limitation of three minutes per person. If you haven't already done so, please fill out name and address slips and give them to the City Clerk. The City Council is prohibited by State law from taking action or discussing items not included on the printed agenda. Public comments on specific agenda items will be deferred until consideration of the item on the agenda.

CITY MANAGER UPDATE

ADJOURNMENT

It is the intention of the City of Twentynine Palms to comply with the Americans with Disabilities Act in all respects. If you are a person with a disability who requires a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, please request such modification or accommodation from the City Clerk at (760) 367-4890 (facsimile). Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Please advise us at the time whether you will require accommodations to participate in meetings on a regular basis. Any person affected by any application on this agenda may submit their concerns in writing prior to the meeting or appear in person and be heard in support or opposition to the proposal at the time the matter is considered on the agenda. The staff reports, applications and environmental documents may be viewed at either the office of Community Development or the office of the City Clerk, 6136 Adobe Road, from 7:00 a.m. until 6:00 p.m. Monday through Thursday, except legal holidays. The Invocation is given per Policy 10-01, and does not reflect the views of the City but rather is an expression of speech by a private citizen making the presentation. Telephone inquiries may be made at (760) 367-6799. If you challenge any agenda issue in court, you may be limited to raising only those issues that you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the City of Twentynine Palms at, or prior to, the public meeting.

This notice of agenda is hereby certified to have been posted on or before 6:00 p.m., March 3, 2022.

Cindy Villescasc CMC, City Clerk

Time/Date

**CITY OF TWENTYNINE PALMS
PROCLAMATION**

WOMEN'S HISTORY MONTH

WHEREAS, every March, Women's History Month provides an opportunity to honor the generations of trailblazing women and girls who have built our Nation, shaped our progress, and strengthened our character as people; and

WHEREAS, throughout our history, despite hardship, exclusion, and discrimination, women have strived and sacrificed for equity and equality in communities across the country. Generations of Native American women were stewards of the land and continue to lead the fight for climate justice. Black women fought to end slavery, advocate for civil rights, and pass the Voting Rights Act. Suffragists helped pass the 19th Amendment to the Constitution so that no American could be denied a vote on the basis of sex; and

WHEREAS, women and girls continue to lead groundbreaking civil rights movements for social justice and freedom so that everyone can realize the full promise of America; and

WHEREAS, this Women's History Month, as we reflect on the achievements of women and girls across the centuries and pay tribute to the pioneers who paved the way, let us recommit to the fight and help realize the deeply American vision of a more equal society where every person has a shot at pursuing the American dream. In doing so, we will advance economic growth, our health and safety, and the security of our Nation and the world.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Twentynine Palms, does hereby proclaim March 2022 as **WOMEN'S HISTORY MONTH** and invites everyone to learn more about the vital contribution of women to our Nation's history.

DATED this 8th day of March 2022.

Karmolette O'Gilvie, Mayor



TWENTYNINE PALMS CITY COUNCIL
CITY COUNCIL - REGULAR MEETING MINUTES
City Hall, 6136 Adobe Road, Twentynine Palms, CA 92277
www.29palms.org
January 25, 2022

CALL TO ORDER - Mayor O'Gilvie called the meeting to order at 6:00 p.m.
Pledge of Allegiance - Councilmember Mintz led the Pledge of Allegiance.
Invocation - Rev. Don Thursby, Little Church of the Desert, gave the Invocation.
Roll Call - The following Councilmembers were present: Bilderain, Klink, Mintz, Wright, O'Gilvie.
Closed Session Announcements - None.
Changes to the Agenda - None.

ANNOUNCEMENTS – None.

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Senate Update by Dominic Heiden, Field Representative for Senator Shannon Grove, Sixteenth Senate District.

Field Representative Heiden gave an update on the Sixteenth District's Budget, Unemployment, and the various Bills that are before the Senate.

Councilmember Klink asked about Daylight Savings Time. Representative Heiden replied that there was a Proposition that was voted on so that the Legislature could end Daylight Savings Time, however, the Legislature is not ready to do that yet.

Mayor Pro Tem Wright asked if there is any legislative action in the works for the marijuana grows. Representative Heiden replied that there is.

COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Councilmember Klink mentioned that he attended the SBCTA meeting, he took a tour of the Project Phoenix Multi Activity Center, and it is great to see everyone out there using the facility.

Councilmember Mintz commented that he attended a Ribbon Cutting Ceremony at the Exhale Art Studio, an MBTA Special Board meeting and announced that there will be a VHR Subcommittee virtual meeting Monday, January 31st at 6:00 p.m. He mentioned that he also toured the Project Phoenix area.

Mayor Pro Tem Wright mentioned that he attended the Ribbon Cutting Ceremony at Exhale Art Studio, the MBTA Special Board Meeting, he toured Project Phoenix and thanked those Councilmembers that have been with the City from the beginning helping to make this project come to fruition and he wished everyone in January celebrating a birthday a Happy Birthday.

Mayor O'Gilvie commented that she attended the Ribbon Cutting Ceremony at Exhale Art Studio, she toured Project Phoenix and really enjoyed seeing the great things there. She wished her daughter a Happy Birthday.

Councilmember Klink added that he wanted to wish everyone celebrating a birthday in January a Happy Birthday, especially his daughter and he wished his wife Tory a Happy Anniversary.

CONSENT CALENDAR

2. Waive the Reading of Ordinance and Approve the Reading by Title Only.
3. Treasurer's Report
4. Approval of Project Phoenix Warrant Register Totaling \$2,153,544.93.
5. Approval of Warrant Register Totaling \$2,709,685.86.
6. Electronic Scooters on Roadways.
RECOMMENDATION: The City Council approve Resolution No. 22-02 authorizing the operation of electronic scooters on roadways with a speed limit of 35 miles per hour.
7. Environmental Initial Study (IS) for Trunk Sewer System.
RECOMMENDATION: The City Council authorize the City Manager to negotiate and execute the environmental proposal by Terra Nova Planning and Research, Inc. in the amount of \$173,970.
8. Adopt Resolution to Authorize Submittal of Application to CalRecycle for all CalRecycle Grant and Payment Programs.
RECOMMENDATION: The City Council Adopt Resolution No. 22-03 authorizing the City Manager to submit applications and payment requests related to the administration of all CalRecycle Grant and Payment Programs offered by the California Department of Resources Recycling and Recovery (CalRecycle).
9. Social Equity.
RECOMMENDATION: The City Council authorize the City Manager negotiate and execute a professional service contract with Terra Nova Planning & Research, Inc. for the preparation of a Social Equity Element for the General Plan in the amount, not to exceed, \$42,800.
10. Second Reading and Adoption of an Ordinance Pertaining to Regulation of Solid Waste Including Organic Waste.
RECOMMENDATION: The City Council approve the second reading of Ordinance No. 296 amending in its entirety, Title 10, Chapter 10.04 of the Twentynine Palms Municipal Code pertaining to the Regulation of Solid Waste including Organic Waste.
11. Fire Department Monthly Report - December 2021

ACTION: A motion was made by Councilmember Klink, seconded by Councilmember Mintz to approve the Consent Calendar as submitted.

Councilmember Mintz abstained from Item #4 on the Consent Calendar due to a possible conflict of interest.

The above motion was carried by the following:

ROLL CALL VOTE:

AYES: KLINK, MINTZ, WRIGHT, O'GILVIE

NOES: NONE

ABSTAIN: MINTZ FROM ITEM #4

ABSENT: BILDERAIN

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION - None.

PUBLIC HEARING - None.

DISCUSSION AND POTENTIAL ACTION ITEMS

12. Purchase, Sale, and Development Agreement for Project Phoenix Property.

RECOMMENDATION: The City Council approve the Purchase, Sale, and Development Agreement with Greens Development Inc. for the sale of a property within the boundaries of Project Phoenix for \$438,927 and the subsequent development of a 95-unit hotel.

Councilmember Mintz recused himself from this item due to a possible conflict of interest and left the virtual room at 6:26 p.m.

City Manager Luckino presented the Staff Report. He then passed the floor to Atman Kidakia, Managing Principal with Greens Development, to discuss their development.

Jeffrey Johnson, Twentynine Palms, requested to speak but was unavailable at the time of Public Comment.

Veno Nathraj, Twentynine Palms, expressed his gratitude to Greens Development and welcomed them to the City of Twentynine Palms. He also thanked the City Manager for his choice in picking Greens Development. He wished Greens the best of luck.

E. Leslie, Twentynine Palms, asked if there was an estimated time of completion for the project. Mr. Kidakia replied that they can break ground early next year and it will take approximately 14 months to complete.

ACTION: A motion was made by Councilmember Klink, seconded by Councilmember Mintz to approve the Purchase, Sale, and Development Agreement with Greens Development Inc. for the sale of a property within the boundaries of Project Phoenix for \$438,927 and the subsequent development of a 95-unit hotel.

The above motion was carried by the following:

ROLL CALL VOTE:

AYES: BILDERAIN, KLINK, WRIGHT, O'GILVIE

NOES: NONE

ABSTAIN: MINTZ

ABSENT: NONE

Councilmember Mintz returned to the virtual meeting at 6:54 p.m.

13. Downtown Specific Plan.

RECOMMENDATION: The City Council review the summary of public input, analysis, and recommendations of the draft Downtown Specific Plan and provide feedback to Staff.

Community Development Director Clark presented the Staff Report and PowerPoint Presentation.

14. Voluntary Collection Agreement with HOMEAWAY.COM,INC (VRBO) for Transient Occupancy Tax.

RECOMMENDATION: The City Council approve the Voluntary Collection Agreement with HOMEAWAY.COM, INC, effective March 1, 2022, to collect and remit Transient Occupancy Taxes (TOT) and Tourism Fees on behalf of the Hosts for transactions completed on the VRBO.com internet-based platform and authorize the Tax Administrator to execute such agreement.

City Manager Luckino presented the Staff Report.

ACTION: A motion was made by Councilmember Mintz, seconded by Councilmember Klink to approve the Voluntary Collection Agreement with HOMEAWAY.COM, INC, effective March 1, 2022, to collect and remit Transient Occupancy Taxes (TOT) and Tourism Fees on behalf of the Hosts for transactions completed on the VRBO.com internet-based platform and authorize the Tax Administrator to execute such agreement.

The above motion was carried by the following:

ROLL CALL VOTE:

AYES: BILDERAIN, KLINK, MINTZ, WRIGHT, O'GILVIE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

15. City Council Regional Organizational Assignments.

RECOMMENDATION: The City Council Review Council assignments for Regional Organizations and make appointments as appropriate.

Mayor O'Gilvie briefly discussed the assignments that are currently in place. She requested to go back on the MBTA Board, being a Board representative, replacing Councilmember Mintz. Councilmember Mintz agreed and asked if he could serve as the alternate Board Member. All Councilmembers agreed with the changes.

FUTURE COUNCIL INITIATED ITEMS

1. Discussion on adding sidewalk and picnic tables in Veterans' Park.
2. Shopping Carts.
3. Voting for Mayor each year instead of the current selection process of ascending to the Mayor's seat determined by votes received in the Elections.

Councilmember Wright asked that the solar moratorium be brought back to discuss. Councilmember Bilderrain seconded the item.

PUBLIC COMMENTS

IT Director Eli Marshall read into the record, a comment from Jeffrey Johnson regarding the Groundwater Management Plan 2014 Update.

CITY MANAGER UPDATE

City Manager Luckino gave an update on the Environmental Analysis that was approved in the Consent Calendar,

Shawn Michael, Twentynine Palms, commented on off road vehicles in his area. He commented that he addressed the City Council over a year ago and nothing has been done.

Armando Juarez, Twentynine Palms, asked why Pine Avenue from Old Dale Road to Sullivan Road hasn't been paved. City Manager Luckino replied that within the City, there are some roads that are private and not maintained by the City. Pine Avenue is one of those roads.

Bob Tolentino asked when road paving is going to begin again. City Manager Luckino replied that when the weather begins to warm up, Public Works will begin to pave again.

ADJOURNMENT - Mayor O'Gilvie adjourned the meeting in memory of Kathryn Piersol Crank at 7:53 p.m.

Respectfully submitted,

Cindy Villescas, CMC
City Clerk/PIO
City of Twentynine Palms



TWENTYNINE PALMS CITY COUNCIL
CITY COUNCIL - REGULAR MEETING WITH CLOSED SESSION MINUTES
City Hall, 6136 Adobe Road, Twentynine Palms, CA 92277

www.29palms.org

February 22, 2022

CLOSED SESSION AGENDA

5:15 P.M.

CALL TO ORDER - Mayor O'Gilvie called the meeting to order at 5:15 p.m.

Roll Call - The following Councilmembers were present: Bilderain, Klink, Mintz, Wright and O'Gilvie.

Adjourn to Closed Session - Mayor O'Gilvie adjourned to Closed Session at 5:16 p.m.

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION; Initiation of litigation pursuant to Government Code Section 54956.9 (d) (4) (One Case).

REGULAR SESSION AGENDA

6:00 p.m.

CALL TO ORDER - Mayor O'Gilvie called the Regular Session Meeting to order at 6:01 p.m.

Pledge of Allegiance - Councilmember Bilderain led the Pledge of Allegiance.

Invocation - Pastor John Pollnow, First Assembly of God Church, gave the Invocation.

Roll Call - The following Councilmembers were present: Bilderain, Klink, Mintz, Wright, O'Gilvie.

Closed Session Announcements - Mayor O'Gilvie announced that there was no reportable action from the Closed Session.

Changes to the Agenda - None.

ANNOUNCEMENTS

Mayor O'Gilvie announced that these proceedings may be viewed on demand on the City of Twentynine Palms' website at www.29palms.org. You may also Live Stream this meeting by going on the City website and clicking on the "Meeting Agendas" link.

AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Presentation to the Kiwanis Club for Their Participation in the Cash for Trash and Recycling Program.

Mayor Pro Tem Wright presented a check in the amount of \$300 from Burrtec Waste and Recycling and \$300 from the City of Twentynine Palms to the Kiwanis Club for cleaning up the lot across from the Post Office on Gorgonio Avenue.

COUNCIL COMMENTS AND REPORTS OF MEETINGS ATTENDED

Councilmember Bilderain wished everyone a late Happy Valentine's Day and commented that he did not attend any meetings since the last City Council meeting.

Councilmember Klink mentioned that he attended an SBCTA meeting and a Mountain/Desert Division Measure I meeting.

Councilmember Mintz commented that attended the League of California Cities' Policy Committee meeting virtually, he held his State of the City Address, and it is softball season for the high school.

Mayor Pro Tem Wright commented that he attended the State of the City Address, a JPA meeting, and he wished his mother, his oldest son, and his granddaughter a Happy Birthday.

Mayor O'Gilvie mentioned that she attended the female Marines' organization luncheon, the Family Values Award Dinner where Mayor Pro Tem Wright and his family received an award, and she was a guest speaker for the "Up Close" show with Z107.7.

CONSENT CALENDAR

2. Waive the Reading of Ordinance and Approve the Reading by Title Only.
3. Approval of Minutes of the City Council Meeting Held on February 8, 2022.
4. Morongo Basin Ambulance Report - January 2022.
5. Fire Department Monthly Report - January 2022.
6. Legislative Report - January 2022.
7. Purchase of Property for MBTA (Morongo Basin Transit Agency).

ACTION: A motion was made by Councilmember Mintz, seconded by Councilmember Bilderain to approve the Consent Calendar as submitted.

The above motion was carried by the following

ROLL CALL VOTE:

AYES: BILDERAIN, KLINK, MINTZ, WRIGHT, O'GILVIE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION - None.

PUBLIC HEARING- None.

DISCUSSION AND POTENTIAL ACTION ITEMS

8. Designation of a Delegate and Alternate Delegate for the Southern California Association of Governments (SCAG) Annual General Assembly.

RECOMMENDATION: The City Council select two Councilmembers to serve as Delegate and Alternate Delegate for the Southern California Association of Governments (SCAG) Annual General Assembly.

City Clerk Villescascas presented the Staff Report.

Councilmember Mintz offered to be the Delegate. Mayor O'Gilvie offered to be the Alternate Delegate. All Councilmembers were in favor.

9. City Wastewater and Sewer Project.

RECOMMENDATION: Staff is looking for direction on the following:

1. Does the Council want Staff to pursue the funding with State Water in furtherance of the development of Wastewater Treatment and Sewer;
2. If yes to question above, Staff is recommending funding of development not to exceed \$500,000 (the individual contracts will still come before the Council for approval);
3. If yes to the first question, Staff is recommending a request to the Twentynine Palms Water District to consider a Resolution in support of development of the wastewater and sewer project politically and financially.

City Manager Luckino presented the Staff Report and Power Point Presentation.

Jeffrey Johnson, Twentynine Palms, spoke in opposition of the development of a wastewater treatment and sewer project. He commented that it is important to consider the value of our water here in the desert.

Anna O'Hare, Twentynine Palms, spoke on the concern over the quality of our water, expressing that we do not need another study because the Water District has already studied it.

Three emails were sent to the City Clerk that were read into the record. Emails were from 29 Palms Neighbors, Olive Toscani, Adrain Field, Paul Pearson and Blanca Martinez.

Councilmember Klink commented that this has been going on for quite a few years and he feels this is a good time to try to get these monies to help with this sewer treatment plant.

Mayor Pro Tem Wright mentioned that when he first came on the City Council, one of the items discussed was when the City Council decides to bring in sewer, that we need to consider the lowest cost possible to our constituents, so if we are able to get this funding to help with this, we should go for it.

Councilmember Mintz mentioned that he asked the City Manager what the County's plan is to keep the Landers Landfill, which is where septic sewage is taken from tanks being emptied. City Manager Luckino mentioned that they are already at capacity and eventually the alternative will be to keep waste in trucks until there is availability.

General Manager Ray Kolisz, Twentynine Palms Water District, spoke on the unsaturated zone that is an important component that hasn't been studied and the data needs to be collected to inform the residents of the need or lack of need for a wastewater and sewer system. He commented that the City and the Water District have different missions. The City has a mission for growth and the Water District has a mission for sustainability and the protection of the groundwater.

After a brief discussion, a motion was made by Councilmember Mintz, seconded by Councilmember Bilderein to pursue the funding with State Water in furtherance of the development of Wastewater Treatment and Sewer; approve funding of development not to exceed \$500,000 (the individual contracts will still come before the Council for approval); and send a request to the Twentynine Palms Water District to consider a Resolution in support of development of the wastewater and sewer project politically and financially.

The above motion was carried by the following

ROLL CALL VOTE:

AYES: BILDERAIN, KLINK, MINTZ, WRIGHT, O'GILVIE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

FUTURE COUNCIL INITIATED ITEMS

1. Shade Structures and picnic tables in Veterans' Park.
2. Abandoned shopping carts.
3. Voting for Mayor each year instead of the current selection process of ascending to Mayor's seat determined by votes received in the Elections.
4. Street banners for different events and occasions.

City Manager Luckino commented that the Veterans' Park item will be addressed at the next meeting.

PUBLIC COMMENTS

Roger Thomas, Twentynine Palms, gave an update on the Farmer's Market that is now at its new location at Project Phoenix, expressing that it has been a huge success.

CITY MANAGER UPDATE

City Manager Luckino gave an update on the following: he attended his League Policy committee meeting, Governance and Transparency and Employee Relations. The meeting consisted of the Brown Act as it has changed in relation to COVID and needing to update the regulations of the Brown Act and offer financial training, CalPERS had a great year last year, and the transformation in the downtown area is proving to be a success.

ADJOURNMENT - Mayor O'Gilvie adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Cindy Villescás, CMC
City Clerk/PIO
City of Twentynine Palms



CITY OF TWENTYNINE PALMS
Warrant Register
PPBI Gen Chkng

WARRANT DATE: 3-08-22

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Check / Payment</u>
0013657	1/20/2022	[3592] GREG CROSS	1,500.00
0013658	1/20/2022	[1813] HI-GRADE MATERIALS CO (8115)	15,316.27
0013659	1/24/2022	[3318] ED ROSE CONSTRUCTION INC. (9170)	57,945.74
0013660	1/24/2022	[3318] ED ROSE CONSTRUCTION INC. (9170)	17,054.26
0013668	1/26/2022	[1052] CHARLES ABBOTT ASSOCIATES INC	360.00
0013669	1/26/2022	[1052] CHARLES ABBOTT ASSOCIATES INC	12,270.50
0013671	1/26/2022	[2840] GEOCON INC	13,400.12
0013673	1/26/2022	[1813] HI-GRADE MATERIALS CO (8115)	6,601.22
0013679	1/26/2022	[1182] NV5 INC (8793)	12,951.05
0013693	1/26/2022	[1246] THE VAN DYKE CORP (0750)	20,000.00
0013700	2/02/2022	[3121] AMERICAN EXPRESS	7,228.76
0013715	2/02/2022	[2840] GEOCON INC	1,547.00
0013719	2/02/2022	[3220] JACOBSSON ENGINEERING CONSTRUCTION, INC.	303,445.52
0013722	2/02/2022	[1151] ELIJAH (2503) MARSHALL	2,507.35
0013742	2/09/2022	[3288] BOGH ENGINEERING, INC. (9150)	67,766.62
0013743	2/09/2022	[3288] BOGH ENGINEERING, INC. (9150) - BOGH	3,566.68
0013745	2/09/2022	[3292] CASTON, INC (9148)	10,277.10
0013746	2/09/2022	[3286] CG ACOUSTICS, INC (9140)	4,292.10
0013748	2/09/2022	[3268] CONSTRUCTION ELECTRIC INC. (9124)	61,806.05
0013749	2/09/2022	[3284] CONTINENTAL PLUMBING INC. (9143)	15,522.80
0013754	2/09/2022	[3279] DONALD M HOOVER COMPANY (9136)	21,847.15
0013755	2/09/2022	[3285] FLOORED TILE & STONE (9141)	1,254.00
0013759	2/09/2022	[1813] HI-GRADE MATERIALS CO (8115)	689.41
0013763	2/09/2022	[3294] MCKERNAN INC. (9151)	2,939.30
0013764	2/09/2022	[3283] MONTGOMERY HARDWARE COMPANY (9147)	8,346.21
0013766	2/09/2022	[1182] NV5 INC (8793)	35,692.48
0013768	2/09/2022	[3291] PGC CONSTRUCTION INC (9149)	84,005.65
0013771	2/09/2022	[3280] RND CONTRACTORS INC. (9139)	31,943.75
0013772	2/09/2022	[3282] S C COATINGS CORPORATION (9145)	1,722.35
0013776	2/09/2022	[2919] TILDEN COIL CONSTRUCTORS	62,785.17
0013780	2/09/2022	[3262] VIC'S AIR CONDITIONING AND ELECTRICAL (9092)	21,082.87
0013781	2/09/2022	[3266] WORLD FIRE PROTECTION INC. (9130)	5,092.28
0013812	2/16/2022	[1182] NV5 INC (8793)	3,260.00
0013833	2/23/2022	[3293] LETNER ROOFING COMPANY (9154)	25,104.36
0013849	2/23/2022	[3535] TURNER SIGNS	21,545.00

Total Checks: 962,669.12

Approved by: _____

Date: _____



CITY OF TWENTYNINE PALMS
Warrant Register
PPBI Gen Chkng

WARRANT DATE: 3-08-22

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Check / Payment</u>
0013661	1/24/2022	[3593] STATE CONDEMNATION DEPOSIT FUND	46,575.00
0013662	1/26/2022	[1001] LORI (8411) ABDELNOUR	1,475.00
0013663	1/26/2022	[1007] ANDY'S LANDSCAPE AND TREE SERVICE (3803)	1,975.00
0013664	1/26/2022	[3364] BOX OF KITTENS	2,000.00
0013665	1/26/2022	[3570] ELAINE BRON	75.00
0013666	1/26/2022	[1037] BURRTEC WASTE & RECYCLING (2692)	9,284.10
0013667	1/26/2022	[1052] CHARLES ABBOTT ASSOCIATES INC	42,320.94
0013670	1/26/2022	[1102] FORENSIC DTS INC	97.00
0013672	1/26/2022	[2222] GHD INC (8551)	94,392.06
0013674	1/26/2022	[2183] JOE A GONSALVES & SON	3,000.00
0013675	1/26/2022	[2583] MISSION LINEN SUPPLY (8753)	328.17
0013676	1/26/2022	[1162] MOJAVE DESERT & MOUNTAIN	5,109.00
0013677	1/26/2022	[1173] NATIONWIDE RETIREMENT SOLUTIONS	2,172.57
0013678	1/26/2022	[1172] NATIONWIDE RETIREMENT SOLUTIONS OB	62.60
0013680	1/26/2022	[0001] ONE TIME VENDOR - KATHY MILLER	30.00
0013681	1/26/2022	[0001] ONE TIME VENDOR - KIWANIS CLUB OF TWENTYNINE	300.00
0013682	1/26/2022	[2355] RELIANCE STANDARD LIFE INSURANCE CO.	1,881.60
0013683	1/26/2022	[1504] RICOH USA INC (2168)	17.00
0013684	1/26/2022	[2396] SAN BERNARDINO COUNTY	9,732.45
0013685	1/26/2022	[1230] SCE	418.86
0013686	1/26/2022	[3056] SOAP SUDS CLEANING SERVICE (9049)	1,858.30
0013687	1/26/2022	[3590] SOUTHWEST PROTECTIVE	6,622.00
0013688	1/26/2022	[1249] SPECTRUM	22.17
0013689	1/26/2022	[1249] SPECTRUM	38.20
0013690	1/26/2022	[1249] SPECTRUM	32.85
0013691	1/26/2022	[1249] SPECTRUM	144.98
0013692	1/26/2022	[1249] SPECTRUM	119.99
0013694	1/26/2022	[1269] VALIC C/O JP MORGAN CHASE	2,683.97
0013695	1/26/2022	[1274] VSP	685.08
0013696	1/26/2022	[2528] WELLS FARGO VENDOR FIN SERV	86.74
0013697	1/26/2022	[3594] WILSON TRUCKING	400.00
0013698	2/02/2022	[2463] 4 SPORTS N' MORE (8671)	9,218.97
0013699	2/02/2022	[2680] AIS	96.18
0013701	2/02/2022	[1008] ANIMAL ACTION LEAGUE INC	580.00
0013702	2/02/2022	[2785] COPY CENTER PLUS INC. (8893)	164.21
0013703	2/02/2022	[2268] COUNTY OF SAN BERNARDINO	108.76
0013704	2/02/2022	[1081] STEPHEN F DAVIS	400.00
0013705	2/02/2022	[2930] DEIBERT'S LASER ENGRAVING & IMAGING (8987)	65.00
0013706	2/02/2022	[1086] DEPARTMENT OF CONSERVATION	117.58
0013707	2/02/2022	[3049] DESERT BEACON (9073)	2,600.00
0013708	2/02/2022	[1724] DESERT CYCLE WORKS INC (3606)	45.00
0013709	2/02/2022	[1100] FEDEX	31.26
0013710	2/02/2022	[1106] FRONTIER	800.00

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0013711	2/02/2022	[1106] FRONTIER	78.59
0013712	2/02/2022	[1106] FRONTIER	145.64
0013713	2/02/2022	[1106] FRONTIER	7.04
0013714	2/02/2022	[2793] GARCIA SERVICES (8895)	498.00
0013716	2/02/2022	[3000] GRANICUS	7,000.00
0013717	2/02/2022	[1122] HI DESERT PUBLISHING	716.65
0013718	2/02/2022	[1583] INLAND VALLEY SLADDEN ENGINEERING (2755)	3,000.00
0013720	2/02/2022	[2022] LAMAR COMPANIES (8442)	1,000.00
0013721	2/02/2022	[1149] LLOYD PEST CONTROL CO INC (8202)	452.00
0013723	2/02/2022	[1175] AARON NEVEU	1,312.00
0013724	2/02/2022	[0001] ONE TIME VENDOR - TASHIANNA JACKSON	47.00
0013725	2/02/2022	[0001] ONE TIME VENDOR - JACOB CLARK	132.00
0013726	2/02/2022	[2231] PAYCHEX INC	1,869.61
0013727	2/02/2022	[1213] SAN BERNARDINO CO SHERIFFS DEPT	370,759.00
0013728	2/02/2022	[1215] SAN BERNARDINO COUNTY LICENSE DEPT	324.00
0013729	2/02/2022	[1230] SCE	47.15
0013730	2/02/2022	[1249] SPECTRUM	119.99
0013731	2/02/2022	[1249] SPECTRUM	134.98
0013732	2/02/2022	[1249] SPECTRUM	66.17
0013733	2/02/2022	[1249] SPECTRUM	114.98
0013734	2/02/2022	[1243] THE GAS COMPANY	3,509.78
0013735	2/02/2022	[1259] TWENTYNINE PALMS WATER DISTRICT	585.38
0013736	2/02/2022	[1271] VCA 29 PALMS ANIMAL HOSPITAL (0319)	61.19
0013737	2/02/2022	[1272] VCA YUCCA VALLEY	30.00
0013738	2/08/2022	[0517] DI'ONTE' CHAPPELL	222.64
0013739	2/08/2022	[0517] DI'ONTE' CHAPPELL	404.17
0013740	2/09/2022	[2086] 29 PALMS FOOD PANTRY & OUT REACH MINISTRIES	817.34
0013741	2/09/2022	[3579] MATTHEW ALEXANDER	726.75
0013744	2/09/2022	[1037] BURRTEC WASTE & RECYCLING (2692)	3,706.23
0013747	2/09/2022	[1053] CINTAS CORPORATION (8315)	845.07
0013750	2/09/2022	[1065] COPPER MOUNTAIN COLLEGE	25,000.00
0013751	2/09/2022	[1079] DATA TICKET INC	325.00
0013752	2/09/2022	[1307] DESERT FIRE EXTINGUISHER CO INC (0133)	358.65
0013753	2/09/2022	[1709] DOKKEN ENGINEERING (3504)	25,815.24
0013756	2/09/2022	[1106] FRONTIER	77.15
0013757	2/09/2022	[1106] FRONTIER	180.12
0013758	2/09/2022	[1122] HI DESERT PUBLISHING	1,144.00
0013760	2/09/2022	[2732] HOLT ARCHITECTURE	109,158.20
0013761	2/09/2022	[1133] IMAGE SOURCE	267.15
0013762	2/09/2022	[2164] INNOVATIVE FEDERAL STRATEGIES LLC	3,800.00
0013765	2/09/2022	[1228] NCSI	481.00
0013767	2/09/2022	[1036] PARKER'S BUILDING SUPPLY 29 PALMS (8036)	1,832.35
0013769	2/09/2022	[2499] RACKSPACE US, INC	5,962.97
0013770	2/09/2022	[1203] REACH OUT MORONGO BASIN (5005)	1,135.97
0013773	2/09/2022	[1230] SCE	2,300.87
0013774	2/09/2022	[1231] SPARKLETTS	285.88
0013775	2/09/2022	[1243] THE GAS COMPANY	588.51
0013777	2/09/2022	[3580] TRIPEPI, SMITH AND ASSOCIATES INC.	5,500.00
0013778	2/09/2022	[1268] VAGABOND WELDING SUPPLY	25.86
0013779	2/09/2022	[1271] VCA 29 PALMS ANIMAL HOSPITAL (0319)	61.19
0013782	2/09/2022	[1287] XEROX FINANCIAL SVC	339.70

0013783	2/23/2022	[1178] NEXTEL COMMUNICATIONS	187.48
0013784	2/23/2022	[0001] ONE TIME VENDOR - ALEXANDER LEE WILLIAMS	90.00
0013785	2/23/2022	[0001] ONE TIME VENDOR - AM CONSTRUCTION SUPPLY, INC	299.99
0013786	2/16/2022	[3581] ADVANCED IMAGING SOLUTIONS	198.62
0013787	2/16/2022	[1005] AFLAC	597.62
0013788	2/16/2022	[1008] ANIMAL ACTION LEAGUE INC	1,450.00
0013789	2/16/2022	[1014] ARROWHEAD CREDIT UNION	18,744.98
0013790	2/16/2022	[1017] AUTOZONE (0842)	36.05
0013791	2/16/2022	[3591] AVCOM SERVICES	162.50
0013792	2/16/2022	[1037] BURRTEC WASTE & RECYCLING (2692)	20,735.76
0013793	2/16/2022	[3448] CIRA	490.94
0013794	2/16/2022	[1038] CMRSFP	900.00
0013795	2/16/2022	[1087] DESERT HARDWARE (0301)	39.25
0013796	2/16/2022	[2898] ENVIROMINE, INC	978.75
0013797	2/16/2022	[1100] FEDEX	182.85
0013798	2/16/2022	[1102] FORENSIC DTS INC	508.96
0013799	2/16/2022	[1106] FRONTIER	117.32
0013800	2/16/2022	[1107] FULTON DISTRIBUTING	731.97
0013801	2/16/2022	[2222] GHD INC (8551)	41,652.94
0013802	2/16/2022	[1122] HI DESERT PUBLISHING	987.50
0013803	2/16/2022	[1145] LEAGUE OF CALIFORNIA CITIES	11,002.00
0013804	2/16/2022	[0394] FRANK LUCKINO	303.33
0013805	2/16/2022	[1150] MARK SPEER AUTOMOTIVE (2109)	25.00
0013806	2/16/2022	[3588] METLIFE SMALL BUSINESS CENTER	4,288.84
0013807	2/16/2022	[2953] MOONGLOW ACRES & TRADING CO (8995)	40.00
0013808	2/16/2022	[1167] MORONGO UNIFIED SCHOOL DISTRICT	3,938.39
0013809	2/16/2022	[1173] NATIONWIDE RETIREMENT SOLUTIONS	2,172.57
0013810	2/16/2022	[1172] NATIONWIDE RETIREMENT SOLUTIONS OB	184.98
0013811	2/16/2022	[1177] NEWCO DISTRIBUTORS INCORPORATED	1,478.76
0013813	2/16/2022	[1184] OFFICE DEPOT CREDIT PLAN	783.94
0013814	2/16/2022	[0001] ONE TIME VENDOR - FEATHERS 'N FUR WILDLIFE	300.00
0013815	2/16/2022	[2582] OREILLY	543.74
0013816	2/16/2022	[1213] SAN BERNARDINO CO SHERIFFS DEPT	370,759.00
0013817	2/16/2022	[1230] SCE	5,775.11
0013818	2/16/2022	[3596] RICARDO SORIANO	320.00
0013819	2/16/2022	[1249] SPECTRUM	115.43
0013820	2/16/2022	[1249] SPECTRUM	248.99
0013821	2/16/2022	[1254] TROPHY EXPRESS	46.22
0013822	2/16/2022	[1269] VALIC C/O JP MORGAN CHASE	2,683.97
0013823	2/16/2022	[2528] WELLS FARGO VENDOR FIN SERV	86.74
0013824	2/23/2022	[1001] LORI (8411) ABDELNOUR	1,475.00
0013825	2/23/2022	[3121] AMERICAN EXPRESS	1,038.61
0013826	2/23/2022	[2996] AMERIGAS	235.41
0013827	2/23/2022	[1007] ANDY'S LANDSCAPE AND TREE SERVICE (3803)	1,975.00
0013828	2/23/2022	[1018] AVALON URGENT CARE INC	165.00
0013829	2/23/2022	[1079] DATA TICKET INC	325.00
0013830	2/23/2022	[1103] FRANCO TYP-POSTALIA INC	209.95
0013831	2/23/2022	[0510] ABIGAIL HERNANDEZ CONDE	168.48
0013832	2/23/2022	[2183] JOE A GONSALVES & SON	3,000.00
0013834	2/23/2022	[1167] MORONGO UNIFIED SCHOOL DISTRICT	2,754.33
0013835	2/23/2022	[0519] JORGE MURO	108.71

0013836	2/23/2022	[1173] NATIONWIDE RETIREMENT SOLUTIONS	2,172.57
0013837	2/23/2022	[1172] NATIONWIDE RETIREMENT SOLUTIONS OB	234.06
0013838	2/23/2022	[0328] JACQUELINE PALMER	143.11
0013839	2/23/2022	[2355] RELIANCE STANDARD LIFE INSURANCE CO.	1,736.51
0013840	2/23/2022	[1215] SAN BERNARDINO COUNTY LICENSE DEPT	60.00
0013841	2/23/2022	[1230] SCE	589.06
0013842	2/23/2022	[1744] SIEMENS MOBILITY, INC (4403)	550.00
0013843	2/23/2022	[3056] SOAP SUDS CLEANING SERVICE (9049)	3,833.32
0013844	2/23/2022	[1249] SPECTRUM	370.78
0013845	2/23/2022	[2697] STERICYCLE INC	3.92
0013846	2/23/2022	[2919] TILDEN COIL CONSTRUCTORS	7,074.00
0013847	2/23/2022	[2201] TRANSUNION RISK AND ALTERNATIVE	150.00
0013848	2/23/2022	[3580] TRIPEPI, SMITH AND ASSOCIATES INC.	12,850.00
0013850	2/23/2022	[3597] TWENTYNINE PALMS DOWNTOWN BUSINESS	6,489.00
0013851	2/23/2022	[1269] VALIC C/O JP MORGAN CHASE	2,683.97
0013852	2/23/2022	[1270] VALLEY INDEPENDENT PRINTING	691.00
0013853	2/23/2022	[1271] VCA 29 PALMS ANIMAL HOSPITAL (0319)	273.54
0013854	2/23/2022	[1271] VCA 29 PALMS ANIMAL HOSPITAL (0319)	644.24
0013855	2/23/2022	[1275] VICKIE (3145) WAITE	200.00
0013856	2/23/2022	[2528] WELLS FARGO VENDOR FIN SERV	86.74
0013857	2/23/2022	[1288] YUCCA VALLEY AUTO PARTS INC	117.86
0013858	2/23/2022	[3597] TWENTYNINE PALMS DOWNTOWN BUSINESS	2,600.00
0013859	2/23/2022	[3597] TWENTYNINE PALMS DOWNTOWN BUSINESS	850.00
2020346	1/20/2022	[2231] PAYCHEX INC	273.60
DC012322	1/28/2022	[1044] CALPERS	1,715.05
EFT	1/28/2022		71,705.03
ESCNO0013769	2/14/2022	[1101] FIDELITY NATIONAL TITLE COMPANY	6,000.00
FSAR013122	1/31/2022	[2231] PAYCHEX INC	98.02
GA012722	1/27/2022	[1055] PAYROLL	396.92
HRA021422	2/14/2022	[2367] MIDAMERICA	7,071.87
PRTX012822	1/28/2022	[1055] PAYROLL	16,791.56
RC012322	1/28/2022	[1044] CALPERS	16,450.93
WIRE020922	2/09/2022	[1101] FIDELITY NATIONAL TITLE COMPANY	15,293.19

Total Checks: 1,517,386.58

Approved by: _____

Date: _____



STAFF REPORT

TO: City Council
FROM: City Manager
FOR MEETING: Mar 08 2022

SUBJECT: Investment Policy.

RECOMMENDATION:

The City Council review and approve the City's Investment Policy.

ORDER OF PROCEDURE:

- Request Staff Report (City Manager Presenting)
- Council Questions of Staff
- Council Discussion
- Motion/Second
- Discussion of Motion
- Call the Question

ATTACHMENTS:

- [City of Twentynine Palms Investment Policy](#)

BACKGROUND:

Although it is no longer required by State law, it is generally recommended that each City approve its Investment Policy each year. Normally, the City has done this near the close of each Fiscal Year.

The only change to the current policy is the maximum LAIF account balance, which went from \$50 million to \$75 million.

In order to protect the City, the policy presented is minimal and restrictive in the type of investments permitted.

As of February 28, 2022, the City has investments in the following investment types:

<u>Investment Type</u>	<u>Amount</u>	<u>% of Total</u>
LAIF	\$9,260,115	70.78%
Certificate of Deposit	\$1,473,987	11.27%
Funds Held in Trust	<u>\$2,348,641</u>	<u>17.95%</u>
Total	\$13,082,743	100%

All of the above investments are in compliance with the City's Investment Policy.

ENVIRONMENTAL:

Not applicable

ALTERNATIVES:

The policy could be changed to allow other investments, or the City Council could choose not to approve this policy which would leave the current policy in place.

FISCAL IMPACT:

The policy is conservative relating to investments.

CITY OF TWENTYNINE PALMS

STATEMENT OF INVESTMENT POLICY

Purpose This policy is intended to provide guidelines for the prudent investment of the City's temporary idle cash, and outline policies to maximize the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its idle cash.

Objective The City's cash management system is designed to accurately monitor and forecast expenditures and revenues; thus, enabling the City to invest funds to the fullest extent possible. The City will attempt to obtain the highest yield available as long as such investments meet the criteria established for safety and liquidity.

Policy The City of Twentynine Palms operates its temporary pooled idle cash investments under the prudent person rule. (California Civil Code Section 2261 which states, in essence, that "in investing... property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs ...") This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California (Government Code Section 56300 et seq.)

Investments may be made in the following media:

*Checking accounts or passbook savings account demand deposits with commercial banks

*Local Agency Investment Fund (LAIF) Demand Deposits

*Certificates of Deposit (or Time Deposits) placed with commercial banks

*Treasury Bonds or Securities of the U.S. Government or its agencies

*Negotiable Certificate of Deposit - as authorized in Government Code Section 53601(i), no more than 30 percent of the City Agencies Money may be invested in negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a state-licensed branch of a foreign bank. All purchases must be fully insured by the FDIC or fully collateralized.

Requirements Any Commercial Banks utilized must be fully insured by the Federal Deposit Insurance Corporation (FDIC) for at least \$250,000. Any deposits in excess of the insured amount must be fully collateralized. When there is a significant doubt about the solvency of a governmental insurance agency, the financial institutions utilizing such an agency will also be required to collateralize all City deposits up to the insured amount in addition to such insurance. This requirement will continue until the insurance agency regains a financially healthy status. In utilizing any banks, a review will occur to ensure that the institution is in a sound financial condition.

LAIF Demand Deposits are limited to \$75,000,000 per agency.

A minimum of three quotes will be required on all investments if quotes are the established standard of seeking the best rates, i.e. CDs. Efforts will be made to fully consider local institutions.

A competitive bid process, when practical, will be used to place all investment purchases, other than those that are classified as “new issue” securities.

Financial institutions that the City utilizes must annually submit audited financial statements. Interest must be paid at least semi-annually, quarterly, preferably monthly, and at maturity. Interest must be calculated based on a 360-day year.

Criteria

Criteria for selecting investments and order of priority are as follows:

Safety – The safety and risk associated with an investment refers to the potential for loss of principal, interest or a combination of these amounts. The City only operates in those investments that are considered very safe.

Liquidity – This refers to the ability to “cash in” at any moment in time with a minimal chance of losing some portion of principal or interest. Liquidity is an important investment quality especially when the need for unexpected funds occurs occasionally.

3. Yield – Yield is the potential dollar earnings an investment can provide, and is sometimes described as the rate of return.

Safekeeping Securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the City’s bank or other designated third party trust, in the City’s name and control, whenever possible.

City Constraints The basic premise underlying the City’s investment philosophy is, and will continue to be, to insure that money is always safe and available when needed. Investments will not be made in the following media;

Amounts over \$250,000 which is not collateralized. Negotiable and Non-negotiable Certificates of Deposits over \$250,000 which are not collateralized.

Deposit requirement of periods exceeding 365 days. Deposit or Maturity requirement exceeding 5 years.

The City will generally not invest in an institution, which has not been in business for at least three (3) years or with assets less than \$50 million. As an alternative the City may invest a maximum of \$99,000 in such an institution.



STAFF REPORT

TO: City Council
FROM: City Manager
FOR MEETING: Mar 08 2022

SUBJECT: Project Phoenix Wastewater System Service Contract Amendment.

RECOMMENDATION:

That the City Council:

1. Approve Amendment No. 1 to the contract for the Project Phoenix Wastewater System Operations and Maintenance with the County of San Bernardino Special Districts Department County Service Area 70 (CSA 70) in the amount of \$135,718.92 for a total not-to-exceed amount of \$199,689.00;
2. Authorize the City Manager to execute all documents necessary to execute the Amendment, including any necessary amendments thereto.

ORDER OF PROCEDURE:

- Request Staff Report (City Manager presenting)
- Council Questions of Staff
- Request Public Comment
- Council Discussion
- Motion/Second
- Call the Question

ATTACHMENTS:

- [CSA 70 O&M Contract Amendment No. 1](#)

BACKGROUND:

On February 9, 2021, the City Council approved entering into a contract with CSA 70 for the operation and maintenance of the Project Phoenix Wastewater System. The City does not currently have personnel that possess the specialized expertise needed for sewer system operation and maintenance. The City advertised a Request for Proposals (RFP) for Project Phoenix Wastewater System Maintenance Program in November 2020 and determined that CSA 70 was the most qualified entity to perform the required services. The Contract commenced on March 9, 2021, with an expiration date of March 30, 2022. The contract included a provision to extend the term for an additional two (2) years by amendment with mutual agreement of both the City and CSA 70. During this initial year, CSA 70 has performed all necessary operation and maintenance activities as required by the contract in a timely and professional manner.

The services that have been, and will continue to be provided for the operation and maintenance of the of approximately 2,500 feet on new sewer pipe, associated manholes, service connections, septic tank and seepage pits would include, but not be limited to, the following:

1. Monthly Inspection. Above ground visual inspection of wastewater system including, manhole covers, trench condition, lateral cleanouts, seepage pit covers and sewer cleanouts; provide inspection report identifying results of inspection.
2. Quarterly Inspection. Open all manhole and cleanout covers and visually check for any surcharges; inspect septic tanks and seepage pits to determine pumping needs; provide inspection report identifying results of inspection.
3. Annual Maintenance and Inspection – Wastewater Piping System. Provide flushing/jetting of entire sewer pipe system, and video inspection of complete sewer pipe system; provide inspection report identifying work completed and results.
4. Annual Maintenance and Inspection – Septic Tanks and Seepage Pits. Inspect, monitor and pump septic tanks and/or pits as required by State Water Resources Control Board (SWRCB); haul effluent to approved site for disposal and provide disposal information to City.
5. Annual Report. Prepare an Annual Report as required by SWRCB.
6. Emergencies. Provide on-call service for blockages, sewer system overflows (SSO) and all other emergencies as required.

Attached is the Amendment No. 1 to the Wastewater System Service Contract between City of Twentynine Palms and County Service Area 70. This Amendment includes the fee for operation and maintenance for Year 2 of \$66,528.88 and Year 3 of \$69,190.04. The Amendment also extends the term of the contract to March 31, 2024. All other terms and conditions of the original contract will remain in full force, including a termination clause by either party of sixty (60) days.

It should be noted that the City is completing the design of the second phase of the Project Phoenix Wastewater System which will include the installation of a packaged advanced treatment plant. It is anticipated that the new packaged plant will become operational during the term of this Amendment No. 1. CSA 70 has experienced wastewater treatment plant operations and maintenance Staff and the City anticipates including the packaged plant operations and maintenance into the contract. Staff will be working with CSA 70 during this period and will bring back a second amendment to include the packaged plant operations and maintenance prior to the plant going on-line.

ENVIRONMENTAL:

The City approved a Mitigative Negative Declaration for the entire Project Phoenix project, which included the sewer pipeline installation and operation, on February 12, 2019.

ALTERNATIVES:

The City Council could reject the Amendment No. 1 and re-advertise for a new operator.

FISCAL IMPACT:

This work has been paid by the wastewater rates to the 14 businesses in Project Phoenix, but the majority has been and will be continued to be paid by the General Fund.

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

Contract Number

SAP Number

County Service Area 70

City Contract Representative	Mike Podegracz
Telephone Number	(949) 421-8447
Contractor	County Service Area 70
Contractor Representative	Steve Samaras, Division Manager
Telephone Number	(760) 962-1515
Contract Term	4/1/22 - 3/31/24
Original Contract Amount	\$63,970.08
Amendment Amount	\$135,718.92
Total Contract Amount	\$199,689.00
Cost Center	N/A

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT NO. 1
TO THE
WASTEWATER SYSTEM SERVICE CONTRACT
BETWEEN
COUNTY SERVICE AREA 70
AND
THE CITY OF TWENTYNINE PALMS**

WHEREAS, CSA 70 and the CITY OF TWENTYNINE PALMS (CITY), collectively as the "Parties," entered into a wastewater system service contract (Contract) on March 9, 2021, whereby CSA 70 provides wastewater collection system operations, maintenance, management, and emergency services for the CITY's wastewater collection system located downtown in the City of Twentynine Palms.

WHEREAS, the Parties desire to exercise the two-year option to extend the term of the MOU through March 31, 2024, as set forth in the Contract and to amend certain other terms and conditions of the MOU as more specifically set forth in this Amendment No. 1;

NOW THEREFORE, the Parties mutually agree to the following terms and conditions:

1. Effective April 1, 2022, Section VI. FISCAL PROVISIONS is deleted in its entirety and replaced with the following:

A. The amount of reimbursement under this contract is **\$199,689.00** for operation, maintenance, management of the CITY's wastewater collection system as detailed in the following table. An indirect administrative cost, currently 33.58% percent, is included within the total reimbursement amount and shall be included in all invoices. Indirect administrative costs are approved by the San Bernardino County Board of Supervisors and are subject to change annually.

Maintenance Program Summary				
Type	Year 1 (Completed)	Year 2	Year 3	Comments
Monthly Inspection	\$ 22,641.97	\$ 23,547.65	\$ 24,489.56	12 months
Quarterly Inspection	\$ 5,386.37	\$ 5,601.83	\$ 5,825.90	4 quarters
Annual Maintenance and Inspection	\$ 20,941.74	\$ 21,779.41	\$ 22,650.58	Once annually
Base Emergency Response	\$ 15,000.00	\$ 15,600.00	\$ 16,224.00	Actual Costs based on Rate Schedule
TOTAL:	\$ 63,970.08	\$ 66,528.88	\$ 69,190.04	

The base emergency costs are an estimate for emergency response. Actual costs for labor, vehicles, equipment, materials, and indirect administrative costs will be charged per emergency incident. CSA 70's services and expenses incurred in the performance hereof include employee productive hourly rate, equipment, vehicles, materials, administrative costs, and travel.

B. CSA 70 shall submit invoices to CITY for services rendered on a monthly basis, in arrears, for costs incurred to perform operations, maintenance, and management duties for CITY's Systems as described in this contract. CSA 70 shall charge a four percent (4%) annual increase to the total reimbursement cost for any future employee Compensation Plan for salary/benefit increases, annual equipment increases, or any materials increases that may occur during the term of the service agreement subject to the San Bernardino County Board of Supervisors approval.

C. Invoices submitted by CSA 70 to CITY shall include a breakdown of each service performed and the date the services were performed. Upon receipt of invoices, CITY shall submit payment to CSA 70 within forty-five (45) days.

2. Effective April 1, 2022, Section VII. TERM is deleted in its entirety and replaced with the following:

The Parties hereby exercise the two-year option to extend the term of the Contract with the extended term to commence on April 1, 2022 and expires on March 31, 2024, but the Contract may be terminated earlier in accordance with provisions of Section VIII of this contract. This contract may be renewed or extended for two (2) additional years by amendment with mutual agreement of the Parties, and signed by both Parties.

3. All other provisions and terms of the MOU shall remain in full force and effect and are incorporated herein by this reference. In the event of any conflict between the MOU and the Amendment No. 1, this Amendment No. 1 shall control.

END OF AMENDMENT NO. 1

COUNTY SERVICE AREA 70

►

Curt Hagman, Board Chairman

Dated: _____
SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD
Lynna Monell, Clerk of the Board

By _____
Deputy

CITY OF TWENTYNINE PALMS

(Print or type name of corporation, company, contractor, etc.)

By ► _____
(Authorized signature - sign in blue ink)

Name Frank J. Luckino
(Print or type name of person signing contract)

Title City Manager
(Print or Type)

Dated: _____

Address 6136 Adobe Road, Twentynine Palms,
CA 92277

FOR COUNTY USE ONLY

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
► Aaron Gest, Deputy County Counsel	► _____	► _____
Date _____	Date _____	Date _____



STAFF REPORT

TO: City Council
FROM: Public Works Superintendent
FOR MEETING: Mar 08 2022

SUBJECT: Overlay Paving.

RECOMMENDATION:

The City Council approve the expenditure not to exceed \$190,000.00 from Measure I and Article 8 funding to overlay Valle Vista from Condor Road to Utah Trail and Raymond Way from Mesquite Springs Road to Yucca Avenue.

ORDER OF PROCEDURE:

Request Staff Report (Public Works Superintendent Presenting)
Council Questions of Staff
Request Public Comment
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

ATTACHMENTS:

- [ValleVistaPaving](#)
- [RaymondWayPaving](#)

BACKGROUND:

Public Works Road Staff is seeking approval from the City Council to utilize remaining Measure I and Article 8 funding from Fiscal Year 2021-22 to overlay two sections of roadway in the City of Twentynine Palms. The sections of roadway are Valle Vista from Condor Road to Utah Trail and Raymond Way from Mesquite Springs Road to Yucca Ave. These sections of roadway have warranted an increase in repair procedures over the preceding year due to accelerated deterioration of the road surface. Staff has received many complaints in reference to these two sections which has led Staff to prioritize these projects to complete this fiscal year. These two sections also meet the criteria to be designated as major arterial and connecting roads within the city infrastructure. These projects will help insure safe travel to and from the Marine Corp Air Ground Combat Center.

ENVIRONMENTAL:

None

ALTERNATIVES:

The City Council could choose to deny the proposed projects, and request different projects.

FISCAL IMPACT:

\$190,000.00 in Measure I and Article 8 funding.

Untitled Map

Write a description for your map.

Legend



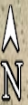
Untitled Map

Write a description for your map.

Legend



Google Earth



1000 ft



STAFF REPORT

TO: City Council
FROM: City Manager
FOR MEETING: Mar 08 2022

SUBJECT: Adopting City Council District Map Pursuant to Election Codes 21607 and 21607.1.

RECOMMENDATION:

That the City Council:

- A. Hold a fourth public hearing regarding the State-mandated redistricting process, pursuant to Elections Code sections 21607 and 21607.1; and
- B. Adopt a Resolution entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWENTYNINE PALMS, CALIFORNIA ADOPTING A DISTRICT MAP FOLLOWING THE 2020 CENSUS PURSUANT TO ELECTIONS CODE SECTIONS 21607 AND 21607.1

ORDER OF PROCEDURE:

Request Staff Report (City Manager Presenting)
Council Questions of Staff
Open the Public Hearing
Receive Public Comment
Close the Public Hearing
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

ATTACHMENTS:

- [NDC Power Point Presentation](#)
- [Redistricting Map - Green](#)
- [Redistricting Map - Tan](#)
- [Redistricting Map - Orange](#)
- [Public Map](#)
- [February 8 2022 Staff Report](#)
- [Resolution No. 22-](#)

BACKGROUND:

Following the results of each decennial census, the Elections Code requires the City to hold at least four public hearings, of which this is the fourth, to discuss the results of the census and its potential impact on the City's district voting map. (Elec. Code §§21607; 21607.1(a).)

DISCUSSION:

The Elections Code requires that two public hearings occur prior to draft maps preparation. Subsequently, two public hearings must occur after draft or proposed maps for redistricting are prepared.

Attached is a presentation from National Demographics Corporation (NDC) that outlines the redistricting process. It explains the variety of criteria that exist for creating districts, includes various proposed maps, and provides related demographics and data. This information will be presented by Todd Tatum of NDC. The draft maps and demographic data from the 2020 Census have all been posted on the City's website since March 1, 2022.

Also attached for reference is the Staff Report from the third public hearing on this topic, which provides information related to the handling of the Marine Corps Base, MCAGCC, in the districting process.

ENVIRONMENTAL:

N/A

ALTERNATIVES:

N/A

FISCAL IMPACT:

There is no additional fiscal impact to this agenda item.



City of Twentynine Palms Redistricting 2021-2022

3/8/2022

Todd Tatum

National Demographics Corporation

Redistricting Rules and Goals

1. Federal Laws

Equal Population
Federal Voting Rights Act
No Racial Gerrymandering



2. California Criteria for Cities (rank ordered)

- 1. Geographically contiguous**
- 2. Undivided neighborhoods and “communities of interest”**
(Socio-economic geographic areas that should be kept together)
- 3. Easily identifiable boundaries**
- 4. Compact**
(Do not bypass one group of people to get to a more distant group of people)

Prohibited:

“Shall not favor or discriminate against a political party.”

3. Other Traditional Redistricting Principles

Minimize voters shifted to different election years
Respect voters’ choices / continuity in office
Future population growth
Preserving the core of existing districts

Initial Draft Maps

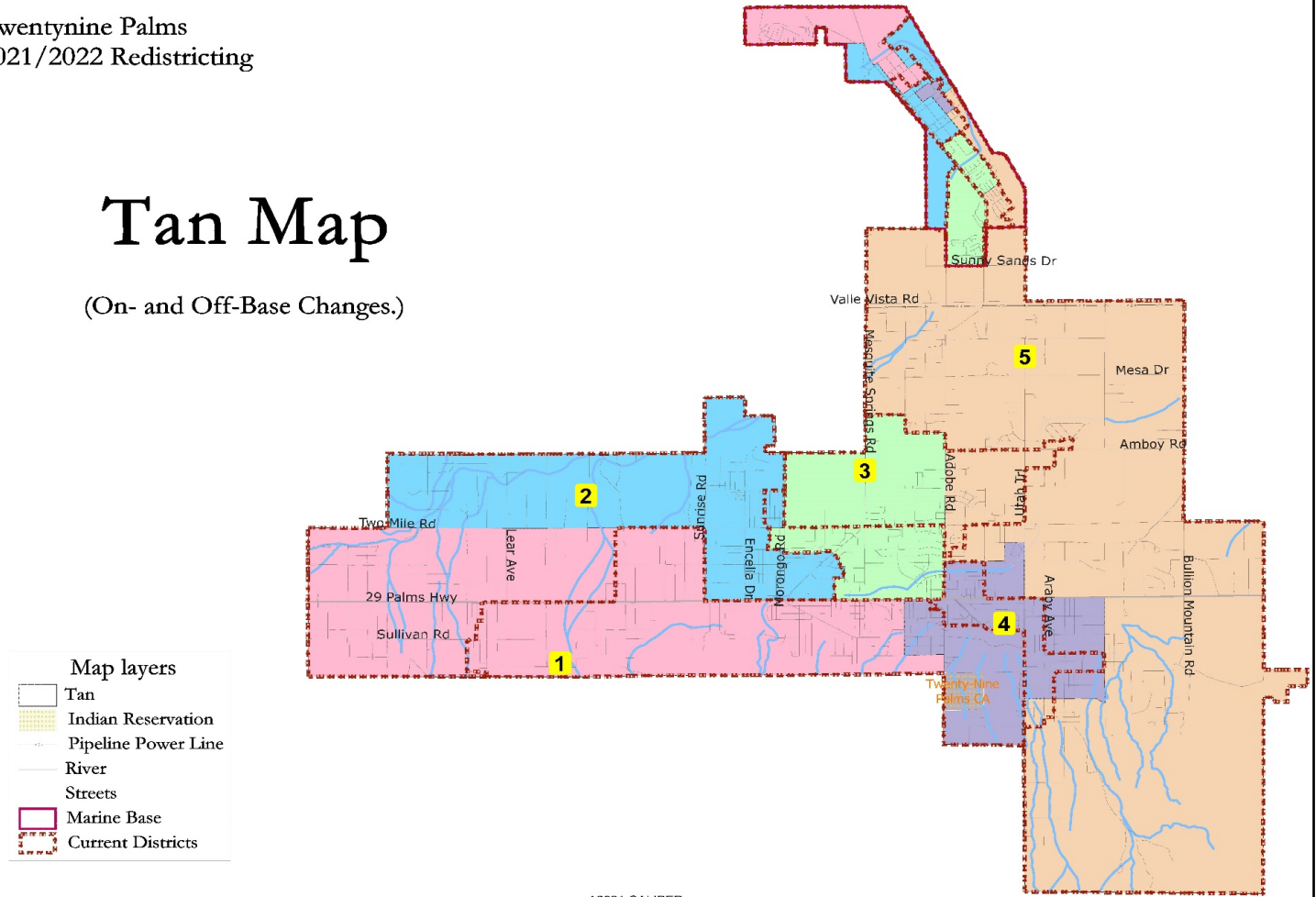
- ❑ Three initial draft maps have been developed by NDC, and 2 draft maps submitted from the Public.
- ❑ All of the maps created by NDC have a deviation under the required 10%.
- ❑ NDC Draft Map Tan has a deviation of 4.64%
- ❑ NDC Draft Map Orange has a deviation of 3.30%
- ❑ NDC Draft Map Green has a deviation of 6.91%
- ❑ Public Map 1 submitted does not meet the criteria for consideration (7 Districts)
- ❑ Public Map 2 has a deviation of 3.59%
- ❑ Existing Districts deviation is 45.74%

NDC Draft Map – Tan

Twentynine Palms
2021/2022 Redistricting

Tan Map

(On- and Off-Base Changes.)



NDC Draft Map – Tan Demographics

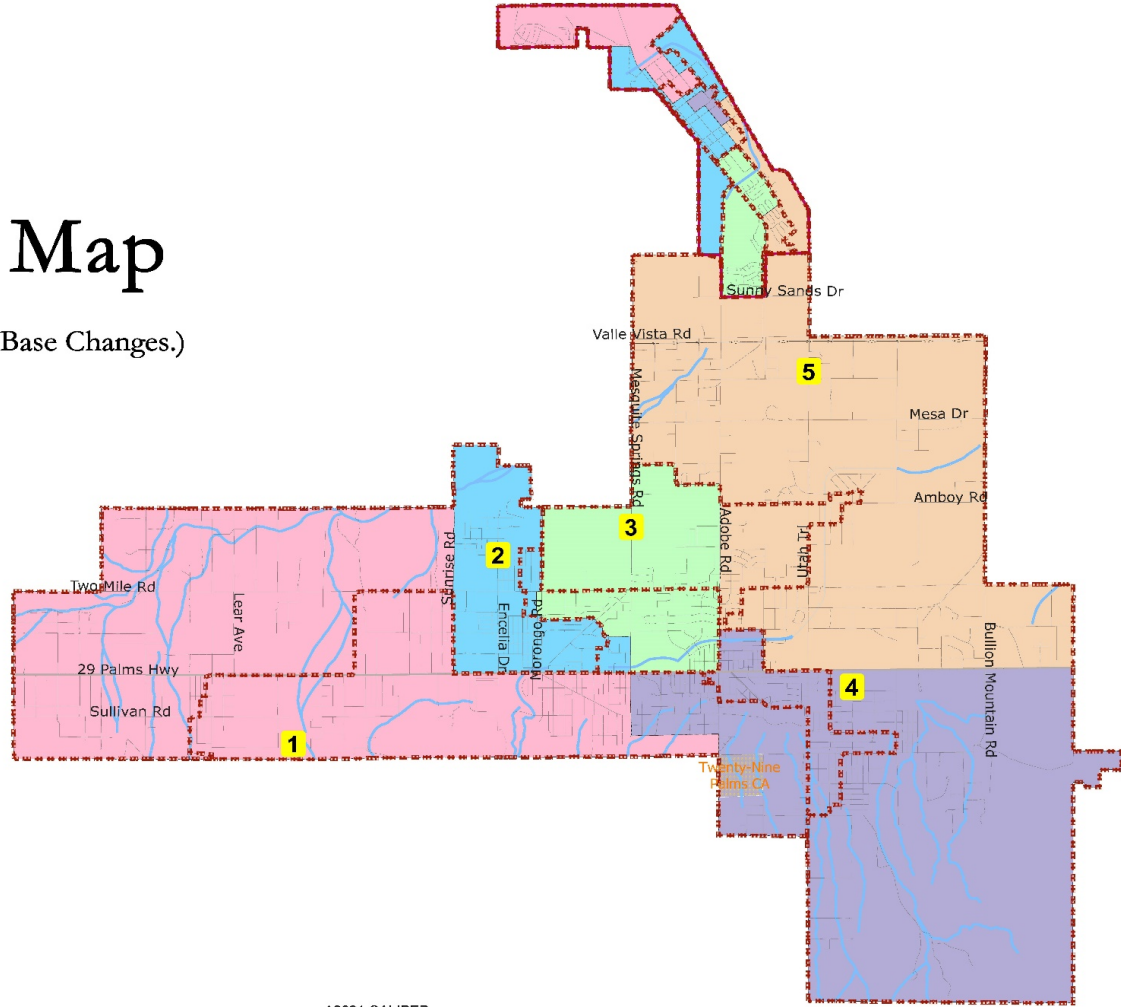
NDC Draft Map - Tan							
District		1	2	3	4	5	Total
	Total Pop	5,617	5,610	5,803	5,570	5,542	28,142
	Deviation from ideal	-11	-18	175	-58	-86	261
	% Deviation	-0.20%	-0.32%	3.11%	-1.03%	-1.53%	4.64%
Total Pop	% Hisp	23.3%	23%	26%	25%	26%	24%
	% NH White	55%	48%	49%	47%	52%	50%
	% NH Black	9%	15%	12%	14%	10%	12%
	% Asian-American	7%	8%	6%	8%	6%	7%
	Total	3,748	3,572	3,577	3,773	3,602	18,272
Citizen Voting Age Pop	% Hisp	18%	18%	23%	19%	26%	21%
	% NH White	67%	62%	58%	59%	54%	60%
	% NH Black	6%	7%	11%	15%	11%	10%
	% Asian/Pac.Isl.	7%	10%	7%	6%	6%	7%
	Total	1,763	1,606	1,761	1,431	1,420	7,981
Voter Registration (Nov 2020)	% Latino est.	14%	15%	18%	17%	15%	16%
	% Spanish-Surnamed	14%	15%	17%	16%	15%	16%
	% Asian-Surnamed	2%	0%	2%	2%	1%	2%
	% Filipino-Surnamed	0%	1%	1%	0%	0%	1%
	% NH White est.	74%	73%	63%	63%	68%	68%
	% NH Black	4%	5%	12%	13%	9%	9%
	Total	1,300	1,112	1,221	999	988	5,620
Voter Turnout (Nov 2020)	% Latino est.	13%	14%	16%	17%	14%	15%
	% Spanish-Surnamed	13%	14%	16%	16%	13%	15%
	% Asian-Surnamed	2%	1%	3%	1%	1%	2%
	% Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	% NH White est.	74%	73%	64%	62%	69%	69%
	% NH Black	4%	4%	11%	12%	8%	8%

NDC Draft Map – Orange

Twentynine Palms
2021/2022 Redistricting

Orange Map

(Large On-Base and Off-Base Changes.)



- Map layers
- Orange
 - Census Block
 - Indian Reservation
 - Pipeline Power Line
 - River
 - Streets
 - Marine Base
 - Current Districts



©2021 CALIPER

NDC Draft Map – Orange Demographics








NDC Draft Map - Orange							
District		1	2	3	4	5	Total
	Total Pop	5,515	5,651	5,701	5,690	5,585	28,142
	Deviation from ideal	-113	23	73	62	-43	186
	% Deviation	-2.01%	0.41%	1.30%	1.10%	-0.76%	3.30%
Total Pop	% Hisp	23.2%	23%	26%	24%	26%	24%
	% NH White	55%	48%	49%	47%	52%	50%
	% NH Black	10%	14%	12%	14%	10%	12%
	% Asian-American	6%	8%	6%	9%	6%	7%
	Total	3,720	3,615	3,499	3,731	3,709	18,272
Citizen Voting Age Pop	% Hisp	18%	18%	23%	17%	28%	21%
	% NH White	67%	62%	58%	59%	54%	60%
	% NH Black	6%	7%	11%	15%	10%	10%
	% Asian/Pac.Isl.	6%	10%	6%	8%	5%	7%
	Total	1,740	1,622	1,719	1,575	1,325	7,981
Voter Registration (Nov 2020)	% Latino est.	14%	16%	18%	15%	16%	16%
	% Spanish-Surnamed	14%	15%	17%	15%	16%	16%
	% Asian-Surnamed	2%	1%	2%	1%	2%	2%
	% Filipino-Surnamed	0%	1%	1%	0%	0%	1%
	% NH White est.	73%	74%	63%	64%	67%	68%
	% NH Black	5%	5%	13%	12%	9%	9%
	Total	1,281	1,127	1,188	1,131	893	5,620
Voter Turnout (Nov 2020)	% Latino est.	13%	15%	16%	15%	15%	15%
	% Spanish-Surnamed	13%	15%	16%	15%	14%	15%
	% Asian-Surnamed	2%	1%	2%	1%	1%	2%
	% Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	% NH White est.	74%	74%	64%	64%	68%	69%
	% NH Black	5%	4%	12%	11%	8%	8%
	Total	1,281	1,127	1,188	1,131	893	5,620

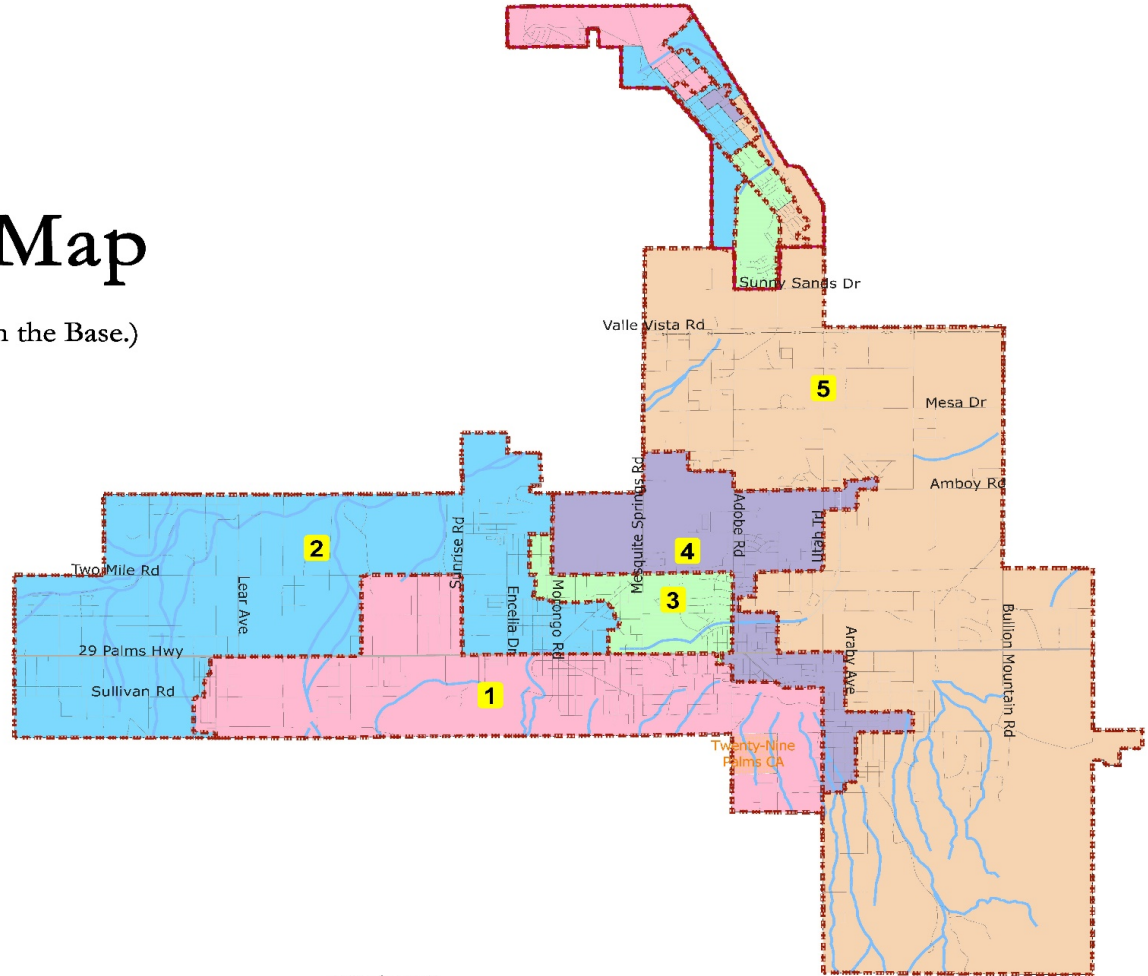
NDC Draft Map – Green

Twentynine Palms
2021/2022 Redistricting

Green Map

(Only changes are on the Base.)

Map layers	
	Green
	Indian Reservation
	Pipeline Power Line
	River
	Streets
	Marine Base
	Current Districts



◆2021 CALIPER



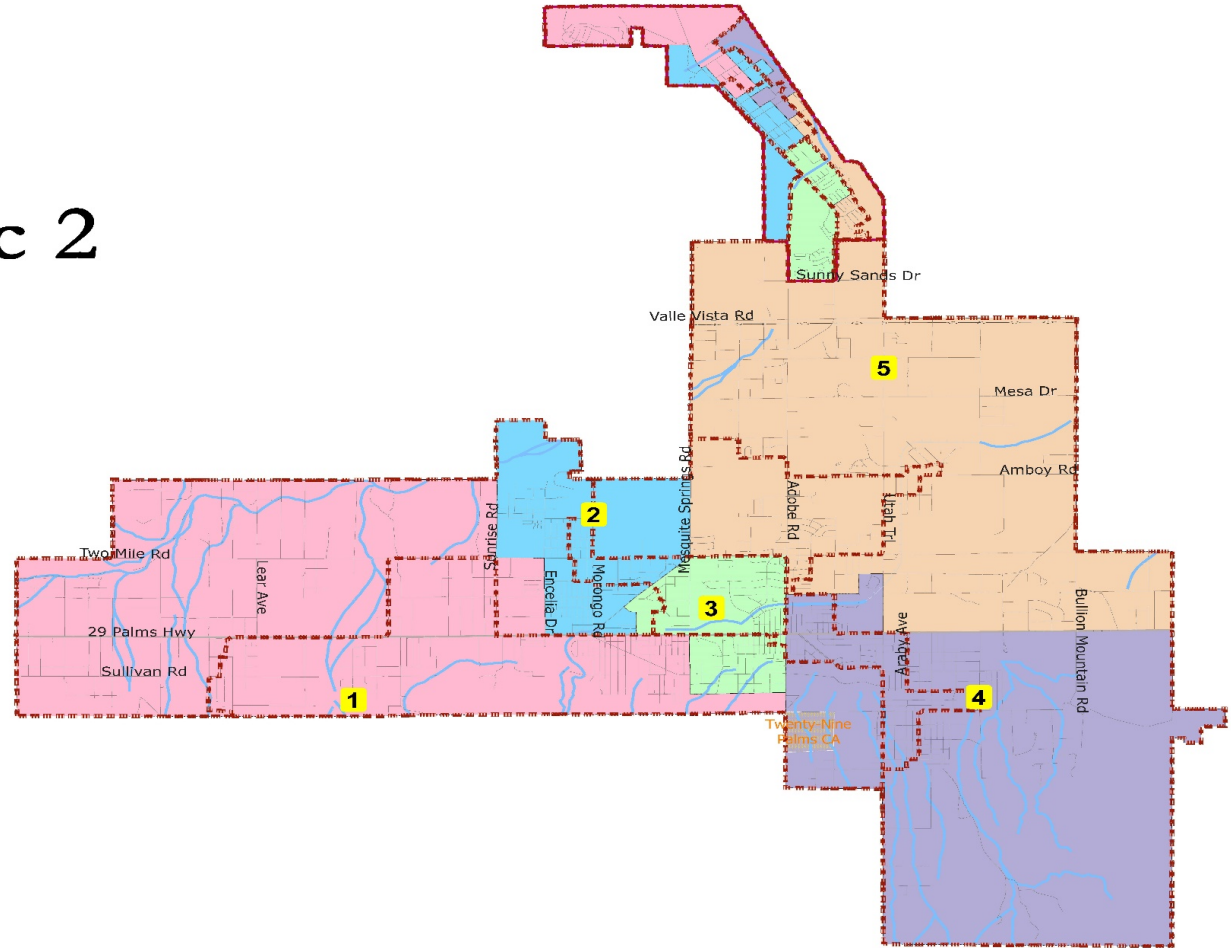
NDC Draft Map – Green Demographics

NDC Draft Map - Green							
District		1	2	3	4	5	Total
	Total Pop	5,713	5,591	5,852	5,523	5,463	28,142
	Deviation from ideal	85	-37	224	-105	-165	389
	% Deviation	1.51%	-0.66%	3.98%	-1.87%	-2.93%	6.91%
Total Pop	% Hisp	23.1%	24%	25%	24%	25%	24%
	% NH White	54%	48%	49%	46%	53%	50%
	% NH Black	10%	14%	12%	15%	10%	12%
	% Asian-American	7%	8%	6%	9%	6%	7%
	Total	3,730	3,671	3,465	3,724	3,681	18,272
Citizen Voting Age Pop	% Hisp	17%	19%	22%	22%	25%	21%
	% NH White	67%	63%	58%	58%	54%	60%
	% NH Black	8%	7%	11%	14%	11%	10%
	% Asian/Pac.Isl.	6%	9%	7%	5%	8%	7%
	Total	1,756	1,592	1,744	1,638	1,251	7,981
Voter Registration (Nov 2020)	% Latino est.	14%	16%	19%	15%	16%	16%
	% Spanish-Surnamed	14%	15%	18%	15%	15%	16%
	% Asian-Surnamed	2%	1%	2%	2%	1%	2%
	% Filipino-Surnamed	1%	1%	1%	0%	1%	1%
	% NH White est.	72%	73%	64%	66%	67%	68%
	% NH Black	6%	5%	12%	12%	9%	9%
	Total	1,283	1,111	1,199	1,206	821	5,620
Voter Turnout (Nov 2020)	% Latino est.	13%	14%	17%	14%	15%	15%
	% Spanish-Surnamed	13%	14%	17%	14%	14%	15%
	% Asian-Surnamed	2%	1%	2%	1%	1%	2%
	% Filipino-Surnamed	0%	1%	2%	1%	1%	1%
	% NH White est.	72%	74%	65%	66%	67%	69%
	% NH Black	6%	4%	11%	11%	7%	8%

Public Map 2

Twentynine Palms
2021/2022 Redistricting

Public 2



- Map layers
- Public 2
 - Indian Reservation
 - Pipeline Power Line
 - River
 - Streets
 - Marine Base
 - Current Districts

©2021 CALIPER



Public Map 2 - Demographics

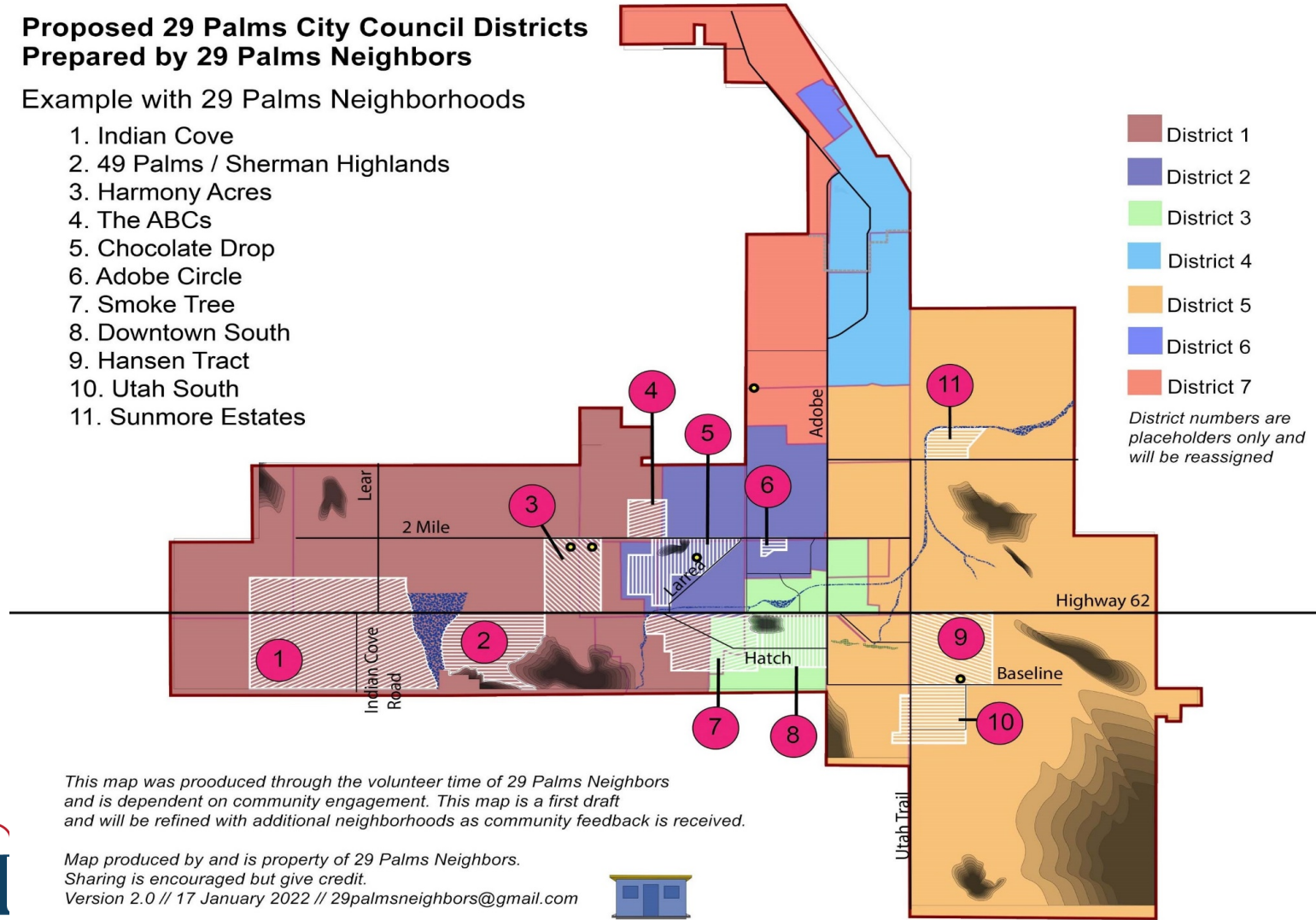
Twentynine Palms Public Map 2							
District		1	2	3	4	5	Total
	Total Pop	5,737	5,725	5,591	5,554	5,535	28,142
	Deviation from ideal	109	97	-37	-74	-93	202
	% Deviation	1.94%	1.72%	-0.66%	-1.31%	-1.65%	3.59%
Total Pop	% Hisp	22.9%	22%	27%	25%	25%	24%
	% NH White	55%	49%	47%	48%	51%	50%
	% NH Black	10%	15%	12%	14%	10%	12%
	% Asian-American	7%	8%	6%	8%	6%	7%
	Total	3,896	3,688	3,212	3,863	3,613	18,272
Citizen Voting Age Pop	% Hisp	18%	18%	22%	20%	27%	21%
	% NH White	66%	63%	58%	58%	55%	60%
	% NH Black	6%	7%	13%	14%	10%	10%
	% Asian/Pac.Isl.	8%	9%	6%	7%	5%	7%
	Total	1,921	1,752	1,433	1,424	1,451	7,981
Voter Registration (Nov 2020)	% Latino est.	14%	15%	19%	16%	15%	16%
	% Spanish-Surnamed	14%	15%	19%	16%	15%	16%
	% Asian-Surnamed	2%	1%	3%	1%	2%	2%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
	% NH White est.	74%	73%	58%	65%	68%	68%
	% NH Black	5%	5%	15%	12%	8%	9%
	Total	1,418	1,219	964	1,000	1,019	5,620
Voter Turnout (Nov 2020)	% Latino est.	13%	14%	18%	16%	14%	15%
	% Spanish-Surnamed	13%	14%	18%	16%	13%	15%
	% Asian-Surnamed	2%	1%	3%	1%	1%	2%
	% Filipino-Surnamed	0%	1%	1%	0%	1%	1%
	% NH White est.	74%	74%	58%	65%	69%	69%
	% NH Black	5%	4%	14%	11%	8%	8%
	Total	1,418	1,219	964	1,000	1,019	5,620

Public Map – 7 Districts

Proposed 29 Palms City Council Districts Prepared by 29 Palms Neighbors

Example with 29 Palms Neighborhoods

1. Indian Cove
2. 49 Palms / Sherman Highlands
3. Harmony Acres
4. The ABCs
5. Chocolate Drop
6. Adobe Circle
7. Smoke Tree
8. Downtown South
9. Hansen Tract
10. Utah South
11. Sunmore Estates



This map was produced through the volunteer time of 29 Palms Neighbors and is dependent on community engagement. This map is a first draft and will be refined with additional neighborhoods as community feedback is received.

Map produced by and is property of 29 Palms Neighbors.
Sharing is encouraged but give credit.
Version 2.0 // 17 January 2022 // 29palmsneighbors@gmail.com



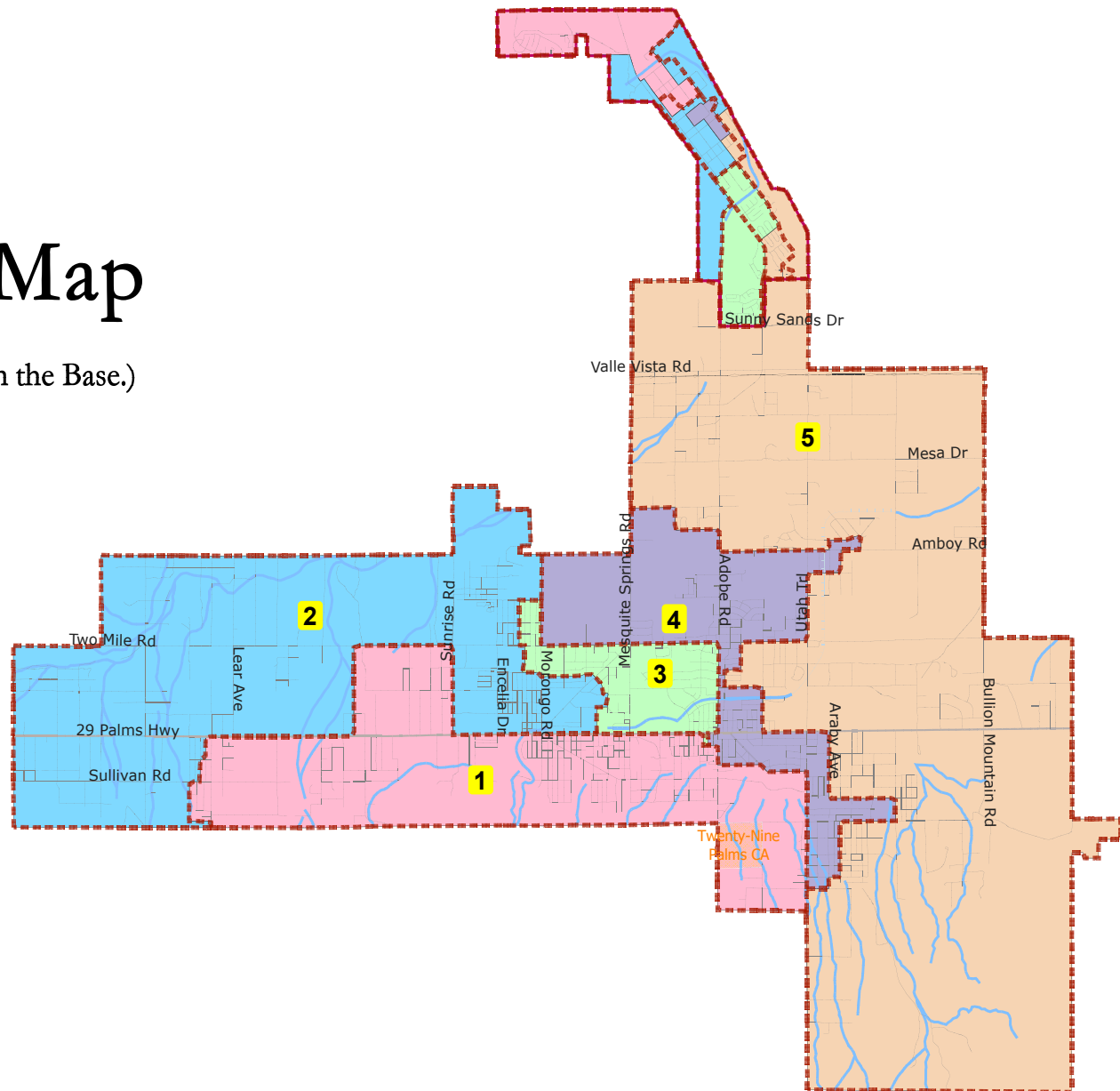
Discussion

- Conduct a Public Hearing
- Choose the Preferred Map.
- Introduce the Resolution to adopt the Preferred Map.

Green Map

(Only changes are on the Base.)

- Map layers
- Green
 - Indian Reservation
 - Pipeline Power Line
 - River
 - Streets
 - Marine Base
 - Current Districts



Green							
District		1	2	3	4	5	Total
	Total Pop	5,713	5,591	5,852	5,523	5,463	28,142
	Deviation from ideal	85	-37	224	-105	-165	389
	% Deviation	1.51%	-0.66%	3.98%	-1.87%	-2.93%	6.91%
Total Pop	% Hisp	23.1%	24%	25%	24%	25%	24%
	% NH White	54%	48%	49%	46%	53%	50%
	% NH Black	10%	14%	12%	15%	10%	12%
	% Asian-American	7%	8%	6%	9%	6%	7%
Citizen Voting Age Pop	Total	3,730	3,671	3,465	3,724	3,681	18,272
	% Hisp	17%	19%	22%	22%	25%	21%
	% NH White	67%	63%	58%	58%	54%	60%
	% NH Black	8%	7%	11%	14%	11%	10%
Voter Registration (Nov 2020)	% Asian/Pac.Isl.	6%	9%	7%	5%	8%	7%
	Total	1,756	1,592	1,744	1,638	1,251	7,981
	% Latino est.	14%	16%	19%	15%	16%	16%
	% Spanish-Surnamed	14%	15%	18%	15%	15%	16%
	% Asian-Surnamed	2%	1%	2%	2%	1%	2%
	% Filipino-Surnamed	1%	1%	1%	0%	1%	1%
Voter Turnout (Nov 2020)	% NH White est.	72%	73%	64%	66%	67%	68%
	% NH Black	6%	5%	12%	12%	9%	9%
	Total	1,283	1,111	1,199	1,206	821	5,620
	% Latino est.	13%	14%	17%	14%	15%	15%
	% Spanish-Surnamed	13%	14%	17%	14%	14%	15%
	% Asian-Surnamed	2%	1%	2%	1%	1%	2%
Voter Turnout (Nov 2018)	% Filipino-Surnamed	0%	1%	2%	1%	1%	1%
	% NH White est.	72%	74%	65%	66%	67%	69%
	% NH Black	6%	4%	11%	11%	7%	8%
	Total	853	674	647	734	507	3,415
	% Latino est.	11%	13%	11%	12%	11%	12%
	% Spanish-Surnamed	11%	13%	11%	12%	11%	12%
ACS Pop. Est.	% Asian-Surnamed	1%	1%	1%	1%	2%	1%
	% Filipino-Surnamed	0%	0%	1%	0%	1%	1%
	% NH White est.	74%	72%	68%	66%	67%	70%
	% NH Black est.	5%	3%	11%	11%	7%	7%
Age	Total	5,202	4,946	5,200	5,114	5,490	25,952
	age0-19	30%	31%	33%	32%	35%	32%
	age20-60	56%	58%	61%	58%	58%	58%
Immigration	age60plus	14%	10%	6%	10%	7%	10%
	immigrants	7%	8%	7%	6%	5%	7%
Language spoken at home	naturalized	60%	70%	62%	47%	49%	59%
	english	85%	86%	85%	86%	86%	85%
	spanish	12%	7%	10%	11%	10%	10%
	asian-lang	3%	6%	4%	2%	3%	3%
Language Fluency	other lang	0%	0%	1%	1%	1%	1%
	Speaks Eng. "Less than Very Well"	6%	4%	3%	3%	3%	4%
Education (among those age 25+)	hs-grad	53%	59%	65%	60%	64%	60%
	bachelor	13%	16%	12%	15%	12%	14%
	graduatedegree	8%	8%	6%	6%	6%	7%
Child in Household	child-under18	35%	36%	43%	31%	41%	38%
Pct of Pop. Age 16+	employed	67%	75%	74%	72%	71%	72%
Household Income	income 0-25k	24%	20%	24%	31%	29%	26%
	income 25-50k	28%	28%	36%	27%	34%	31%
	income 50-75k	15%	20%	21%	19%	18%	19%
	income 75-200k	30%	30%	19%	22%	18%	23%
	income 200k-plus	2%	1%	0%	1%	0%	1%
Housing Stats	single family	86%	95%	67%	75%	68%	77%
	multi-family	14%	5%	33%	25%	32%	23%
	rented	58%	51%	85%	61%	76%	68%
	owned	42%	49%	15%	39%	24%	32%

Total population data from the 2020 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

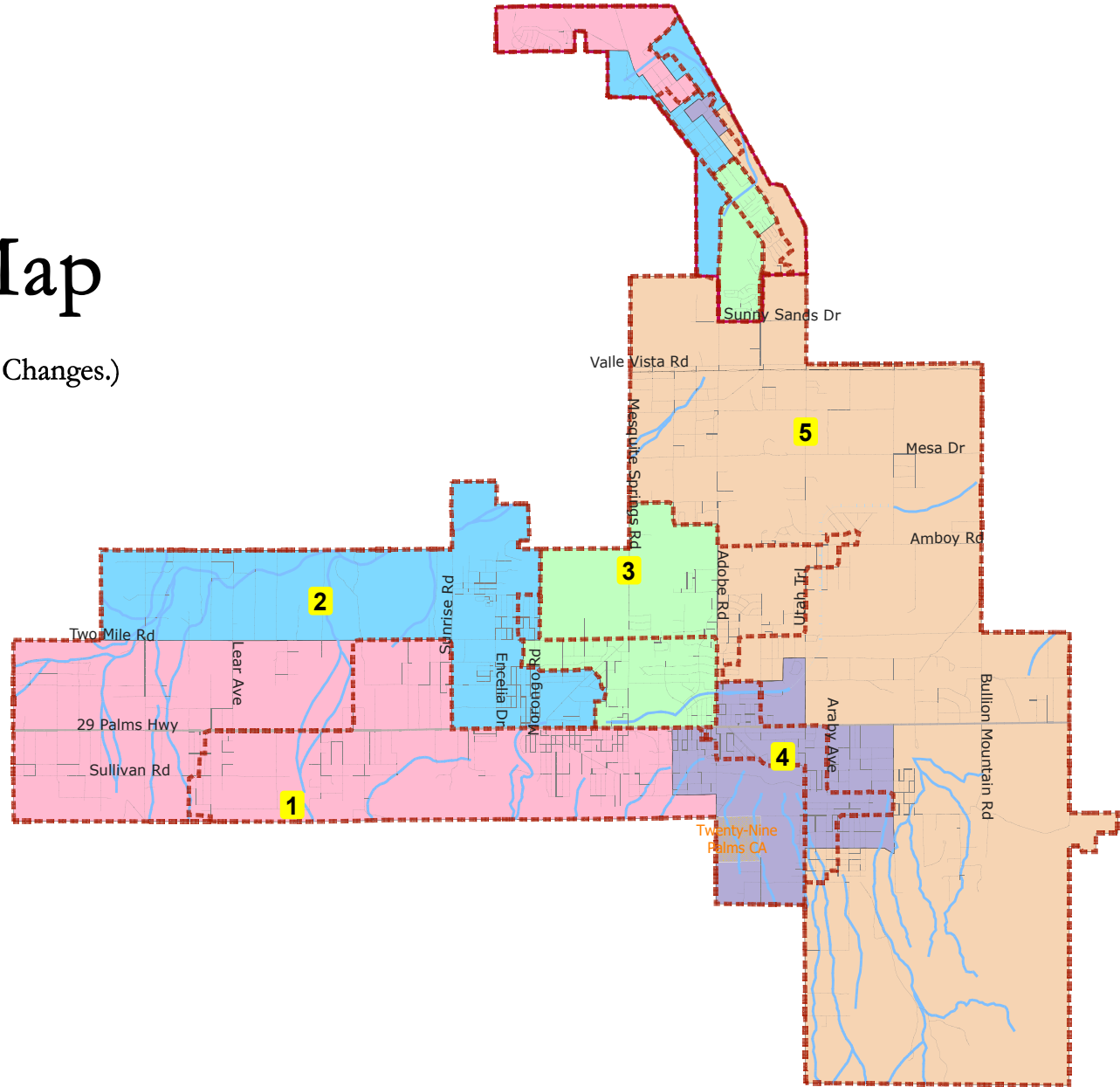
Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.

Tan Map

(On- and Off-Base Changes.)

Map layers

- Tan
- Indian Reservation
- Pipeline Power Line
- River
- Streets
- Marine Base
- Current Districts



Tan							
District		1	2	3	4	5	Total
	Total Pop	5,617	5,610	5,803	5,570	5,542	28,142
	Deviation from ideal	-11	-18	175	-58	-86	261
	% Deviation	-0.20%	-0.32%	3.11%	-1.03%	-1.53%	4.64%
Total Pop	% Hisp	23.3%	23%	26%	25%	26%	24%
	% NH White	55%	48%	49%	47%	52%	50%
	% NH Black	9%	15%	12%	14%	10%	12%
	% Asian-American	7%	8%	6%	8%	6%	7%
Citizen Voting Age Pop	Total	3,748	3,572	3,577	3,773	3,602	18,272
	% Hisp	18%	18%	23%	19%	26%	21%
	% NH White	67%	62%	58%	59%	54%	60%
	% NH Black	6%	7%	11%	15%	11%	10%
Voter Registration (Nov 2020)	% Asian/Pac.Isl.	7%	10%	7%	6%	6%	7%
	Total	1,763	1,606	1,761	1,431	1,420	7,981
	% Latino est.	14%	15%	18%	17%	15%	16%
	% Spanish-Surnamed	14%	15%	17%	16%	15%	16%
	% Asian-Surnamed	2%	0%	2%	2%	1%	2%
	% Filipino-Surnamed	0%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2020)	% NH White est.	74%	73%	63%	63%	68%	68%
	% NH Black	4%	5%	12%	13%	9%	9%
	Total	1,300	1,112	1,221	999	988	5,620
	% Latino est.	13%	14%	16%	17%	14%	15%
	% Spanish-Surnamed	13%	14%	16%	16%	13%	15%
	% Asian-Surnamed	2%	1%	3%	1%	1%	2%
Voter Turnout (Nov 2018)	% Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	% NH White est.	74%	73%	64%	62%	69%	69%
	% NH Black	4%	4%	11%	12%	8%	8%
	Total	898	658	658	570	631	3,415
	% Latino est.	10%	13%	11%	15%	10%	12%
	% Spanish-Surnamed	10%	13%	11%	15%	10%	12%
ACS Pop. Est.	% Asian-Surnamed	1%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	0%	1%	1%	1%	0%	1%
	% NH White est.	76%	72%	66%	60%	70%	70%
	% NH Black est.	5%	3%	12%	10%	8%	7%
	Total	5,276	4,674	5,392	5,084	5,526	25,952
	Age	age0-19	30%	30%	34%	33%	34%
age20-60		56%	60%	60%	58%	57%	58%
age60plus		14%	10%	6%	9%	9%	10%
Immigration	immigrants	6%	9%	7%	6%	6%	7%
	naturalized	59%	74%	56%	53%	46%	59%
Language spoken at home	english	85%	86%	84%	88%	85%	85%
	spanish	12%	8%	11%	8%	11%	10%
	asian-lang	3%	6%	4%	2%	3%	3%
	other lang	0%	0%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	6%	4%	3%	3%	3%	4%
Education (among those age 25+)	hs-grad	54%	61%	63%	61%	62%	60%
	bachelor	14%	14%	14%	13%	14%	14%
	graduatedegree	9%	8%	6%	5%	6%	7%
Child in Household	child-under18	37%	32%	45%	29%	41%	38%
Pct of Pop. Age 16+	employed	68%	76%	72%	73%	70%	72%
Household Income	income 0-25k	19%	19%	24%	39%	28%	26%
	income 25-50k	29%	26%	37%	28%	33%	31%
	income 50-75k	16%	26%	19%	16%	18%	19%
	income 75-200k	33%	29%	20%	16%	20%	23%
	income 200k-plus	3%	0%	1%	1%	1%	1%
Housing Stats	single family	91%	95%	67%	68%	71%	77%
	multi-family	9%	5%	33%	32%	29%	23%
	rented	54%	55%	84%	66%	74%	68%
	owned	46%	45%	16%	34%	26%	32%

Total population data from the 2020 Decennial Census.

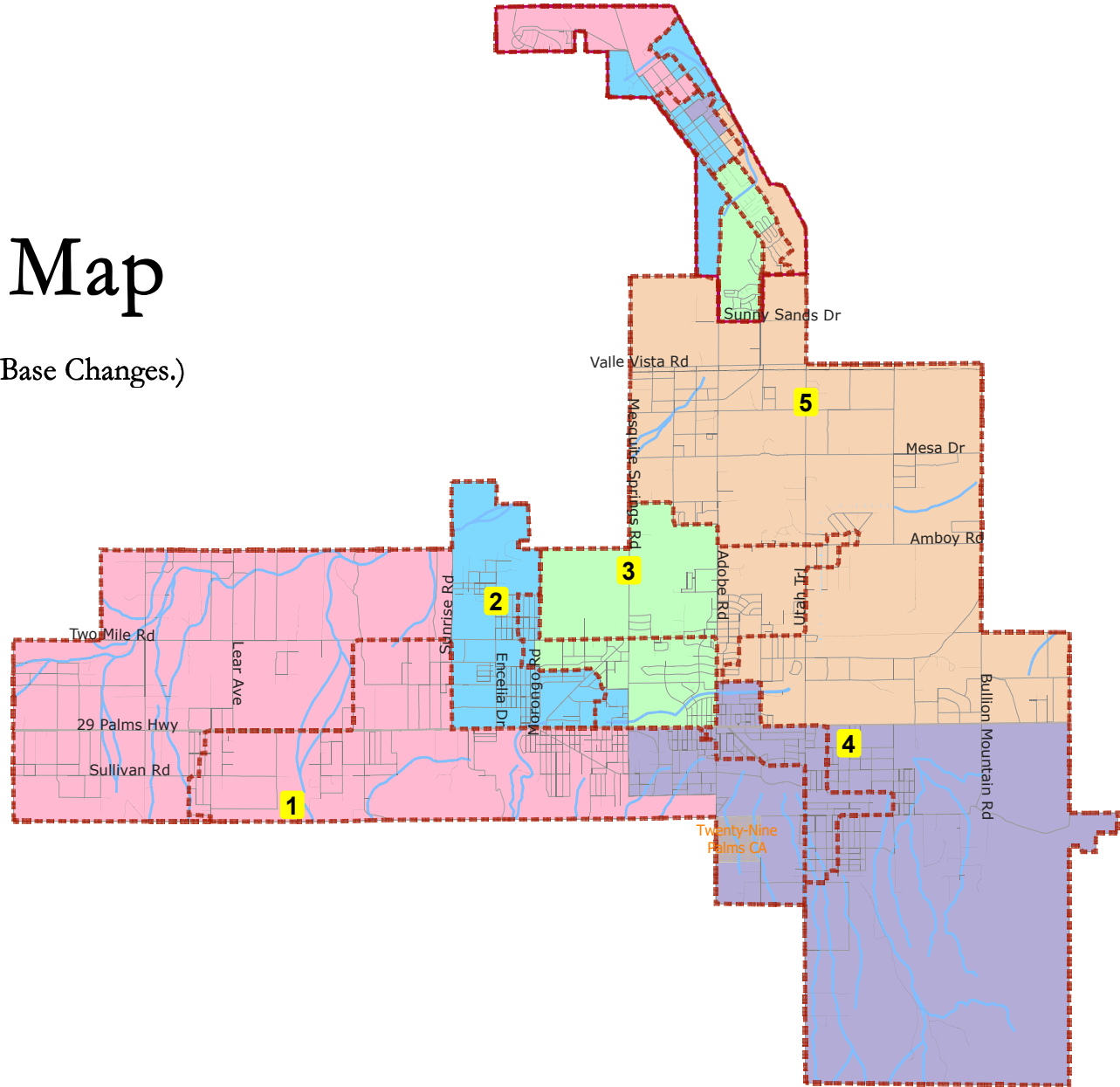
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Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.

Orange Map

(Large On-Base and Off-Base Changes.)

- Map layers
- Orange
 - Census Block
 - Indian Reservation
 - Pipeline Power Line
 - River
 - Streets
 - Marine Base
 - Current Districts



Orange							
District		1	2	3	4	5	Total
	Total Pop	5,515	5,651	5,701	5,690	5,585	28,142
	Deviation from ideal	-113	23	73	62	-43	186
	% Deviation	-2.01%	0.41%	1.30%	1.10%	-0.76%	3.30%
Total Pop	% Hisp	23.2%	23%	26%	24%	26%	24%
	% NH White	55%	48%	49%	47%	52%	50%
	% NH Black	10%	14%	12%	14%	10%	12%
	% Asian-American	6%	8%	6%	9%	6%	7%
Citizen Voting Age Pop	Total	3,720	3,615	3,499	3,731	3,709	18,272
	% Hisp	18%	18%	23%	17%	28%	21%
	% NH White	67%	62%	58%	59%	54%	60%
	% NH Black	6%	7%	11%	15%	10%	10%
Voter Registration (Nov 2020)	% Asian/Pac.Isl.	6%	10%	6%	8%	5%	7%
	Total	1,740	1,622	1,719	1,575	1,325	7,981
	% Latino est.	14%	16%	18%	15%	16%	16%
	% Spanish-Surnamed	14%	15%	17%	15%	16%	16%
	% Asian-Surnamed	2%	1%	2%	1%	2%	2%
	% Filipino-Surnamed	0%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2020)	% NH White est.	73%	74%	63%	64%	67%	68%
	% NH Black	5%	5%	13%	12%	9%	9%
	Total	1,281	1,127	1,188	1,131	893	5,620
	% Latino est.	13%	15%	16%	15%	15%	15%
	% Spanish-Surnamed	13%	15%	16%	15%	14%	15%
	% Asian-Surnamed	2%	1%	2%	1%	1%	2%
Voter Turnout (Nov 2018)	% Filipino-Surnamed	0%	1%	2%	0%	1%	1%
	% NH White est.	74%	74%	64%	64%	68%	69%
	% NH Black	5%	4%	12%	11%	8%	8%
	Total	891	670	631	666	557	3,415
	% Latino est.	10%	14%	11%	14%	11%	12%
	% Spanish-Surnamed	10%	14%	11%	14%	11%	12%
ACS Pop. Est.	% Asian-Surnamed	1%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	0%	1%	1%	1%	1%	1%
	% NH White est.	76%	73%	66%	63%	68%	70%
	% NH Black est.	5%	2%	13%	10%	7%	7%
	Total	5,214	4,720	5,283	5,113	5,622	25,952
	Age	age0-19	30%	30%	34%	33%	35%
age20-60		56%	60%	60%	57%	57%	58%
age60plus		14%	10%	6%	10%	8%	10%
Immigration	immigrants	6%	10%	6%	6%	6%	7%
	naturalized	59%	74%	56%	53%	45%	59%
Language spoken at home	english	84%	85%	84%	89%	84%	85%
	spanish	12%	8%	12%	7%	12%	10%
	asian-lang	3%	6%	3%	2%	2%	3%
	other lang	0%	1%	1%	1%	1%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	6%	4%	3%	3%	3%	4%
Education (among those age 25+)	hs-grad	54%	61%	63%	60%	63%	60%
	bachelor	14%	14%	14%	14%	13%	14%
	graduatedegree	9%	8%	6%	5%	6%	7%
Child in Household	child-under18	37%	33%	45%	28%	42%	38%
Pct of Pop. Age 16+	employed	68%	75%	72%	73%	70%	72%
Household Income	income 0-25k	18%	19%	24%	39%	29%	26%
	income 25-50k	29%	26%	37%	26%	35%	31%
	income 50-75k	17%	26%	19%	15%	18%	19%
	income 75-200k	33%	29%	20%	18%	18%	23%
	income 200k-plus	3%	0%	1%	1%	1%	1%
Housing Stats	single family	92%	95%	66%	75%	64%	77%
	multi-family	8%	5%	34%	25%	36%	23%
	rented	53%	56%	84%	59%	79%	68%
	owned	47%	44%	16%	41%	21%	32%

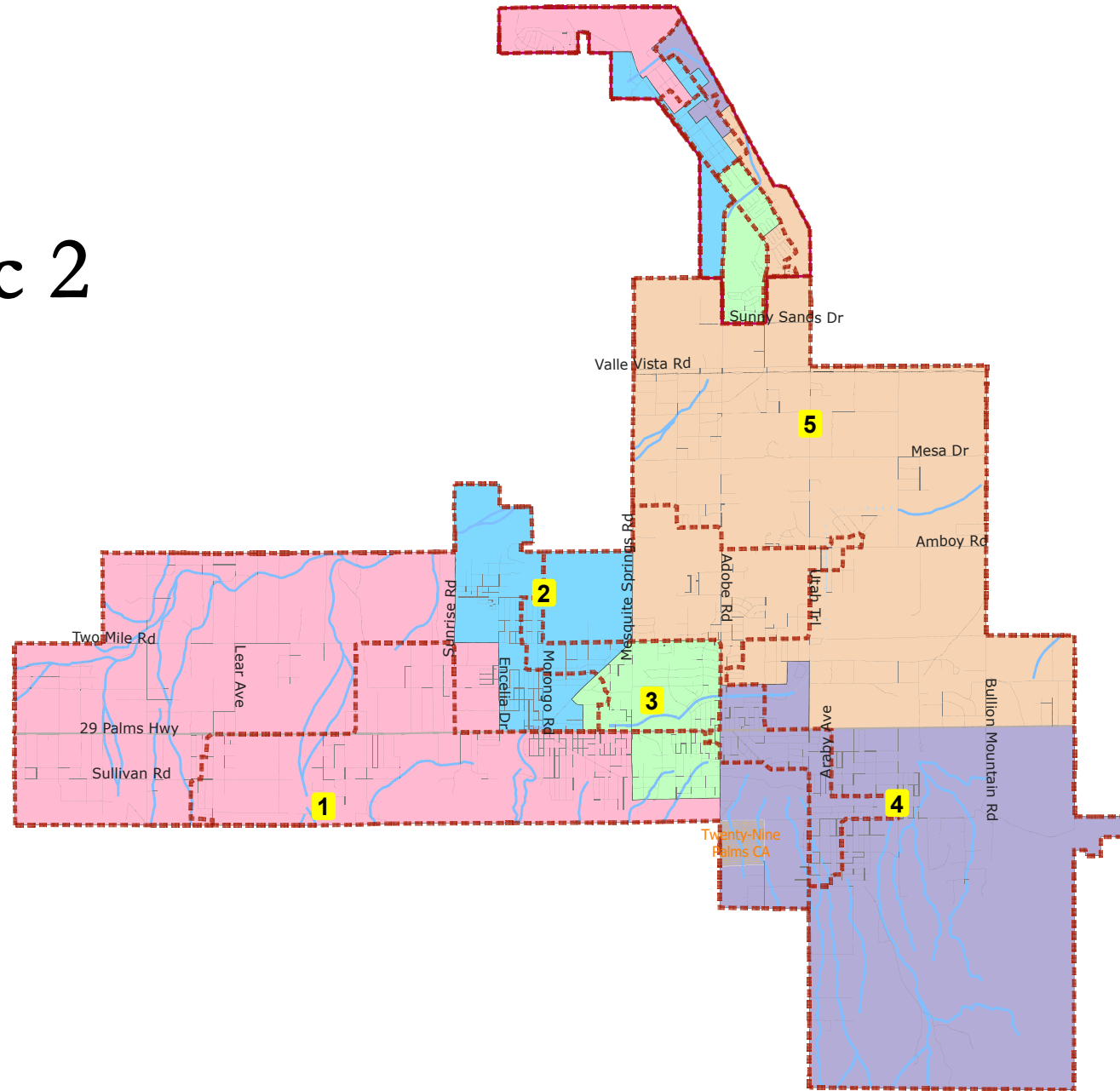
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Twentynine Palms
2021/2022 Redistricting

Public 2



◆2021 CALIPER

Public 2							
District		1	2	3	4	5	Total
	Total Pop	5,737	5,725	5,591	5,554	5,535	28,142
	Deviation from ideal	109	97	-37	-74	-93	202
	% Deviation	1.94%	1.72%	-0.66%	-1.31%	-1.65%	3.59%
Total Pop	% Hisp	22.9%	22%	27%	25%	25%	24%
	% NH White	55%	49%	47%	48%	51%	50%
	% NH Black	10%	15%	12%	14%	10%	12%
	% Asian-American	7%	8%	6%	8%	6%	7%
Citizen Voting Age Pop	Total	3,896	3,688	3,212	3,863	3,613	18,272
	% Hisp	18%	18%	22%	20%	27%	21%
	% NH White	66%	63%	58%	58%	55%	60%
	% NH Black	6%	7%	13%	14%	10%	10%
Voter Registration (Nov 2020)	% Asian/Pac.Isl.	8%	9%	6%	7%	5%	7%
	Total	1,921	1,752	1,433	1,424	1,451	7,981
	% Latino est.	14%	15%	19%	16%	15%	16%
	% Spanish-Surnamed	14%	15%	19%	16%	15%	16%
	% Asian-Surnamed	2%	1%	3%	1%	2%	2%
	% Filipino-Surnamed	1%	1%	1%	0%	0%	1%
Voter Turnout (Nov 2020)	% NH White est.	74%	73%	58%	65%	68%	68%
	% NH Black	5%	5%	15%	12%	8%	9%
	Total	1,418	1,219	964	1,000	1,019	5,620
	% Latino est.	13%	14%	18%	16%	14%	15%
	% Spanish-Surnamed	13%	14%	18%	16%	13%	15%
	% Asian-Surnamed	2%	1%	3%	1%	1%	2%
Voter Turnout (Nov 2018)	% Filipino-Surnamed	0%	1%	1%	0%	1%	1%
	% NH White est.	74%	73%	58%	66%	69%	70%
	% NH Black est.	4%	3%	16%	10%	7%	7%
	Total	956	751	477	602	629	3,415
	% Latino est.	10%	12%	14%	12%	11%	12%
	% Spanish-Surnamed	10%	12%	14%	12%	11%	12%
ACS Pop. Est.	% Asian-Surnamed	1%	1%	1%	1%	1%	1%
	% Filipino-Surnamed	0%	1%	1%	0%	0%	1%
	% NH White est.	76%	73%	58%	66%	69%	70%
Age	% NH Black est.	4%	3%	16%	10%	7%	7%
	Total	5,501	4,729	5,015	5,208	5,499	25,952
	age0-19	30%	30%	35%	33%	34%	32%
Immigration	age20-60	56%	60%	60%	59%	57%	58%
	age60plus	14%	10%	6%	8%	9%	10%
	immigrants	7%	10%	6%	6%	6%	7%
Language spoken at home	naturalized	62%	74%	55%	53%	43%	59%
	english	84%	85%	86%	88%	84%	85%
	spanish	12%	8%	10%	8%	13%	10%
	asian-lang	4%	6%	3%	2%	2%	3%
Language Fluency	other lang	0%	1%	1%	1%	1%	1%
	Speaks Eng. "Less than Very Well"	6%	4%	3%	3%	4%	4%
Education (among those age 25+)	hs-grad	54%	61%	64%	62%	61%	60%
	bachelor	15%	14%	12%	13%	15%	14%
	graduatedegree	9%	8%	5%	5%	6%	7%
Child in Household	child-under18	38%	31%	44%	32%	41%	38%
Pct of Pop. Age 16+	employed	67%	76%	73%	74%	69%	72%
Household Income	income 0-25k	19%	19%	28%	35%	27%	26%
	income 25-50k	29%	25%	37%	29%	33%	31%
	income 50-75k	17%	27%	17%	18%	18%	19%
	income 75-200k	33%	29%	17%	18%	22%	23%
	income 200k-plus	3%	0%	1%	1%	1%	1%
Housing Stats	single family	92%	96%	62%	72%	71%	77%
	multi-family	8%	4%	38%	28%	29%	23%
	rented	53%	53%	87%	65%	74%	68%
	owned	47%	47%	13%	35%	26%	32%

Total population data from the 2020 Decennial Census.

Surname-based Voter Registration and Turnout data from the California Statewide Database.

Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.



STAFF REPORT

TO: City Council
FROM: City Manager
FOR MEETING: Feb 08 2022

SUBJECT: Redistricting Process Required by State Law.

RECOMMENDATION:

The City Council hold a Public Hearing regarding the State-mandated redistricting process, pursuant to Elections Code sections 21607 and 21607.1.

ORDER OF PROCEDURE:

Request Staff Report (City Manager Presenting)
Council Questions of Staff
Open the Public Hearing
Receive Public Comment
Close the Public Hearing
Council Discussion
Motion/Second
Discussion of Motion
Call the Question

ATTACHMENTS:

- [NDC Power Point Presentation](#)
- [Redistricting Map - Green](#)
- [Redistricting Map - Tan](#)
- [Redistricting Map - Orange](#)

BACKGROUND:

Following the results of each decennial census, the Elections Code requires the City to hold at least four public hearings, of which this is the third, to discuss the results of the census and its potential impact on the City's district voting map. (Elec. Code §§ 21607; 21607.1(a).)

DISCUSSION:

The Elections Code requires that two public hearings occur prior to draft maps preparation. Subsequently, two public hearings must occur after draft or proposed maps for redistricting are prepared. A variety of criteria exist for creating districts which, generally speaking, already apply to the City's existing districts. These criteria will be addressed in a presentation from National Demographics Corporation (NDC). Attached is a power point presentation that will accompany NDC's presentation which outlines the redistricting process, includes draft maps, and provides demographics and data supporting the draft maps. These draft maps and demographic data from the 2020 Census were posted to City's website on February 1, 2022.

An issue worthy of specific consideration by the City Council in connection with drawing district boundaries stems from a unique circumstance that exists based on the nature and location of the United States Marine Corps Air

Ground Combat Center ("MCAGCC") As will be noted in the NDC presentation, Districts must be population balanced, meaning with 5 districts and based on the most recent census, each district must have a population of approximately 5,500. Previously, based on the 2010 census this number was 5,100. For purposes of the 2020 election, and based on the 2010 census, the MCAGCC population was 9,100, nearly the size of two full districts. However, due to the transient nature of the MCAGCC, only 612 of these 9,100 people (less than 7%) were registered to vote. The reason for this is presumed to be the fact service members are allowed to keep their voter registration as the place where they were registered when they enlisted, regardless of where they are stationed.

Complicating matters more, active service members are not eligible to serve on the City Council per Marine Corps regulations. Working with MCAGCC staff has been able to estimate that less than 8% of the MCAGCC population that is of voting age is comprised of persons who are not active service members, and hence eligible to serve as elected officials. Indeed, if one were to apply the 8% figure to registered voters, and assume it is proportionate, less than 50 persons living on MCAGCC would be eligible to serve on the Council. [We recognize this may or not be an accurate assumption and is provided for demonstrative purposes only]. Bearing in mind the districting process is required because of the California Voting Rights Act ("CVRA"), and the primary goal of the CVRA is to ensure fair representation of minorities amongst elected Council members, the City is challenged to determine how to address the disparity between MCAGCC population and registered voters, and at the same time take into account the fact only a fraction of the members of the MCAGCC population are even eligible to serve as elected officials.

This issue is complicated further by the geographical location of the MCAGCC. MCAGCC is only contiguous with what would otherwise be a stovepipe shaped narrow portion of the City that was, prior to MCAGCC annexation, the City's northernmost border. It makes it impossible to simply divide MCAGCC up in a manner where its population is shared evenly with adjacent, geographically contiguous areas of the City; and, at the same time, create Districts that meet the overall required criteria which NDC will discuss, to wit: have balanced populations, do not divide communities of interest, have easily identifiable boundaries, and are compact in the sense they do not bypass one group of people to get to a more distant group of people.

Faced with a situation where there is no perfect solution the Council divided MCAGCC up and assigned each of the 5 voting Districts a share of relatively equal population. This solution avoids a situation where MCAGCC is all or most of two Districts, as would be dictated by its population while at the same time having a population comprised of individuals who not only have not registered to vote but also, and more significantly, are not eligible to serve on the Council. In addition, it avoids a situation where the City draws/adopts maps with "tortured" boundaries that are not easily identifiable and divide up other well-defined communities of interest in a manner such that Districts are not compact.

Dividing MCAGCC makes more sense than dividing other communities to try to create balanced maps. The nature of MCAGCC is such that by definition its population is transient, and dividing it is very different than dividing an established residential neighborhood. Service members are stationed there for various periods of time, but generally speaking, 3 years. It is the norm that a service member stationed at MCAGCC will be deployed elsewhere for 6 out of every 18 months. Hence, there is not a typical sense of community, which the CVRA seeks to protect. Equally significant, the City annexed MCAGCC subject to a pre-annexation agreement entered between the military and the City, and approved by LAFCO. This agreement prevents the City Council from exercising any of its police powers on MCAGCC. Accordingly, the MCAGCC population is not impacted by City Council decisions which might otherwise affect their neighborhood. It is very different than the type of interest in Council Actions that might exist in a traditional neighborhood, where the CVRA seeks to protect communities of interest so such communities can better influence Council actions that impact their neighborhood.

All of the above is significant because the CVRA provides as one of its criteria that districts must be geographically contiguous "to the extent practicable." In light of the very unique issues related to MCAGCC, the "to the extent practicable" exception would have no meaning if it did not apply here.

It is worth noting that an alternate solution has been proposed which suggests that the City create 7 voter districts instead of 5. That solution does not address any of the above issues, and rather exacerbates the problem by diluting the population of each district, and thereby making MCAGCC eligible to be all or part of 3 separate districts. The City would be faced with the exact same challenges noted above under this scenario, and would simply be looking to spread the base population amongst 7 districts instead of 5.

The current census puts the total MCAGCC population at 11,209. This means the base would need to be all or part of three districts based on current balancing requirements of 5,500 persons per district with 5 districts, or 4,100 persons per district with 7 districts. Indeed, the proposed maps presented by the proponents of the 7-district proposal demonstrate the fact this solution makes the issues the City must grapple with worse not better.

One proposed district, identified as district 6, is entirely on the base. The entire 4,116 residents of proposed District 6 live in "military group quarters" (barracks). This means it is a near certainty there are no persons who are not active-duty military. This in turn means there are no persons who could be eligible to hold an elected City Council office. If the proposed map were adopted, a district would exist in which its council seat would remain permanently vacant because no resident would be eligible to hold office.

The other two proposed districts in the 7-district proposal have issues as well. Proposed District 4 would have an estimated population of 3970 living on MCAGCC with 71 living off the base. Proposed District 7 would have an estimated population of 3686 living on MCAGCC with 344 living off the base. This means in each instance the vast majority of the total district population would live on MCAGCC. Using the assumption that only 8% of this population is eligible to serve as elected officials, only a small fraction of the population in each district would be eligible to serve on the City Council. While the above numbers are admittedly based on estimates, whatever the actual numbers are it is very clear that the impact of the overwhelming total of the population of these two proposed districts being MCAGCC residents is that the proposed districts are not truly population balanced if population is assumed to be relevant to the number of persons eligible to serve on the City Council.

An additional complication to the 7-district proposal is whether the City Council has the ability to adopt an ordinance to implement it. There is no question that when the initial change to voting by district occurred it was authorized by Ordinance. This is because the provisions of the Election Code that would otherwise go to district voting occur by way of vote of the people are waived (regardless of the number of districts) for conversions to by-district elections where a finding is made that it is occurring "in furtherance of the purposes of the California Voting Rights Act of 2001." Since the City can achieve compliance with the CVRA with 5 districts, the City would be at risk to a challenge if it were to convert to a 7-district system by Ordinance on the basis that is not done in furtherance of the purposes of the CVRA. To avoid that risk, the City could convert to 7 districts (if the City Council so desired) by putting forth a voter measure. However, such a measure would not be timely in terms of complying with the requirement that the new district boundaries be established by April 2022.

Finally, it has been suggested that a solution to the MCAGCC issue discussed above would be to use a system of districting outside MCAGCC, with the base then being an at large district. Presumably, this means the population balancing issue would be disregarded. That alone is potentially an issue, but more significantly the law does not provide immunity to the City for CVRA violations under a system that includes an at large election component as proposed.

ENVIRONMENTAL:

N/A

ALTERNATIVES:

N/A

FISCAL IMPACT:

There is no additional fiscal impact to this agenda item.

**CITY OF TWENTYNINE PALMS
CITY COUNCIL
RESOLUTION NO. 22-__**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TWENTYNINE PALMS, CALIFORNIA, ADOPTING A DISTRICT MAP
AFTER 2020 CENSUS PURSUANT TO ELECTIONS CODE SECTIONS
21607 AND 21607.1**

WHEREAS, the City adopted Ordinance No. 284 on March 13, 2018, adopting a by-district method of election; and

WHEREAS, pursuant to Elections Code sections 21607 and 21607.1, the State-mandated redistricting process requires the City to hold at least four public hearings to discuss the results of the 2020 census and its potential impact on the City's district voting map; and

WHEREAS, Public Hearings were held July 27, 2021, September 28, 2021, February 8, 2022, and March 8, 2022 where public comment and draft maps were solicited; and

WHEREAS, Elections Code section 21621 allows a city to adopt district boundaries by resolution after the initial decision to elect its council using district-based elections.

WHEREAS, The City Council finds and determines the District Map attached as Exhibit A, identified as _____, meets the requirements of the Elections Code and such other requirements imposed by law.

NOW, THEREFORE, the City Council of the City of Twentynine Palms does hereby Resolve as follows:

SECTION 1. The District Map attached as Exhibit A (known as _____) shall be adopted and apply until following the next decennial census in 2030.

APPROVED AND ADOPTED by the City Council of the City of Twentynine Palms at a regular meeting on the 8th day of March 2022.

Karmollette O'Gilvie, Mayor

ATTEST:

Cindy Villescascas CMC, City Clerk

I do hereby certify that the foregoing Resolution No. 22-__ was adopted by the City Council of the City of Twentynine Palms at a regular meeting thereof held on the 8th day of March 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Cindy Villescas CMC, City Clerk



STAFF REPORT

TO: City Council
FROM: Public Works Superintendent
FOR MEETING: Mar 08 2022

SUBJECT: Amboy Road Bike Path.

RECOMMENDATION:

The City Council approve the expenditure of an amount not to exceed \$110,000.00 and approve the use of a Type 2 bike path.

ORDER OF PROCEDURE:

- Request Staff Report (Public Works Superintendent Presenting)
- Council Questions of Staff
- Request Public Comment
- Council Discussion
- Motion/Second
- Discussion of Motion
- Call the Question

ATTACHMENTS:

- [AmboyBikePath](#)

BACKGROUND:

This project was scheduled 2 years ago, however, was delayed/cancelled during Covid. City Council addressed the need for additional bike paths during the Strategic Planning sessions held in 2021. The project before the Council this evening was the most shovel ready bike path proposed. Staff began confirming all dedications, design, material availability, and cost as requested. Staff is now ready to proceed with construction with a type 2 bike path beginning at Utah Trail and ending at Sunmore Parkway. Type 2 bike paths are connected to the edge of roadway, traveling in both directions, separated by striping. This type of bike path is similar to the recent Utah Trail Bike Path project. This project will create 5990 ft of bike path along Amboy Rd, connecting the Sunmore Estates neighborhood to the existing Utah Trail and Amboy Road bike paths. This project will be completed with in house staff and equipment, allowing for lower cost.

ENVIRONMENTAL:

None

ALTERNATIVES:

The City Council could choose to deny the expenditure.

FISCAL IMPACT:

\$110,000.00 in ARPA funds



Date: 2/24/2022 **Author:** Craig stacey **Project:** Amboy Road Bike Path

Comments:

The green polyline represents the proposed Type 2 Bike Path.
The Bike Path starts at Utah Trail and ends at Sunmorer Parkway.
Proposed Bike Path is Approximately 5990 linear feet.

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