

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY  
CITY COUNCIL CHAMBERS, 6136 ADOBE ROAD  
TWENTYNINE PALMS, CALIFORNIA  
REGULAR MEETING  
www.ci.twentynine-palms.ca.us  
TUESDAY, OCTOBER 9, 2007  
6:00 P.M.**

**AGENDA**

- 1.0 CALL TO ORDER -  
PLEDGE OF ALLEGIANCE -  
INVOCATION - Reverend Milt Merritt, USN Chaplain, Retired  
ROLL CALL -**
  
- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS**
  - 2.1 Oath of Office to be Administered/Seating of Councilmember Jim Harris
  - 2.2 Employee of the Quarter Recognition
  
- 3.0 ANNOUNCEMENTS**
  - 3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows  
Wednesday, October 10, 2007 at 7:00 p.m. and Saturday, October 13, at 3:00  
p.m.
  
- 4.0 PUBLIC COMMENTS – This is the time for the public to address the City Council.**
  - 4.1 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 Brown Act prohibits the City Council from responding at length to questions on matters not on the agenda. Matters may, however, be referred to staff for scheduling on a future agenda.
  - 4.2 Public comments on specific agenda items will be deferred until consideration of the item on the agenda.
  
- 5.0 CITY COUNCIL COMMENTS -This is the time for comments from the City Councilmembers on any subject.**

## 6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

All matters listed under the Consent Calendar are to be considered routine by the City Council/Redevelopment Agency and will be enacted by one motion in the form listed. Any item may be removed from the Consent Calendar and considered separately by the City Council under item number 7.0 on the agenda. The public will be given an opportunity to comment on Consent Calendar items prior to the City Council action (roll call vote).

At this time, the City Clerk will read the title(s) of the ordinance(s) listed herein except those that are removed for separate action.

- 6.1 Waive the Reading of Ordinance and Approve the Reading by Title Only  
RECOMMENDATION: The City Council approve the reading by title only of all ordinances and that further reading of such ordinances be waived.
- 6.2 Warrant Register  
RECOMMENDATION: Receive and file register totaling \$130,425.57.
- 6.3 Approval of Minutes  
RECOMMENDATION: The City Council/Redevelopment Agency approve the minutes of September 11, 2007 and September 25, 2007.
- 6.4 Law Enforcement Report – August 2007  
RECOMMENDATION: Receive and file.
- 6.5 Accept the 2007 Overlay Contract  
RECOMMENDATION: 1) Accept the completed work on the contract for the “2007 Overlay Project” with Skanska Inc. for the amount of \$1,281,583. 2) Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds. 3) Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.
- 6.6 Accept the 2007 Slurry Seal Contract  
RECOMMENDATION: 1) Accept the completed work on the 2007 Slurry Seal Contract with American Asphalt South for the amount of \$363,610, 2) Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds. 3) Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.
- 6.7 PC 04-38 – Accept the Final Map for Tract Map 17172  
RECOMMENDATION: The City Council adopt Resolution No. 07-38 approving the Final Map, securities and agreements for Tract Map 17172.
- 6.8 Update of Management Action Plan  
RECOMMENDATION: The City Council review and provide direction to staff as appropriate.

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

**8.0 PUBLIC HEARINGS**

8.1 Transient Occupancy Tax (TOT)  
RECOMMENDATION: Conduct the Public Hearing, Consider Public Comment, and Introduce Ordinance No. 210 Amending Section 3.24.020(a) of the Twentynine Palms Municipal Code deleting references to the state and federal government.

8.2 Adoption of the California Code  
RECOMMENDATION: Conduct the Public Hearing, consider public comment, and introduce Ordinance No. 211 regarding the 2007 California Code.

8.3 PC 05-81 – An Appeal of the Planning Commission’s Denial of a General Plan Amendment and Change of Zone from RL-1 (Rural Living) to CG (General Commercial), and a Conditional Use Permit and Variance to construct a 26,576 square foot mini-storage facility at 73441 Indian Trail, TIN, R9E, Section 8.  
RECOMMENDATION: The City Council Conduct the Public Hearing, consider all oral and written testimony, adopt Resolution 07-37 and deny the appeal.

**9.0 REPORTS, REQUESTS AND COMMUNICATIONS**

9.1 Discussion on Flood Issues in Hanson Track  
RECOMMENDATION: The City Council receive the staff presentation and provide direction as appropriate.

9.2 Discussion in Regard to Seeking Public Input for Consideration of a General Plan Update  
RECOMMENDATION: It is recommended that the Council receive staff report and provide direction as appropriate.

**10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT**

10.1 City Council Agency Liaison and Task Force Assignments  
RECOMMENDATION: Review City Council Assignments and take action as appropriate.

**11.0 FUTURE COUNCIL INITIATED ITEMS**

**12.0 CLOSED SESSION –**

12.1 Conference with Legal Counsel – Anticipated Litigation (1 case) pursuant to Government Code Section 54956.9

**13.0 ADJOURN –**

This notice of Agenda is hereby certified to have been posted on or before 3 p.m., October 4, 2007.

\_\_\_\_\_  
Jacqueline M. Lafond, Deputy City Clerk

\_\_\_\_\_  
Time/Date

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 8:00 a.m. until 5:00 p.m. Monday through Friday, except legal holidays. 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.