

**NOTICE IS HEREBY GIVEN**, that the City Council of the City of Twentynine Palms will hold a CLOSED SESSION on Tuesday, August 12, 2008 at 5:00 p.m. at City Hall, 6136 Adobe Road, Twentynine Palms, to consider the following:

Conference with Legal Counsel-Potential Litigation-Government Code  
Section 54956.9, 3 (three) cases

Conference with Legal Counsel, Existing Litigation  
Dorothea B. Erbacher vs.  
City of Twentynine Palms Planning Commission, Twentynine Palms City Council

Closed Session Pursuant to Government Code Section 54956.8  
Property Acquisition – Conference with Real Property Negotiator  
APN 618-221-01, APN 618-221-04

**REGULAR MEETING  
6136 Adobe Road  
Twentynine Palms, CA 92277  
www.ci.twentynine-palms.ca.us  
Tuesday, August 12, 2008  
6:00 P.M.**

#### **REVISED AGENDA**

**1.0 CALL TO ORDER -  
PLEDGE OF ALLEGIANCE-  
INVOCATION – Pastor Chris Wagner, Joshua Springs Calvary  
ROLL CALL -**

**2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

Proclamations will be presented to those who assisted in the August 4, 2008 storm events.

**3.0 ANNOUNCEMENTS**

3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows:  
Saturday, August 16, 2008 at 7:00 p.m. and Friday, August 22, 2008 at 5:00 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 City Council is prohibited by State law from taking action or discussing items not included on the printed agenda.

4.2 Public comments on specific agenda items will be deferred until consideration of the item on the agenda.

**5.0 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).

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 \$ 307,416.81.

6.3 Approval of Minutes  
RECOMMENDATION: The City Council approve the minutes of the July 22, 2008, City Council meeting.

6.4 Chamber of Commerce Report- July 2008  
RECOMMENDATION: Receive and file.

6.5 Law Enforcement Report - July 2008  
RECOMMENDATION: Receive and file.

6.6 Treasurer's Report – June 30, 2008  
RECOMMENDATION: Receive and file.

6.7 Approval to Award Contract to D. Webb, in the Amount of \$36,799.00 for the Installation of Tile in Patriotic Hall.  
RECOMMENDATION: The City Council award the Patriotic Hall Tile Project to D. Webb Inc. in the amount of \$36,799.00.

6.8 Designation of a Voting and Alternate Delegate for Annual League of California Cities Annual Conference  
RECOMMENDATION: The City Council designates a voting delegate and an alternate for the League of California Cities Annual Conference September 24-27, 2008, in Long Beach, CA.

6.9 Termination of Flood Emergency  
RECOMMENDATION: The City Council adopt Resolution No. 08-28 ending the emergency status.

- 6.10 Resolution No. 08-25 Opposing State Budget Decisions That Would Borrow Local Government and Redevelopment and Transportation Funds.  
RECOMMENDATION: The City Council approve Resolution No. 08-25; a Resolution opposing state budget decisions that would borrow local government and redevelopment and transportation funds.

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

**8.0 PUBLIC HEARING**

- 8.1 PC 08-03 – Applicant Mike de la Torre of Global Premier Development is Appealing the Planning Commission’s Denial of an Application for a Conditional Use Permit for an 81 Unit Family Apartment Complex Located on the East Side of Mesquite Springs Road between El Paseo Drive and Sunnyslope Drive. RM Zone, APN 0618-161-08, Section 29, T1N R9E.

RECOMMENDATION: The City Council conduct a Public Hearing, consider all oral and written testimony, and adopt Resolution No. 08-29 approving the appeal and the Conditional Use Permit.

- 8.2 Purchase of Real Property at 73484 Twentynine Palms Highway

RECOMMENDATION: The City Council conduct a Public Hearing, consider all written and oral testimony, and approves Resolution No. 08-27 and the Redevelopment Board approves RDA Resolution No. 08-01 to approve the purchase of real property at 73484 Twentynine Palms Highway (APN 618-21-01), which includes an adjacent unimproved parking lot (APN 618-221-04), in an amount not to exceed \$265,000 and authorize the City Manager to sign documents relating to said purchase.

**9.0 REPORTS, REQUESTS AND COMMUNICATIONS - None**

**10.0 LEGISLATIVE /COUNCIL/REDEVELOPMENT**

- 10.1 Property Improvement Program

RECOMMENDATION: The RDA Board provides direction for proposals that might receive redevelopment funding.

**11.0 FUTURE COUNCIL INITIATED ITEMS**

**12.0 CLOSED SESSION**

- 12.1 Closed Session Pursuant to Government Code Section 74957 Public Employee Performance Evaluation – City Manager

**13.0 ADJOURN – This notice of Agenda is hereby certified to have been posted on or before 3 p.m., August 7, 2008.**

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.

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Charlene L. Sherwood CMC, City Clerk

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Time/Date