

NOTICE IS HEREBY GIVEN, that the City Council of the City of Twentynine Palms will hold a **CLOSED SESSION** on Tuesday, July 14, 2009 at 5:00 p.m. at City Hall, 6136 Adobe Road, Twentynine Palms, to consider the following:

Closed Session Pursuant to Government Code Section 54956.9 Conference with Legal Counsel Regarding Potential Litigation (2 cases).

Closed Session Pursuant to Government Code Section 54956.8
Property Negotiations-Conference with Real Property Negotiator-Michael Tree.
0618-332-01, 0618-332-02, 0618-332-03, 0618-332-04

Closed Session Pursuant to Government Code Section 54957
Public Employee Performance Evaluation – City Attorney

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, July 14, 2009
6:00 P.M.**

AGENDA

- 1.0 CALL TO ORDER -
PLEDGE OF ALLEGIANCE-
INVOCATION** – Reverend Milt Merritt, United States Navy, retired
ROLL CALL -

- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS**
 - 2.1 Presentation to Cub Scout Pack 72 for participating in the “Cash for Trash Program”

- 3.0 ANNOUNCEMENTS**
 - 3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows:
Monday, July 20, 2009 at 6:30 p.m. and Friday, July 24, 2009 at 6:30 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 \$ 1,285.983.38.

6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the June 9, 2009 and June 23, 2009 meeting.

6.4 \$2,000,000 Loan Agreement between the Redevelopment Agency and the City of Twentynine Palms
RECOMMENDATION: Staff recommends that the City Council and the Redevelopment Agency Board approve the \$2,000,000 Loan Agreement between the Agency and the City of Twentynine Palms .

6.5 Approval to Award Contract to S.R. Building Inc. in the Amount of \$83,187 for the Air Conditioning Project at Patriotic Hall and the Community Center.
RECOMMENDATION: The City Council approve the Air Conditioning project to S.R. Building Inc. in the amount of \$83,187.

6.6 Designation of a Voting and Alternate Delegate for Annual League of California Cities Conference.
RECOMMENDATION: The City Council designates a voting delegate and alternate for the League of California Cities Annual Conference September 16-18, 2009 in San Jose, California.

6.7 Asphalt Berm Reconstructive Project.
RECOMMENDATION: Staff recommendation is that the City Council amends the Ficara Paving Co. contract to \$121,648.50 and authorizes final payment.

6.8 Chamber of Commerce Report - June 2009
RECOMMENDATION: Receive and file.

- 6.9 Twentynine Palms Lighting and Landscaping Assessment District #1, Engineer's Annual Report, and Levy of Assessment for FY 2009-2010
RECOMMENDATION: 1) Adopt Resolution No. 09-23, (A Resolution of the City Council of the City of Twentynine Palms Directing the Filing of the Annual Report for the Twentynine Palms Landscaping and Lighting Assessment District No.1). 2) Receive and approve the Engineer's report as filed or as amended. 3) Adopt Resolution No. 09-24, (A Resolution of the City Council of the City of Twentynine Palms declaring its intention to order improvements, and to levy and collect assessments pursuant to the Lighting and Landscaping Act of 1972 for Fiscal Year 2009-2010).

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

8.0 PUBLIC HEARING

- 8.1 PC 07-70 General Plan Amendment and Change of Zone from CT (Commercial Tourist) to RS-4 (Single-Family Residential), for the block bound by Gorgonio Drive on the north, Morongo Road on the east, Joshua Drive on the south and Mariposa Avenue on the west (sixteen (16) properties identified as APNs 0615-102-02 through 0615-102-17), TIN, R9E, Section 25.
RECOMMENDATION: Conduct the Public Hearing, consider public comment, adopt Council Resolution No. 09-21 and introduce Ordinance No. 223 that determines that PC 07-70 is exempt from further environmental review and allow the proposed changes to the Land Use Element of the General Plan and Zoning Designation to the affected properties.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Standards and Restrictions Related to Vehicle Commercial Activity within the General Commercial Zoning District Located within the Downtown Area.
RECOMMENDATION: Discuss the issue, consider public comment (at the Mayor's discretion) and provide guidance to staff for possible further action.
- 9.2 Update on Various Projects in the Community
RECOMMENDATION: Staff recommendation is that the City Council receives report and provides direction as appropriate.
- 9.3 Location of Restroom at Knott's Sky Park
RECOMMENDATION: The City Council approves Staff's recommendation of moving the restroom at Knott's Sky Park from the west side of the picnic shelter to the east side.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

- 10.1 Contribution Cooperative Agreement with Caltrans for Second Phase of Highway Widening Project
RECOMMENDATION: Staff recommends that the City Council approves the Contribution Cooperative Agreement.

- 10.2 Historic Plaza Maintenance Assessment District
RECOMMENDATION: Adopt a Resolution approving the detailed Engineer's report for a Maintenance Assessment District in Historic Plaza, declaring the City's intent to order formation of said District, and setting September 8, 2009, as the date for the Public Hearing.

11.0 FUTURE COUNCIL INITIATED ITEMS

12.0 CLOSED SESSION

13.0 ADJOURN

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.

This notice of agenda is hereby certified to have been posted on or before 3 p.m. July 9, 2009.

Charlene L. Sherwood MMC, City Clerk

Time/Date