

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, July 28, 2009
6:00 P.M.**

REVISED AGENDA
(Item 6.8 added to Consent Calendar)

- 1.0 CALL TO ORDER -
PLEDGE OF ALLEGIANCE-
INVOCATION - Bishop Charles Douglas, Church of Jesus Christ of Latter Day Saints
ROLL CALL -**

- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS**
 - 2.1 Mayor Klink will recognize Jasmine and Cheryl Hyde, and Abigail Moorman and Christina Downey for winning the “25 Best Moms of the Desert Cities” competition.

- 3.0 ANNOUNCEMENTS**
 - 3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, August 3, 2009 at 6:30 p.m. and Friday, August 7, 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 \$ 139,862.64.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the July 14, 2009 meeting.
- 6.4 Minor Amendment to the Owner Participation Agreement between the Redevelopment Agency and Jerry Mattos and Stephanie Ince.
RECOMMENDATION: Staff recommends that the Redevelopment Agency approves a Minor Amendment to the Owner Participation Agreement with Jerry Mattos and Stephanie Ince and authorize Agency Legal Counsel and the Executive Director to make the required modifications to the Owner Participation Agreement.
- 6.5 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: Adopt Ordinance No. 223.
- 6.6 Contribution Cooperative Agreement with Caltrans for Second Phase of Highway Widening Project
RECOMMENDATION: The City Council approves the Contribution Cooperative Agreement.
- 6.7 Adjustment to the Existing Agreement for Legal Services – Rutan and Tucker
RECOMMENDATION: The City Council authorize the City Manager to execute an amended professional services agreement with Rutan and Tucker.
- 6.8 Approval to Allocate \$51,160 in Community Development Block Grant R (CDBG-R) Funds to Projects at Knott Sky Park.
RECOMMENDATION: The City Council approve using CDBG-R finds for projects in Knott’s Sky Park.

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

8.0 PUBLIC HEARING

- 8.1 Twentynine Palms Lighting and Landscaping Assessment District#1, Engineer's Annual Report, and Levy of Assessment for FY 2009-2010
RECOMMENDATION: 1) Conduct the Public Hearing 2) Adopt Resolution No. 09-27, (A Resolution of the City of Twentynine Palms confirming the diagram and assessment and levying assessment pursuant to the Lighting and Landscaping Act of 1972 for Fiscal Year 2009-2010).
- 8.2 PC 09-36 (Amendments to Chapters 19.12, 19.82, 19.84, 19.96 of the Development Code, and adding a New Chapter 19.57, "Bingo Games" to the Development Code of the City of Twentynine Palms).
RECOMMENDATION: Conduct the Public Hearing, consider public comment, determine that PC 09-36 is exempt from further environmental review and introduce Ordinance No. 222, amending Chapters 19.10, 19.12, 19.57 (new) 19.82, 19.84, and 19.96 of the Development Code.
- 8.3 PC 07-32 – An application by the City of Twentynine Palms to create Special Equestrian Area No. 1 (SEA #1). The proposed two (2) square mile area is bounded by Mesquite Springs Road on the west, Amboy Road on the south, Adobe Road on the east and Valle Vista Road on the north. Section 8 and Section 17, T1N, R9E; Zone CG, RL-1, RL-2.5, RS-2, RM, CS, CN and Public
RECOMMENDATION: Conduct the Public Hearing, consider public comment, adopt the Negative Declaration and adopt Council Resolution No. 09-26 establishing Special Equestrian Area No. 1 and applying that designation to the General Plan Land Use Element and Zoning Map for the specified properties.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 Fraud Policy
RECOMMENDATION: The City Council approve the Fraud Policy.
- 9.2 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.
- 9.3 Update on the City's Planned Solar Project and the Adobe Road Project
RECOMMENDATION: The City Council receives the staff report and provides direction.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

- 10.1 San Bernardino County Housing Authority and Rehabilitation Proposal
RECOMMENDATION: The Redevelopment Board (RDA) receives the staff report and provides direction.
- 10.2 Project Phoenix
RECOMMENDATION: The Redevelopment Board (RDA) receives the staff report and provides direction.

10.3 Planning Commission Appointments

RECOMMENDATION: The City Council directs staff to advertise the vacancy on the Planning Commission for 30 days, and that it form a two member task force to evaluate applications, conduct interviews as necessary, and bring back to the Council recommendations.

11.0 FUTURE COUNCIL INITIATED ITEMS

12.0 CLOSED SESSION

12.1 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

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 23, 2009.

Charlene L. Sherwood MMC, City Clerk

Time/Date