

NOTICE IS HEREBY GIVEN, that the City Council of the City of Twentynine Palms will hold a **CLOSED SESSION** on Tuesday, September 22, 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 54956.8 Property Negotiations Conference Real Property Negotiator, City Manager, Michael Tree
APN's 0623-061-10-11, and 12.

Closed Session Pursuant to Government Code Section 54956.8 Property Negotiations-Conference with Real Property Negotiator, City Manager, Michael Tree, APN's 0623-023-08 and 0623-023-07.

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, September 22, 2009
6:00 P.M.**

AGENDA

- 1.0 CALL TO ORDER -
PLEDGE OF ALLEGIANCE -
INVOCATION - Mike "Grumpy" Kelliher, Joshua Springs Calvary Chapel
ROLL CALL -**
- 2.0 SPECIAL RECOGNITION AND PRESENTATIONS - None**
- 3.0 ANNOUNCEMENTS**
 - 3.1 These proceedings will be televised on Cable T.V., Channel 10, as follows:
Monday, September 28, 2009 at 6:30 p.m. and Friday, October 2, 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 registers totaling \$438,627.86.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the September 8, 2009.
- 6.4 Chamber of Commerce Report – August 2009
RECOMMENDATION: Receive and file.
- 6.5 Approval to Award Contract to David Webb Inc. in the Amount of \$82,776 for the Construction and Installation of a Pre-Cast Restroom in Knott's Sky Park.
RECOMMENDATION: The City Council award the restroom project to David Webb Inc., in the amount of \$82,776.
- 6.6 Approval to Award Contract to Great Western/Game Time Playgrounds in the Amount of \$24,627.64 for the Purchase and Installation of Playground Equipment at Knott's Sky Park.
RECOMMENDATION: The City Council award the Playground Project to Great Western Playground in the amount of \$24,627.64.
- 6.7 Year-End Budget Adjustment
RECOMMENDATION: The City Council adopt Resolution No. 09-29.

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

8.0 PUBLIC HEARING

- 8.1 PC 09-52 Consideration of a Variance request to reduce the required front, street and interior side yard setbacks and rear yard setbacks for two (2) adjoining properties described as 6419 and 6421 East Court Way (APNs 0623-023-08 and 0623-023-07); zoned Multi-Family Residential Specific Plan #3
RECOMMENDATION: Conduct the Public Hearing, consider public comment and adopt the City Council Resolution No. 09-30 finding that the proposal is

exempt from further environmental review and that it conforms to the Findings for approval of a Variance Golf Course

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

9.1 Chamber of Commerce Financials

RECOMMENDATION: The City Council provides directions as deemed appropriate.

9.2 Discussion of Options for the Removal of Graffiti on Private Property

RECOMMENDATION: The City Council receives the staff report and provides direction to staff as deemed appropriate.

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Planning Commission Appointment

RECOMMENDATION: The City Council Appoints Mr. Bill Easter to the Planning Commission until December 31, 2009.

10.2 Downtown Specific Plan Update and Status Report and, Redevelopment Area Phoenix Project Status Report

RECOMMENDATION: The City Council receive and file the status reports and provide direction to staff and the consultant as appropriate on each.

10.3 Update on the HWY 62 Rehabilitation and Street Improvement Project

RECOMMENDATION: The City Council receives the staff report and provides direction as appropriate.

10.4 A request from Mr. Paolo Ficara to abandon and remove a Deed Restriction placed upon seven (7) properties by the City of Twentynine Palms to restrict the use of said property for use as a Golf Course open to the public.

RECOMMENDATION: Retain or remove the Deed Restriction for those properties referred to as the "Back 9" as would best serve the City of Twentynine Palms.

10.5 Alternate Workweek Discussion

RECOMMENDATION: The City Council receives the staff report and provides direction to staff.

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
3:00 p.m. September 17, 2009.

Charlene L. Sherwood MMC, City Clerk

Time/Date