

NOTICE IS HEREBY GIVEN, that the City Council of the City of Twentynine Palms will hold a Closed Session, on Tuesday, **March 22, 2011, at 5:00 p.m.** at City Hall, 6136 Adobe Road, Twentynine Palms, CA to discuss the following:

- 1) **Personnel Issue, City Manager Recruitment Pursuant to Government Code Section 54957**
- 2) **Existing Litigation (2 cases) Conference with Legal Council, Pursuant to Government Code Section 54956.9**
 - 1) **Center for Biological Diversity and Desert Tortoise Council v. City of Twentynine Palms, et al, (Granite) San Bernardino County Superior Court Case No. CIV MS 1000650**
 - 2) **Hanlin v. City of Twentynine Palms, et al, San Bernardino County Superior Court Case No. CIV MS 900513**
 - 3) **Anticipated Litigation (1case)**

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.29palms.org
Tuesday, March 22, 2011
6:00 P.M.**

AGENDA

- 1.0 **CALL TO ORDER -
PLEDGE OF ALLEGIANCE-
INVOCATION** – MacArthur Wright, Gospel Fellowship Outreach Worship Center
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, March 28, 2011 at 6:30 p.m. and Friday, April 1, 2011 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 / BUSINESS**

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.

- 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 warrant register totaling \$1,361,518,81.
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the March 8, 2011 regular City Council Meeting.
- 6.4 City-Wide Tree Removal Project
RECOMMENDATION: That City Council award the contract for the Tree Removal project to West Coast Arborists, Inc. for the amount of \$15,455.50, and to retain Certified Arborist Lori Abdelnour to monitor and inspect the project at an estimated cost of \$2750.00. And add an additional \$5,000 for contingencies for a total project cost of \$23,205.00
- 6.5 Repayment of Loan from the General Fund by the Redevelopment Agency
RECOMMENDATION: The Redevelopment Agency authorize the transfer of \$1,500,000 from the Capital Projects Fund to the Debt Service Fund and authorize the Debt Service Fund to repay the remaining balance of the loan from the General Fund (\$2,000,000).
- 6.6 Adobe Road Rehabilitation Phases 3 and 4 – Amboy Road to USMC Air Ground Training Center
RECOMMENDATION:
1. Accept the completed work on the “Adobe Road Rehabilitation Phases 3 and 4 – Amboy Road to USMC Air Ground Combat Training Center” with Match Corporation for the amount of \$4,481,356.
 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 Renewal of the Delegate Agency and Cooperation Agreements between the City of Twentynine Palms and the County of San Bernardino
RECOMMENDATION: The City Council approve Resolution No.11-03 for the Delegate Agency and Cooperation Agreements between the City of Twentynine Palms and the County of San Bernardino for fiscal year 2012-2013, 2013-2014, 2014-2015 for participation in the Community Development Block Grant Program.

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

8.0 PUBLIC HEARING - None

9.0 DEPARTMENTAL REPORTS, REQUESTS AND COMMUNICATION

9.1 Purchase of Three Pieces of Equipment from the Equipment Replacement Fund.

RECOMMENDATION: That City Council approve the following purchases: 1.

1. 2011 Ford F350 Flat Bed Pickup truck, in the amount of \$35,405.50 (tax included).
2. 2011 360 Toro Mower in the amount of \$22,380.26 (tax included).
3. John Deere Gator Ts in the amount of \$6,330.51 (tax included).

9.2 PC 11-16 – Applicants Mario Ledesma and Kellie Lee Stokes are Seeking Approval of a Letter of Public Convenience and Necessity for “The Cactus Room” to be located at 5670 Adobe Road.

RECOMMENDATION: That the City Council authorize and direct staff to issue a Letter of Public Convenience and Necessity (LPCN).

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

10.1 Draft Comprehensive Annual Financial Report and Various other Draft Reports
RECOMMENDATION: The City Council receive and file the reports.

10.2 Redevelopment Agency Annual Financial Report and other Required Reports
RECOMMENDATION: The Redevelopment Agency receive the Reports and Adopt RDA Resolution No. 11-05.

10.3 City Hall Work Schedule
RECOMMENDATION: That City Council consider the request by Councilmember Corbin to review the City Hall work schedule.

10.4 Formation of Twentynine Palms Public Financing Authority
RECOMMENDATION: Staff recommends the following:
1) Acting as the City Council, adopt Resolution No.11-07, a resolution authorizing execution and delivery of joint exercise of Powers Agreement with the Twentynine Palms Redevelopment Agency, establishing the Twentynine Palms Public Financing Authority
2) Acting as Redevelopment Agency Board, adopt Resolution No. RDA 11-06, a resolution authorizing execution and delivery of joint exercise of Powers Agreement with the City of Twentynine Palms establishing the Twentynine Palms Public Financing Authority

11.0 PUBLIC FINANCE AUTHORITY

11.1 Approval of Series A and Series B Tax Allocation Bonds for the Financing of Affordable Housing and Non-Housing Projects in the four Corners redevelopment Project Area

RECOMMENDATION: Staff recommends the following:

Acting as the City Council:

(Series A)

Adopt Resolution No. 11-08, a Resolution authorizing the issuance of not to exceed \$9,000,000 principal amount of tax allocation bonds by the Twentynine Palms Redevelopment Agency to finance projects relating to the Twentynine Palms Four Corners Redevelopment Project Area.

(Series B)

Adopt Resolution No. 11-09, a Resolution approving the issuance of not to exceed \$3,500,000 principal amount of housing tax allocation bonds by the Twentynine Palms Redevelopment Agency to finance low and moderate income projects relating to the Twentynine Palms Four Corners Redevelopment Project Area.

Acting as Redevelopment Agency Board:

(Series A)

Adopt Resolution No. RDA 11-07, a Resolution authorizing the issuance and sale of not to exceed \$9,000,000 principal amount of tax allocation bonds to finance projects relating to the Four Corners Redevelopment Project Area and approving related documents and actions.

(Series B)

Adopt Resolution No. RDA 11-08, a Resolution authorizing the issuance and sale of not to exceed \$3,500,000 principal amount of housing tax allocation bonds to finance low and moderate income housing projects relating to the four corners Redevelopment Project Area and approving related documents and actions.

Acting as the Public Financing Authority:

Adopt Resolution No. PFA 11-01, a Resolution approving a conflict of interest code and setting time and place for regular meetings of the Board.

(Series A)

Adopt Resolution No. PFA 11-02, a Resolution authorizing the purchase and sale of tax allocation bonds to be issued by the Twentynine Palms Redevelopment Agency, approving related documents and authorizing official actions.

(Series B)

Adopt Resolution No. PFA 11-03, a Resolution authorizing the purchase and sale of housing tax and allocation bonds to be issued by the Twentynine Palms Redevelopment Agency, approving related documents and authorizing official actions.

12.0 FUTURE COUNCIL INITIATED ITEMS

13.0 CLOSED SESSION – None

14.0 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 7:00 a.m. until 6:00 p.m. Monday through Thursday, except legal holidays. The Invocation is given per Policy 10-01, and does not reflect the views of the City but rather is an expression of speech by a private citizen making the presentation. 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., March 17, 2011.

Charlene L. Sherwood MMC, City Clerk

3:00 p.m. March 17, 2011
Time/Date