

NOTICE IS HEREBY GIVEN, that the City Council/Redevelopment Agency Board of the City of Twentynine Palms will hold a **Closed Session** at 5:15 p.m. at City Hall, 6136 Adobe Road, Twentynine Palms, to consider the following:

Pursuant to Government Code Section 54956.9 Conference with Legal Counsel Regarding Redevelopment Agency Potential Litigation (1 case)

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.29palms.org
Tuesday, July 12, 2011
6:00 P.M.**

AGENDA

- 1.0 CALL TO ORDER -
PLEDGE OF ALLEGIANCE-
INVOCATION -** Pastor Perry Ford, Spirit & Truth 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, July 18, 2011 at 6:30 p.m. and Friday, July 22, 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 \$179,229,48 .
- 6.3 Approval of Minutes
RECOMMENDATION: The City Council approve the minutes of the June 14, 2011 and June 28, 2011 regular City Council meeting.
- 6.4 Resolution No. 11-25 Approving Engineer's Report for the Historic Plaza Maintenance Assessment District and Declaring the Intent to Levy Fiscal Year 2011-12 Assessments
RECOMMENDATION: The City Council adopt Resolution No. 11-25 of the City Council that:
1) Approves the engineer's report ("Report") prepared by Charles Abbott Associates, which was required by the Landscaping and Lighting Act of 1972, Streets and Highways Code Section 22500 *et seq.* (the "Act"), to start the process for levying assessments for Fiscal Year ("FY") 2011-12 in the Historic Plaza Maintenance Assessment District ("District");
2) Declares the City Council's intent to levy the assessments for FY 2011-12 and set a Public Hearing thereon for the next regular City Council meeting; and
3) Directs the Clerk to publish notice of the Public Hearing as required by the Act.
- 6.5 Approve Purchase of 10 Acres (APN#613-051-15) in Indian Cove from Alex Nichols in the amount of \$20,000.
RECOMMENDATION: The City Council approve the purchase of 10 acres from Alex Nichols in the amount of \$20,000.
- 6.6 Appropriation Limit
RECOMMENDATION: The City Council establish the appropriation limit for fiscal year 2011/2012 by the adoption of Resolution No. 11-23.

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

8.0 PUBLIC HEARINGS

- 8.1 PC 11-01 – Proposed Amendment to the City of Twentynine Palms Municipal Code Amending Section R313 "Automatic Fire Sprinkler Systems" of the Adopted Building Code, 2010 Edition.
RECOMMENDATION: Conduct the Public Hearing, consider public comment, determine that PC 11-01 is Exempt from further review and introduce City Ordinance No. 238 amending Section R313 "Automatic Fire Sprinkler Systems" of the adopted Building Code, 2010 Edition to require the installation of fire sprinklers within mobile and modular homes, citywide.

8.2 PC 10-05 – A Request from Applicant Eugene McMenammin to Defer the Installation of Underground Utilities

RECOMMENDATION: Conduct the Public Hearing, consider public comment, determine that PC 10-05, the deferral of undergrounding of existing above ground power lines, is Exempt from further environmental review and authorize the City Manager to enter into an agreement to defer the installation of underground utilities as stipulated within the agreement.

8.3 Public Hearing and Work Session on Proposed Budget for Fiscal Year 2011-2012

RECOMMENDATION: Listen to City Manager budget presentation, take public comment on proposed budget, ask questions and discuss proposed budget, make desired changes, give staff direction and take action to either (1) continue public hearing and work session to a future meeting or (2) adopt budget with changes directed by the City Council.

9.0 DEPARTMENTAL REPORTS, REQUESTS AND COMMUNICATION - None

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT - None

11.0 FUTURE COUNCIL INITIATED ITEMS

12.0 CLOSED SESSION - None

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 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., July 7, 2011.

Charlene L. Sherwood MMC, City Clerk

Time/Date