

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

**MINUTES**

- 1.0 CALL TO ORDER** – Mayor Klink called the meeting to order at 6:00 p.m.  
**PLEDGE OF ALLEGIANCE**- Mayor Pro Tem Flock led the Pledge of Allegiance.  
**INVOCATION**– Michael “Grumpy” Calvert from Joshua Springs Calvary Chapel gave the Invocation.  
**ROLL CALL** - The following Councilmember’s were present: Flock, Harris and Klink. Councilmember Spear had an excused absence. Councilmember Cole arrived at 6:30 p.m.

**2.0 SPECIAL RECOGNITION AND PRESENTATIONS**

2.1 Proclamation for the National Day of Prayer

Mayor Klink presented a Proclamation for the National Day of Prayer to Michael “Grumpy” Calvert at Joshua Springs Calvary Chapel.

Mr. Calvert said a celebration for National Day of Prayer would be held on May 7, 2009 at 11:00 a.m. at Veterans Park and he invited the public to attend.

**3.0 ANNOUNCEMENTS**

- 3.1 Mayor Klink announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Saturday, May 2, 2009 at 7:00 p.m. and Friday, May 8, 2009 at 5:00 p.m.

**4.0 PUBLIC COMMENTS**

Raymond Wolff, District 8 Director of Caltrans, spoke to the City Council regarding Caltrans working with City staff. He said there are a number of projects Caltrans was moving forward with in the City on Highway 62. He said Caltrans would work cooperatively to address the City’s concerns.

Councilmember Harris said he appreciated Mr. Wolff coming to the City Council meeting and he said the cooperation has been tremendous.

Mr. Wolff responded he looked forward to working with the City Council.

Mayor Pro Tem Flock said he had gone to Mr. Wolff with his concerns and was impressed with his response which was very detailed and professional.

**5.0 CITY COUNCIL MEMBER REPORTS AND COMMENTS**

Mayor Klink wished everyone who was celebrating a Birthday in April a Happy Birthday. He said he attended the League of California Cities Desert Mountain Division in Barstow this past Friday saying there were many bills discussed in Sacramento, such as the bill regarding plastic bags.

## 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 (if any exist) 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 \$333,197.05.

6.3 Approval of Minutes

RECOMMENDATION: The City Council approve the minutes of April 14, 2009.

6.4 Property Conveyance and Loan Agreement Agency Agreement between the City and Agency and Exclusive Negotiation Agreement with SKA Development, Inc.

RECOMMENDATION: The City Council and Redevelopment Agency Board adopts the attached Resolutions authorizing and directing the Executive Director to enter into and implement (i) the attached Property Conveyance and Loan Agreement between the City and Agency for a consolidated property located in the Four Corners Redevelopment Project Area ("Subject Property"); and (ii) the attached Exclusive Negotiation Agreement ("ENA") with SKA Development, LLC.

6.5 Treasurer's Report - March 31, 2009

RECOMMENDATION: Receive and file.

6.6 El Rey Avenue Street Improvement

RECOMMENDATION: 1. Accept the completed work on the "El Rey Avenue Improvement Project" with Cooley Construction, Inc. for the amount of \$466,702.77. 2. Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds, and 3. Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.

6.7 Bagley Avenue Street Improvement Project

RECOMMENDATION: 1. Accept the completed work on the "Bagley Avenue Improvement Project" with Cooley Construction, Inc. for the amount of \$494,485.30. 2. Direct the City Clerk to file a Notice of Completion, and notify surety to exonerate contract bonds, and 3. Direct the Finance Director to release the retention after 30 days if no claims are filed against the contractor.

6.8 Adoption of Ordinance No. 219 Regulating the Distribution of Unsolicited Written Materials

RECOMMENDATION: The City Council adopts Ordinance No. 219.

6.9 Adoption of Ordinance No. 220 (PC-07) Amendments to Chapters 19.06, 19.08, 19.30, 19.40, 19.62, 19.62 and 19.82 of the Development Code of the City of Twentynine Palms.

RECOMMENDATION: The City Council adopts Ordinance No. 220

6.10 Historic Plaza Maintenance Assessment District

RECOMMENDATION: The RDA Board of Directors authorize staff to prepare a ballot for a Maintenance Assessment District in Historic Plaza.

ACTION: On a motion made by Councilmember Harris, seconded by Mayor Pro Tem Flock and carried with a 3-2 (Cole and Spear absent) roll call vote, the City Council approved the Consent Calendar as presented.

**7.0 ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION OR SEPARATE ACTION AND/OR ADDED AGENDA ITEMS- None**

**8.0 PUBLIC HEARINGS- None**

**9.0 REPORTS, REQUESTS AND COMMUNICATIONS**

9.1 PC 09-09 General Plan Advisory Committee, Applicant Interviews

RECOMMENDATION: Provide guidance to staff as appropriate.

Director LaClaire presented a brief staff report to the City Council.

The following applicants spoke regarding interest in becoming a member of the General Plan Advisory Committee (GPAC):

Stephen C. Doutt, David A. Hite, W.F.Knabe, Paul F. Smith, Bob Whitt, Karen Cole, Philip Fultz, Lisa Pitts, Nelson Muniz, Lawrence J. Briggs, Mike Duncan, Robert R. Bronski, Eric Luff, George P. Mulopulos, Terriane Palmer, Mary-Austin Klein, Richard C. Banneck, Pat Flanagan, Kim Ortamond, Ronald Lee Rich, David B. Wener, Christopher Pummer, and James M. Ricker.

Mayor Klink read letters from applicants Nicole Panter and Steven Whitten to the City Council due to the applicants not being able to attend the meeting.

Mayor Klink thanked each of the applicants that came to speak and for letting the City Council meet each of them face to face.

Director LaClaire requested the City Council provide staff with their recommendations of applicants by 5:00 Friday May 1, 2009 so staff could have a report prepared for the May 12, 2009 meeting of the City Council. He said that the GPAC meetings would be open to the public and he encouraged those applicants not chosen to still attend the meetings.

Consensus of the City Council was for the City Council to return with the grading of the applications to staff by Friday, May 1, 2009.

- 10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT-** None
- 11.0 FUTURE COUNCIL INITIATED ITEMS-** None
- 12.0 CLOSED SESSION** - None
- 13.0 ADJOURN-** Mayor Klink adjourned the meeting at 7:33 p.m.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk