

**TWENTYNINE PALMS CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING
6136 Adobe Road
Twentynine Palms, CA 92277
www.ci.twentynine-palms.ca.us
Tuesday, December 8, 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 - Cpl Michael Wilson led the Pledge of Allegiance.
INVOCATION – Mike “Grumpy” Kelliher, Joshua Springs Calvary Baptist Chapel led the Invocation.
ROLL CALL – The following Councilmembers were present: Cole, Flock, Harris, Spear and Klink.

2.0 SPECIAL RECOGNITION AND PRESENTATIONS

2.1 Mayor Klink will present the Mayor’s Recognition Award

Mayor Klink presented the Mayor’s Recognition Award to Mike “Grumpy” Kelliher.

Mike “Grumpy” Kelliher thanked the City Council for the Mayor’s Recognition Award.

2.2 Mayor Klink will present the State of the City Address

Mayor Klink presented the State of the City Address (See Attached).

3.0 ANNOUNCEMENTS

- 3.1 Mayor Klink announced these proceedings will be televised on Cable T.V., Channel 10, as follows: Monday, December 14, 2009 at 6:30 p.m. and Friday, December 18, 2009 at 6:30 p.m.

4.0 PUBLIC COMMENTS

Lt. Dale Mondary said he has been transferred to Sherriff’s Headquarters at the Bureau of Administration in San Bernardino. He thanked the City Council for the hard work they have accomplished together, and also thanked City staff for their help over the years.

Steve Whitten, Twentynine Palms, spoke in support of Economic Development.

5.0 COUNCIL COMMENTS

Councilmember Spear wished the public Happy Holidays.

Councilmember Harris wished the public a Happy Holiday Season. He reminded everyone to drive safe and enjoy their families during the holidays. He said Mayor Pro Tem Flock, City Manager Tree and himself went to San Bernardino on December 7, 2009 to teleconference with Congressman Lewis. He said they discussed pressing items that affected the City such as improving Highway 62 and Congressman Lewis said he was well aware of the situation and he wanted to issue more money to get the issue resolved. He said that he is aware of the Waste Water Treatment and he wants to come up with funding for a study here in conjunction with the Marine Corps Base.

Mayor Pro Tem Flock congratulated Grumpy and said the recognition was well deserved. He thanked Lt. Mondary for his work with the City. He said the video conference went well with Congressman Lewis and he was impressed with the discussion. He said Congressman Lewis has done a lot for the City in the past and that he has faith that he will do a lot for the City in the future. He said the Light Parade was Thursday as well as the Chamber mixer at the Chamber of Commerce.

Councilmember Cole wished the public a Happy Holiday season. He thanked Mayor Klink for his service the past year.

Mayor Klink reminded the public about the light parade on December 19, 2009 at 5:30 which starts at Luckie Park which will end at the Community Center on Joe Davis Drive.

6.0 CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

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 \$187,761.70.

6.3 Approval of Minutes

RECOMMENDATION: The City Council approve the minutes of the November, 24, 2009 meeting.

6.4 Vacation of Alley at 5864 Adobe Road

RECOMMENDATION: 1) Find that the road easement for the alley as shown on on Tract Map 2619 per the attached Exhibit "A" are unnecessary for present or prospective public use, and that no public money has been expended for maintenance for more than five (5) years, and; 2) Adopt Resolution 09-33 "A Resolution of the City Council of the City of Twentynine Palms, California, vacating the alley at lots 3, 4, 5, and Tract 2619, pursuant to Streets and Highways Code Sections 8330-8336" 3) Instruct the City Clerk to cause the Resolution vacating the easement to be recorded in the office of the County Recorder of the County of San Bernardino, pursuant to Section 8336 of the Streets and Highways Code.

ACTION: On a motion made by Councilmember Harris, seconded by Councilmember Cole and carried with a 5-0 roll call vote, the City Council approved the Consent Calendar as submitted.

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

8.0 PUBLIC HEARING

8.1 PC 09-47 – MP Investments is requesting approval to convert an existing structure located at 5864 Adobe Road into a lounge (with live music and bar), a billiard hall, retail shop, banquet dining facilities, food service, restroom storage and office areas.

RECOMMENDATION: Conduct the Public Hearing, consider public comment and adopt Council Resolution 09-32 determining that the project is exempt from further environmental review and approving the project subject to the attached Conditions of Approval.

Community Development Director LaClaire (Director LaClaire) presented a staff report to the City Council.

Councilmember Harris said on page 4 under item 6, Club Silver Screen is listed as having a license to sell alcohol and that the club had closed for a number of years and he wanted to know if on page 6, item 2, where it states Club Silver Screen is actually Club Vo which is on Adobe Road.

Director LaClaire responded yes.

Councilmember Spear questioned adding a sprinkler system and he said he would like the Fire Chief to look at the plans for a fire wall.

Mayor Pro Tem Flock asked if the sewage that was set up now was adequate.

Director LaClaire said they were informed from the County that the existing onsite septic system at the building is adequate to meet the requirements as specified for the first phase. He said the second phase will involve the addition of new septic and the third phase will include additional septic beyond.

Mayor Klink opened the Public Hearing.

Maurice Pegorelli, applicant, said the entire building will have sprinklers and the parking will meet the requirements. He said the existing sewer system has been redone and it is working.

Jack Briggs, Twentynine Palms, spoke in favor of the project.

Mayor Klink closed the Public Hearing.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Spear and carried with a 5-0 roll call vote, the City Council adopted Council Resolution 09-32 determining that the project is exempt from further environmental review and approved the project subject to the attached Conditions of Approval.

9.0 REPORTS, REQUESTS AND COMMUNICATIONS

- 9.1 PC 09-80 – Applicant Claire Regina Fabian is Seeking Approval of a Letter of Public Convenience and Necessity for Gordie’s Bar and Deli, 4966 Adobe Road, Zone CG.

RECOMMENDATION: Direct staff to issue a Letter of Public Convenience and Necessity (LPCN).

Director LaClaire presented a staff report to the City Council.

ACTION: On a motion made by Councilmember Spear, seconded by Mayor Pro Tem Flock and carried with a 5-0 roll call vote, the City Council accepted PC 09-80 as recommended by staff and directed staff to issue a Letter of Public Convenience and Necessity (LPCN).

10.0 LEGISLATIVE/COUNCIL/REDEVELOPMENT

- 10.1 Selection of Mayor and Mayor Pro Tem

RECOMMENDATION: The City Council select the Mayor and Mayor Pro Tem.

City Attorney Munoz directed the City Council to select a Mayor and Mayor Pro Tem.

ACTION: On a motion made by Councilmember Cole, seconded by Councilmember Harris and carried with a 5-0 roll call vote, the City Council selected Mayor Pro Tem Flock to serve as Mayor.

ACTION: On a motion made by Councilmember Cole, seconded by Mayor Flock and carried with a 5-0 roll call vote, the City Council selected Councilmember Harris to serve as Mayor Pro Tem.

Mayor Flock presented Councilmember Klink with a recognition plaque for serving as Mayor and thanked him for his service.

Councilmember Klink thanked the City Council and staff for the recognition.

11.0 FUTURE COUNCIL INITIATED ITEMS

Mayor Klink requested an update on telephone books stating there were a lot of telephone books still lying around and wanted to know how many people came in to get the permit to pass the telephone books out. He wanted to know who would be picking up the remaining telephone books lying around.

12.0 CLOSED SESSION - None

13.0 ADJOURN- Mayor Flock adjourned the meeting at 7:10 p.m.

Respectfully Submitted,

Charlene L. Sherwood MMC, City Clerk