



PALMDALE

a place to call home

**CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, DECEMBER 21, 2022
5:00 PM
www.cityofpalmdale.org**

WELCOME

The Council Chamber is open for in-person public comment and seating. The Mayor and/or one or more members of the City Council may participate virtually in this meeting.

How to observe the meeting virtually:

1. Spectrum local access Channel 27
2. Online live webcast at www.cityofpalmdale.org.

How to Submit Public Comments:

VERBAL PUBLIC COMMENT DURING THE MEETING – ZOOM Number: US: +1 669
444 9171 Webinar ID: 867 0117 2687 Passcode: 504085

Webinar attendee link [https://us06web.zoom.us/j/86701172687?
pwd=RmxNOEgyeGpzeDlrTWQ3c1R4Y3V6Zz09](https://us06web.zoom.us/j/86701172687?pwd=RmxNOEgyeGpzeDlrTWQ3c1R4Y3V6Zz09).

Verbal comments must be limited to three (3) minutes. Public comments submitted will become part of the official meeting record.

The safety and well-being of employees and the public remains the City's top priority. The City of Palmdale appreciates your patience and understanding during these challenging times.

The City Council is making every effort to follow the spirit and intent of the Brown Act and other applicable laws regulating the conduct of public meetings in order to maximize transparency and public access.

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (661) 267-5151 at least 72 hours prior to the meeting.

If you require oral Spanish translation, please contact the City Clerk's Office at (661) 267-5151 at least 72 hours prior to the meeting.

Your courtesy is requested to help our meetings run smoothly. If you'll be kind enough to follow these simple rules, we can make the best possible use of your time and ours:

- Please refrain from public displays or outbursts, such as unsolicited applause, comments, cheering, foul language or obscenities.
- Any disruptive activities that substantially interfere with the ability of the City Council to carry out its meeting will not be permitted and offenders will be asked to leave the meeting.
- Please turn off/mute your cell phones and mobile devices.

5:00 P.M.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS

3. ROLL CALL

MAYOR PRO TEM LOA, COUNCILMEMBERS BETTENCOURT, BISHOP

4. WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Staff Recommendation: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting. (Voice Vote - Requires a majority to waive.)

5. RESOLUTION RECITING ELECTION RESULTS:

- 5.1 Adopt Resolution No. CC 2022-119, a Resolution of the City Council of the City of Palmdale reciting the fact of the General Municipal Election held on November 8, 2022 declaring the result of such other matters as provided by law. (Staff Reference: Acting City Clerk Faber)

Call for Public Comments

Recommendation: Adopt Resolution No. CC 2022-119
[SR_Adopting_Reso_CC_2022-119.docx](#)
[Resolution_CC_2022-119_Reciting_Facts_of_Election.docx](#)
[Exhibit A Certified Canvass of Election 11 8 22.pdf](#)

6. **ADMINISTRATION OF OATH OF OFFICE:**

- Laura Bettencourt, Councilmember District 3
- Eric Ohlsen, Councilmember District 4
- Andrea Alarcon, Councilmember District 5

Recess for Reception

7. **ROLL CALL**

MAYOR PRO TEM LOA, COUNCILMEMBERS BETTENCOURT, BISHOP, ALARCON, OHLSEN

8. **PUBLIC COMMENTS ON LISTED AGENDA ITEM(S) (EXCLUDING THE PUBLIC HEARINGS)**

You may address the Council once per meeting during Public Comments. This portion of the public comment is on any item listed on the agenda, excluding public hearings (if any). Public comment on public hearing items (if any) will be heard when that matter is considered. To address the Council regarding an item on the agenda, please fill out a Speaker's Form and submit it to the City Clerk **BEFORE** the Mayor announces the item. Each person addressing the Council is customarily given up to three minutes to speak (with double the time allotted to non-English speakers using a translator). The amount of time authorized may be adjusted by the chair. If you wish to provide information to the Council, please present the City Clerk with 7 copies. Otherwise, your materials will simply be added to the administrative record. If you are attending the meeting by phone, please press *9 to "raise your hand." If attending by personal computer, please click the "raise your hand" button. Press *6 to un-mute yourself, state your name and begin speaking.

9. **CONSENT CALENDAR**

- 9.1 Adopt Resolution No. CC 2022-122, a Resolution of the City Council of the City of Palmdale Making Legally Required Findings for Extending Remote Teleconference Participation for Meetings of the City Council and its Related and/or Subordinate Legislative Bodies. (Staff Reference: Interim City Attorney Porter)

Recommendation: Adopt Resolution No. CC 2022-122

[SR_-_RESO_Authorizing_Remote_Meetings_122122.docx](#)

10. PUBLIC HEARING

- 10.1 INTRODUCTION AND ADOPTION OF ORDINANCE NO. U-1604, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY, REVISING MUNICIPAL CODE SECTION 2.08.010 REGARDING THE SELECTION OF THE MAYOR AND MAYOR PRO TEM. ALSO CONSIDER ALTERNATE VERSIONS OF SAID ORDINANCE, SUCH AS A NON-URGENCY ORDINANCE.

Staff to read the title of Ordinance No. U-1604

Call for Public Comments

Close the Public Comments

Recommendation: Introduce and adopt Ordinance No. U-1604

[SR- Mayoral Selection - Dec 13.docx](#)

[Ord_-_Mayor_and_Mayor_Pro_Tem_-_Dec_13_-_SEP.docx](#)

[Resolution_No._CC2017-008_Mayor_Pro_Tem_Selection.pdf](#)

11. NEW BUSINESS

- 11.1 Selection of Mayor. (Staff Reference: Acting City Clerk Scott)

[SR - appointment of mayor after ordinance adoption.docx](#)

- 11.2 Discussion and Possible Action Regarding Mayor Pro Tem Appointment. (Staff Reference: Acting City Clerk Scott)

[Mayor_Pro_Tem_Appointment_SR_12_21_22.docx](#)

[Resolution No. CC2017-008 Mayor Pro Tem Selection.pdf](#)

- 11.3 Discussion and Possible Action to Declare a Local Emergency related to the City of Los Angeles' Proposed Relocation of Homeless to a "Village" in Palmdale.

(Staff Reference: Interim City Manager Perez)

[SR_-_State_of_Emergency_Homeless_-_330_pm.docx](#)

[RESO_-_State_of_Emergency_-_Homeless_-_330pm.docx](#)

[COP_Strategic_Plan.pdf](#)

12. PUBLIC COMMENTS ON NON-AGENDA ITEMS

This portion of the Agenda allows an individual the opportunity to address the Council on any subject within the City's subject matter jurisdiction not on the Agenda. Under state legislation, in general, no action can be taken on items not specifically referenced on the Agenda, but may offer suggestions on how your concerns may best be resolved. To

address the Council regarding a non-agenda item, please fill out a Speaker's Form and submit it to the City Clerk **BEFORE** the Mayor announces the item. Each person addressing the Council is customarily given up to three minutes to speak (with double the time allotted to non-English speakers using a translator). The amount of time authorized may be adjusted by the chair. If you wish to provide information to the Council, please present the City Clerk with 7 copies. Otherwise, your materials will simply be added to the administrative record. If you are attending the meeting by phone, please press *9 to "raise your hand." If attending by personal computer, please click the "raise your hand" button. Press *6 to un-mute yourself, state your name and begin speaking.

13. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

The public is invited to comment on any closed session item listed below. Please submit a Speaker's Form to the City Clerk **BEFORE** this portion of the meeting begins. Each person addressing the Council is customarily given up to three minutes to speak (with double the time allotted to non-English speakers using a translator). The amount of time authorized may be adjusted by the chair. If you wish to provide information to the Council, please present the City Clerk with 7 copies. Otherwise, your materials will simply be added to the administrative record. If you are attending the meeting by phone, please press *9 to "raise your hand." If attending by personal computer, please click the "raise your hand" button. Press *6 to un-mute yourself, state your name and begin speaking.

14. PRESENTATION BY CITY ATTORNEY

14.1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Ricci v. City of Palmdale, et al.

Los Angeles County Superior Court

Case No. 22STCV01269

This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

14.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Shanae Smith, Patricia Nevarez and Michael "Mike" Behen vs. City of Palmdale, et al.

Los Angeles County Superior Court

Case No. 22STCV18219

This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

14.3 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

John J. Murphy v. City of Palmdale

Los Angeles County Superior Court Case Number: 22STCV22544

Related City Claim Number: 2022-007

- 14.4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Gerald Lynn Dolen and Roberta Dora Dolen v. City of Palmdale et al. Los Angeles County Superior Court Case No. 21AVCV00377
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).
- 14.5 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Kenya Torres v. City of Palmdale; Los Angeles Superior Court Case # 22STCV37041
Closed session authorized by Gov't Code 54956.9(d)(1)
- 14.6 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Leona Valley Town Council vs. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22STCP01932
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1)
- 14.7 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Donald Ross D'Angelo v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 21AVCV00441
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).
- 14.8 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
CV Communities, LLC et al. v. Antelope Valley East Kern Water Agency et al.
Los Angeles County Superior Court Case Nos. BC661107 and 20STCV10953
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).
- 14.9 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Interim City Manager
Name: Ronda Perez

This closed session is being held pursuant to the authority of California Government Code Section 54957.

14.10 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Interim City Attorney

Name: Scott E. Porter

This closed session is being held pursuant to the authority of California Government Code Section 54957.

15. **ANNOUNCEMENT BY CITY ATTORNEY**

16. **ADJOURNMENT**