



PALMDALE

a place to call home

**CITY COUNCIL MEETING
REVISED
SUCCESSOR AGENCY
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, MAY 3, 2023
5:00 PM
www.cityofpalmdale.org**

WELCOME

Mayor Pro Tem Alarcon will be participating via teleconference from JW Marriott Desert Springs Resort & Spa, Quiet Library, 74855 Country Club Drive, Palm Desert CA 92260 pursuant to Government Code Section 54953

How to observe the meeting:

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

How to Address the City Council

Any person who would like to address the Council regarding an item on the agenda, please fill out a Speaker's Form and submit it to the City Clerk **prior** to the agenda item you would like to discuss. You may address the Council once per meeting, per public comment section of the agenda on only those matters within the Council's jurisdiction. Please note that you are not required to complete this form or state your name and residence in order to speak. Each person addressing the Council is 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.

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. Please follow these simple rules so 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 MEETING TO ORDER

***Note: All City Council memberships are reflected in their City Council titles.**

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

4. PRESENTATIONS

- 4.1 Presentation by Mayor and Council of a Commendation to Tony Tortolano naming him City of Palmdale's Veteran of the Year.

5. 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.)

6. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

This portion of the Agenda allows an individual the opportunity to address the Council on Consent Calendar items ONLY. If you wish to comment on any item(s) listed on the Consent Calendar, please come forward to the podium when called or acknowledged by

the Chair and state the item number(s) and your comments. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker.

7. **CONSENT CALENDAR**

All matters listed under the Consent Calendar will be enacted by one motion unless an item(s) is pulled by Council, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

7.1 Receive and File the Monthly and Quarterly Investment Activity for March 2023.

[1. Staff_Report_-_Investment_Report_Mar_2023.docx](#)

[02 March 2023 City & Successor Monthly and Quarterly Investment Rprt.pdf](#)

7.2 Approve Agreement with Eide Bailly, LLP. for Auditing Services in the amount of \$960,000, for a five (5) year term through June 30, 2028.

[1. Staff Report Eide Bailly, LLC Contract A-8300.docx](#)

[EIDE BAILLY \(A-8300\).pdf](#)

7.3 Approve First Amendment to Legal Services Agreement with Civica Law Group, APC (A-8272) to increase the total amount of the Agreement by \$500,000 not to exceed the sum of \$600,000.

[SR - Civica Law Group A-8272 Amend 1 - 050323.docx](#)

[Civica Law Group, APC - \(A-8272\) Amendment 1.pdf](#)

[Civica Law Group, APC \(A-8272\).pdf](#)

7.4 Adopt Resolution No. CC 2023-024, a Resolution of the City Council of the City of Palmdale directing the preparation of the Engineer's Report for the continuation of the annual levy of assessments and designating the Engineer of Work for the City of Palmdale Drainage Benefit Assessment Districts No. 1, and No. 2006-02.

[Palmdale DBAD - Staff Report 5-3-2023 v2.docx](#)

[Palmdale DBAD - Res 1 #CC 2023-024 for 5-3-2023 v2.doc](#)

7.5 Adopt Resolution No. CC 2023-025, a Resolution of the City Council of the City of Palmdale directing the preparation of the annual Engineer's Reports for the continuation of the annual levy of assessments and designating the Engineer of Work for fiscal year 2023/2024 for the City of Palmdale Landscape Maintenance Assessment Districts and Annexations, Park Maintenance and Recreation Improvement District, and Streetlight Maintenance Assessment Districts and Annexations.

[Palmdale LMD - Staff Report 5-3-2023 v2.docx](#)

[Palmdale LMDParkSMD - Res 1 #CC 2023-025 for 5-3-2023 tc.doc](#)

7.6 Approve Purchase Order No. 20230522 with Nixon-Egli Equipment Company for One(1) New JAJ-600WH Easement Machine in an amount not to exceed \$114,109.

[SR Approve PO 20230522 Nixon-Egli - Easement Machine.docx](#)

[1. Purchase Order NO. 20230522 Nixon-Egli Equipment.pdf](#)

[2. Sourcewell Contract No. 101221-SCA.pdf](#)

[3. Nixon-Egli Quote 100710 Easement Machine.pdf](#)

[Picture.docx](#)

- 7.7 Approve the transfer of SB 1: Funds, The Road Repair and Accountability Act (RMRA) of 2017, from Account No. S0025210, Pavement Resurfacing to Account No. S0062210, County Pavement Projects, in the amount of \$1,235,000.

[SB1 transfer staff report.docx](#)

[10TH ST EAST ET AL.pdf](#)

[Avenue P - 15th St East to 30th St East.pdf](#)

[CHESEBORO RD - PEARBLOSSOM HWY TO COUNTY BOUNDARY.pdf](#)

[LAGO LINDO RD ET AL.pdf](#)

[SIERRA HWY - PEARBLOSSOM HW TO AVE S.pdf](#)

- 7.8 Approve the minutes from the previous meetings.

CC - March 15, 2023

CC/SA/IDA/PAA/PCA/PFA - April 5, 2023

CC - April 19, 2023

[CC Minutes 03 15 2023.pdf](#)

[CC_SA_HA_IDA_PAA_PCA_PFA Minutes 04 05 2023.pdf](#)

[CC Minutes 04 19 2023.pdf](#)

8. PUBLIC HEARING

- 8.1 Introduction and Adoption of Ordinance No. 1610, an Ordinance of the City Council of the City of Palmdale, amending Ordinance U-1582; as it amended Palmdale Municipal Code Section 16.40.120 to increase the initial term of Tentative Maps by two years, and to increase the term of certain phased Tentative Maps by one additional two-year period.

[Staff Report TTM Extension.docx](#)

[Ordinance_No._1610.docx](#)

- 8.2 Public Hearing to hear public comments on the Draft 2023-2024 Action Plan Programming estimated \$2,650,709 in Consolidated Plan funds; review, approve, and submit the 2023-2024 Action Plan; and execute documents related to the submission of the Action Plan, and Sub-Recipient agreements.

[Staff Report 2023-24 Action Plan.docx](#)

[2023- 2024 Draft AAP_Palmdale.pdf](#)

- 8.3 Public Hearing to review the Substantial Amendment to the 2022-2023 Annual Action Plan, the proposed Section 108 application and the expenditure of

Community Development Block Grant (CDBG) Funds; receive public comment in compliance with the requirements of the U.S. Department of Housing and Urban Development (HUD) and the City's Citizen Participation Plan; approve the Substantial Amendment to the 2022-2023 Action Plan; and adopt Resolution No. CC 2023-02, a resolution of the City Council of the City of Palmdale, authorizing the City manager or their designee to submit the Section 108 Loan Guarantee Application to the United States Department of Housing and Urban Development for a \$6,000,000 Loan for SAVES Facility Improvements.

[Staff Report Section 108.docx](#)

[Resolution No. CC 2023-021.doc](#)

[Palmdale Draft Section 108 Application.pdf](#)

9. APPOINTMENT(S)

- 9.1 City Council Nomination and Appointment of seven (7) Members and seven (7) Alternates to the Measure AV Oversight Committee.

[StaffReport MAV Appointments 2023.docx](#)

[MAV Apps redacted.pdf](#)

10. PUBLIC COMMENTS ON NON-AGENDA ITEMS

This portion of the Agenda allows an individual the opportunity to address the Council on any subject regarding City business not on the Agenda. Under state legislation, no action can be taken on items not specifically referenced on the Agenda and the Chair may refer you to the City Manager or staff to address your request. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker and your topic must remain relevant to items within the City's authority or purview.

11. INFORMATIONAL REPORT FROM MAYOR AND / OR COUNCILMEMBERS ON THEIR VARIOUS COMMITTEE MEMBERSHIPS AND MEETINGS ATTENDED AT PUBLIC EXPENSE

11.1 COMMITTEE MEMBERSHIPS.

- ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
- ANTELOPE VALLEY TRANSIT AUTHORITY
- CALIFORNIA CONTRACT CITIES ASSOCIATION
- CITY OF PALMDALE AUDIT COMMITTEE
- CITY OF PALMDALE INVESTMENT OVERSIGHT COMMITTEE
- HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
- LEAGUE OF CALIFORNIA CITIES
- LOS ANGELES COUNTY SANITATION DISTRICT
- NORTH LOS ANGELES COUNTY TRANSPORTATION COALITION
- PALMDALE RECYCLED WATER AUTHORITY

- UNITED STATES/MEXICO SISTER CITIES ASSOCIATION
- CALIFORNIA STATE PRISON – LOS ANGELES COUNTY, CITIZENS ADVISORY COMMITTEE

11.2 MEETINGS ATTENDED AT PUBLIC EXPENSE

[Alarcon Informational Report 050323.docx](#)
[Bettencourt Informational Report 050323.docx](#)
[Bishop Informational Report 050323.docx](#)
[Ohlsen Informational Report 050323.docx](#)

12. **CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS**

13. **CITY MANAGER'S REPORT**

14. **PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

This portion of the Agenda allows an individual the opportunity to address the Council on Closed Session items ONLY. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker.

15. **PRESENTATION BY CITY ATTORNEY**

15.1 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).

15.2 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Maithi 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).

15.3 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Ricky Thorstensen v. City of Palmdale, et al.

Los Angeles County Superior Court

Case No. 22STCV29463

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

15.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Kenya Torres vs. City of Palmdale, et al.

Los Angeles County Superior Court

Case No. 22STCV37041

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

15.5 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Edman Discua v. City of Palmdale, et al.

Los Angeles Superior Court

Case No. 21STCV45406

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

15.6 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Land Developers & Associates Corporation v. Successor Agency to the Community Redevelopment Agency of the City of Palmdale, et al.

Los Angeles County Superior Court

Case No. 22AVCV01093

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

16. **ANNOUNCEMENT BY CITY ATTORNEY**

17. **ADJOURN meeting to May 17, 2023 at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.**