



PALMDALE

a place to call home

**CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, APRIL 19, 2023
5:00 PM**

www.cityofpalmdale.org

WELCOME

The Council Chamber is open for in-person public comment and seating.

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. 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. 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.

6. **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.

- 6.1 Approve Agreement No. A-8314 with Smarte Carte Inc. to install 172 keyless lockers and two self-service payment kiosks at DryTown Water Park.

[Staff Report Agreement No. A-8314 with Smarte Carte.docx](#)
[AGREEMENT A-8314 Smarte Carte Inc..pdf](#)

- 6.2 Approve First Amendment to Legal Services Agreement with Harper & Burns, LLP to increase the total amount of the Agreement by \$220,000, to increase the not to exceed amount to \$320,000 and amend the indemnity section.

[SR_-_Harper & Burns, LLP A-8232 Amend 1- 041923.docx](#)
[Harper & Burns, LLP - A-8232 Amendment 1 - 4-19-2023.pdf](#)
[Harper & Burns - Agreement 8232.pdf](#)

- 6.3 Approve First Amendment to Legal Services Agreement with Jones & Mayer to increase the total amount of the Agreement by \$302,000 not to exceed the sum of \$402,000.

[SR_-_Jones___Mayer_A-7578_Amend_1-_041923 \(2\).docx](#)
[Jones & Mayer - Agreement 7578 Amendment 1.pdf](#)
[Jones & Mayer - Agreement 7578.pdf](#)

- 6.4 Notice of Completion - Accept Public Improvements for Circle K, located at 3851 East Palmdale Blvd.

[SR-04192023 \(17-02\).docx](#)
[EXHIBIT A 17-02.docx](#)
[EXHIBIT B.docx](#)
[NOC_17-02 PC & SD IMPROVEMENTS.doc](#)

- 6.5 Approve additional funds of \$100,000 for Purchase Order No. 20230000 with Walsma Oil Company, Inc. for diesel and unleaded fuel, motor oil, and lubricants in an amount not to exceed \$550,000.

[SR Approve PO 20230000 Walsma Oil Additional Funds.docx](#)
[1. Purchase Order No. 20230000 Walsma Oil.pdf](#)

- 6.6 Approve Purchase Order No. 20230495 with Plumber's Depot for one (1) new GapVax MC1510-3S4S Combination Jet/Vacuum Truck, in an amount not to exceed \$604,991.89.

[SR Approve PO 20230495 Plumber's Depot - GapVax.docx](#)
[1. Purchase Order No. 20230495 Plumber's Depot.pdf](#)
[2. Sourcewell Contract No. 101221-GPV.pdf](#)
[3. Plumber's Depot Quote MC-1510-534 GapVax.pdf](#)

- 6.7 Approve the first amendment to the employment agreement between the City of Palmdale and Michael Miller, Assistant City Manager (Agreement No. A-7465).

[Staff_Report Miller Mike First Amendment to Agreement A 7465.docx](#)

[Exhibit 1 Miller Mike Agreement First Amendment 4.19.23.pdf](#)

[Exhibit 2 A 7465 First Amendment Assistant City Manager job description.pdf](#)

[Exhibit 3 A 7465.pdf](#)

- 6.8 Approve the minutes from the previous meetings.

CC - March 10, 2023

[CC Minutes 03 10 23.docx](#)

7. NEW BUSINESS

- 7.1 Adopt Resolution CC 2023-022, A Resolution of the City Council approving the Five-Year Public Art Work Plan for projects in the City of Palmdale in accordance with Chapter 15.01 of the Palmdale Municipal Code.

[Five-Year_Public_Art_Work_Plan_Staff_Report.docx](#)

[CC_Reso_2023-022_Five-Year_Work_Plan.docx](#)

[Five_Year_WorkPlan_FY23-24 \(002\) \(003\).docx](#)

[CC.Workshop.FiveYearWorkPlan.Presentation \(003\).pdf](#)

8. 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.

9. CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS

10. CITY MANAGER'S REPORT

11. 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.

12. **PRESENTATION BY CITY ATTORNEY**

- 12.1 **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).
- 12.2 **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).
- 12.3 **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).
- 12.4 **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).
- 12.5 **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).

13. **ANNOUNCEMENT BY CITY ATTORNEY**

14. **ADJOURN** meeting to May 3, 2023 at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.