



PALMDALE

a place to call home

**CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, NOVEMBER 16, 2022
5:00 PM
7:00 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: 884 9129 5351 Passcode: 213250

Webinar attendee link [https://us06web.zoom.us/j/88491295351?](https://us06web.zoom.us/j/88491295351?pwd=OTZFcU1PUFBsdEoxbDNLd1hjN2NQQT09)
[pwd=OTZFcU1PUFBsdEoxbDNLd1hjN2NQQT09](https://us06web.zoom.us/j/88491295351?pwd=OTZFcU1PUFBsdEoxbDNLd1hjN2NQQT09).

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. MAYOR TO CALL MEETINGS TO ORDER

2. ROLL CALL

MAYOR HOFBAUER, MAYOR PRO TEM LOA,
COUNCILMEMBERS CARRILLO, BISHOP, BETTENCOURT

3. 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.

4. PRESENTATION BY CITY ATTORNEY

- 4.1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Name of case: John J. Murphy v. City of Palmdale
Los Angeles County Superior Court Case Number: 22STCV22544
Related City Claim Number: 2022-007
- 4.2 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).
- 4.3 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).
- 4.4 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code 54956.9(d)(2): 1 potential case
- 4.5 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).
- 4.6 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Marian K. Allen v. City of Palmdale
Los Angeles County Superior Court Case No. 21AVCV00824
This closed session is being held pursuant to the authority of California Government Code Section 54956.9(d)(1).

- 4.7 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
Angela Lisa Thompson v. City of Palmdale
Los Angeles County Superior Court Case No. 22AVCV00437
This closed session is being held pursuant to the authority of California
Government Code Section 54956.9(d)(1).

5. **ANNOUNCEMENT BY CITY ATTORNEY**

6. **ADJOURN CLOSED SESSION MEETING**

7:00 P.M.

7. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE IN HONOR OF OUR TROOPS**

8. **PRESENTATION**

- 8.1 Presentation by Mayor and Council of the MISAC Award of Achievement to the City of Palmdale Information Technology Division for their practices that have met or surpassed local government standards.

9. **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.

10. **PUBLIC COMMENTS ON LISTED AGENDA ITEMS (EXCLUDING 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.

11. **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.

- 11.1 Approve First Amendment to Agreement between the City of Palmdale and Advantage Mailing, LLC for printing, bundling and delivery of the Palmdale News, Activities & Entertainment Magazine. (Staff Reference: Communication and Public Information Officer Lynch)

[Staff Report - Advantage Mailing 11_16_2022 Final.docx](#)

[Amendment to Agreement A-7679 Advantage Mailing LLC - signed.pdf](#)

[A-7679 Advantage Mailing LLC - FINAL.pdf](#)

- 11.2 Approve Agreement with Hafrisco LLC and Tripod LLC, for a loan of \$2,750,000 for acquisition of property located at the southeast corner of Avenue M and 10th Street West (APN 3128-015-900 and 3128-015-902). (Staff Reference: Director of Economic and Community Development Garibay)

[SR-_A-8142-Loan_Hafrisco_and_Tripod-11-16-22.docx](#)

[City Loan Agreement.11.10.22 with_attach.pdf](#)

- 11.3 Approve First Amendment to Legal Services Agreement with Burke Williams & Sorensen, LLP to amend the scope of services and to increase the total amount of the Agreement by \$600,000, to increase the the not to exceed amount to \$850,000 (Staff Reference: Interim City Attorney Porter)

[SR - Burke Williams & Sorensen LLP A-7802 Amend 1 - 11162022.docx](#)

[Burke Williams Sorensen LLP \(A-7802\) Amendment 1 - 11162022.pdf](#)

[Burke, Williams & Wellerstein, LLP \(A-7802\).pdf](#)

- 11.4 Approve First Amendment to Legal Services Agreement with Bradley, Gmelich & Wellerstein, LLP to increase the total amount of the Agreement by \$500,000, to increase the the not to exceed amount to \$750,000. (Staff Reference: Interim City Attorney Porter)

[SR - Bradley, Gmelich & Wellerstein, LLP A-7819 Amend 1 - 11162022.docx](#)

[Bradley, Gmelich & Wellerstein, LLP \(A-7819\) Amendment 1 - 11162022.pdf](#)

[Bradley, Gmelich & Wellerstein, LLP \(A-7819\).pdf](#)

- 11.5 Approve Second Amendment to Legal Services Agreement with Kane, Ballmer & Berkman, LLC to increase the total amount of the Agreement by \$200,000, to increase the the not to exceed amount to \$650,000. (Staff Reference: Interim City Attorney Porter)

[SR - Kane, Ballmer & Berkman, LLC A-7222 Amend 2 - 11162022.docx](#)

[Kane, Ballmer & Berkman, LLC \(A-7222\) Amendment 2 - 11162022.pdf](#)

[Kane, Ballmer & Berkman, LLC \(A-7222\).pdf](#)

[Kane, Ballmer & Berkman, LLC \(A-7222\) Amend 1.pdf](#)

- 11.6 Adopt Resolution No. CC 2022-120, 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)

[SR_-_RESO_Authorizing_Remote_Meetings_111622.docx](#)

[RESO_-_120Continuing_Remote_Meeting_authorization_-_For_Nov_16_2022.docx](#)

- 11.7 Approve Purchase Order No. 20230047 with All-State Utility Supply, Inc. for the purchase of replacement streetlight poles and other related items in the amount of \$144,468.84. (Staff Reference: Director of Public Works Glidden)

[All-State Utility Supply PO 20230047.docx](#)

[PO 20230047.pdf](#)

[Bid - All-State Utility Supply.pdf](#)

- 11.8 Approve additional funds of \$69,000.00 on Purchase Order No. 20230013 with Vulcan Materials Company for as needed asphalt materials in an amount not to exceed \$169,000.00. (Staff Reference: Director of Public Works Glidden)

[1._SR_Approve_Vulcan_Materials_PO_20230013_Musical_Road_Project.docx](#)

[2. Purchase Order No. 20230013 Vulcan Materials Co.pdf](#)

[3. IFB 22-001-3300 Asphalt Materials Cost Proposal.pdf](#)

12. WORKSHOP PRESENTATION

- 12.1 Presentation to Council regarding Certificate in Applied Psychology Program (CAPP). (Staff Reference: Assistant to the City Manager Lopez)

13. 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.

14. CITY MANAGER'S REPORT

15. ADJOURNMENT