



PALMDALE

a place to call home

**CITY COUNCIL MEETING
SUCCESSOR AGENCY/HOUSING AUTHORITY
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, AUGUST 3, 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: 892 0241 1067 Passcode: 522992

Webinar attendee link [https://us06web.zoom.us/j/89202411067?
pwd=V3FzdndKeFNNUHRFSVZsV3REcy9KZz09](https://us06web.zoom.us/j/89202411067?pwd=V3FzdndKeFNNUHRFSVZsV3REcy9KZz09).

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/CHAIR HOFBAUER, MAYOR PRO TEM/VICE CHAIR LOA,
COUNCILMEMBERS/DIRECTOR/COMMISSIONERS CARRILLO, BISHOP,
BETTENCOURT, FRAGA-SAENZ, DENNY

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

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).

4.2 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).

4.3 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

4.4 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property Address: 38820 3rd Street East and vacant land (APN 3006-008-06,14,15)

Negotiators for the City: Mike Miller, Director Neighborhood Services and Sophia Reyes, Housing Manager

Negotiator for Property Owner: The Rickey Thomas SEBO 2021 Trust

Under Negotiation: Price and terms of payment

4.5 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)

4.6 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

In Re National Prescription Opiate Litigation
United States District Court - Northern District of Ohio, Eastern Division
Case No. 17-MD-2804

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. **PRESENTATIONS**

8.1 Presentation of a cute critter available for adoption at the Palmdale Animal Care Center.

8.2 Presentation by Mayor and Council of a Commendation to outgoing Planning Commissioners V. Jesse Smith and Bart Avery.

8.3 Presentation by Pueblo Y Salud and Sharon O'Hara DrPH: Investigating the Relationship between Alcohol Outlet Density and Crime Rates in Palmdale, CA 2019-2020.

[Palmdale Augpresentation.pdf](#)

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. (Voice Vote - Requires a majority to waive.)

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

You may address the Council/Authority 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/Authority regarding an item on the agenda,

please fill out a Speaker's Form and submit it to the City Clerk BEFORE the Mayor/Chair announces the item. Each person addressing the Council/Authority 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 Receive and file the Monthly and Quarterly Investment Activity Reports for June 2022.(Staff Reference: Director of Finance Samson)

[1. Staff_Report_-_Investment_Report_June_2022.docx](#)
[2. June 2022 City & Successor Investment Reports.pdf](#)

- 11.2 Approve First Amendment to Agreement with Eide Bailly to provide Audit Services for an additional amount of \$75,000, and not to exceed amount of \$398,792 for a 1 year term through June 30, 2023. (Staff Reference: Director of Finance Samson)

[1. Staff_Report_Eide Bailly Amendment.docx](#)
[City of Palmdale - Eide Bailly \(A-7499\) Amendment #1.pdf](#)

- 11.3 Approve Second Amendment to professional services Agreement with Lance, Soll, & Lunghard, LLP for an additional amount of \$27,400, not to exceed amount of \$237,400 for a four (4) year term through March 30, 2026. (Staff Reference: Director of Finance Samson)

[01. Staff_Report_-_Agreement_A-7459_Lance Soll Lunghard V2.docx](#)
[Second_Amendment_to_Agreement_A-7459_with_Lance__Soll__Lunghard.pdf](#)

- 11.4 Adopt Resolution No. CC 2022-085, a Resolution of the City Council of the City of Palmdale, authorizing the submission of the application for the 2022 Local Edward Byrne Memorial Justice Grant (JAG) Program to receive a Grant allocation of \$50,943. (Staff Reference: Director Neighborhood Services Miller - Presented by Housing Coordinator Nichols)

[JAG_Staff_Report_Resolution_No_CC_2022-085.docx](#)
[JAG__Resolution_No_CC_2022-085.pdf](#)
[JAG 2022 Complete Application for submission.pdf](#)

- 11.5 Approve Memorandum of Understanding Between the City of Palmdale and Antelope Valley Economic Development and Growth Enterprise (AV EDGE) (Staff Reference: Director of Economic and Community Development Garibay - Presented by Sr. Economic Development Managing Analyst Schuler)
[Staff_Report AV EDGE- A-8013.pdf](#)
[A-8013 AV Edge MOU.pdf](#)
- 11.6 Award IFB 22-005-3400 Backflow Prevention Device Testing, Repair & Replacement and approve agreement with Greene Backflow in an amount not to exceed \$240,000 over the contract term. (Staff Reference: Director of Public Works Heffernan)
[SR_Award_IFB_Approve_A-7971_-_Greene_Backflow \(1\).pdf](#)
[A-7971 Greene Backflow v02 \(awaiting signature\).pdf](#)
- 11.7 Award IFB 22-004-3400 As Needed Professional Painting Services and approve agreement with US National Corp dba Jimenez Painting Company in an amount not to exceed \$400,000 over the contract term. (Staff Reference: Director of Public Works Heffernan)
[SR Award IFB & Approve A-7972 - US National Corp.docx](#)
[A-7972 US National Corp dba Jimenez Painting Company v02 \(awaiting signature\).pdf](#)
- 11.8 Notice of Completion - Accept completed project with Nu Line Technologies, LLC., for PN 751-B, Sanitary Sewer Pipeline Trenchless Rehabilitation Project, at various locations throughout the City. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)
[Stf Rpt NOC PN 751B.docx](#)
[Signed NOC PN 751B.pdf](#)
- 11.9 Notice of Completion - Accept completed project with Interior Demolition Inc., for PN 832, Avenue R Abatement and Demolition of 2 Commercial Buildings. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)
[Stf Rpt NOC PN 832.docx](#)
[Signed NOC PN 832.pdf](#)
- 11.10 Award construction agreement with Manhole Adjusting Inc., for PN 866, Sewer Manhole Adjustments and Rehabilitation Project, in the amount \$340,000 for a term of 120 working days from the date of the Notice to Proceed. (Staff Reference: Director of Public Works Heffernan - Presented by Deputy Director of Public Works Glidden)

[Staff_Report-_Final_PN_866.docx](#)

- 11.11 Approve Excess Costs Grant Agreement with Homes for Families for \$800,000 for development of 56 unit CalVet REN Veteran housing located at Division and Taintor. (Staff Reference: Director Neighborhood Services Miller - Presented by Housing Manager Reyes)

[03 SR H4F ARPA Agreement 8.3.2022.docx](#)

[03 A-8007 H4F Grant Agreement.pdf](#)

[03 Project Map H4F.pdf](#)

- 11.12 Approve Grant from the City of Palmdale to the Housing Authority of the City of Palmdale of \$1,200,000 of United States Treasury of Coronavirus Local Fiscal Recovery Funds (CSLRF Funds) under the American Rescue Plan Act (ARPA) for development of affordable housing in the City of Palmdale. (Staff Reference: Director Neighborhood Services Miller - Presented by Housing Manager Reyes)

[01 SR City ARPA Funding grant to HA.docx](#)

- 11.13 Adopt Resolution No. CC 2022-087, 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: Acting City Attorney Porter)

[SR_-_RESO_Authorizing_Remote_Meetings_080322.docx](#)

[RESO_-087Continuing_Remote_Meeting_authorization_-_For_Aug_3_2022.docx](#)

- 11.14 Approve the minutes from the previous meetings. (Staff Reference: City Clerk/Agency Secretary Smith)

CC/SA/IDA/PAA/PCA/PFA - June 15, 2022

CC/SA/IDA/PAA/PCA/PFA - June 16, 2022

[City Council_SA_HA_IDA_PAA_PCA_PFA Minutes 06 15 2022.pdf](#)

[City Council_SA_HA_IDA_PAA_PCA_PFA - 06_16_2022 - 5_00 PM & 7_00 PM.pdf](#)

12. HOUSING AUTHORITY CONSENT CALENDAR

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

- 12.1 Accept Grant from the City of Palmdale to the Housing Authority of the City of Palmdale of \$1,200,000 of United States Treasury of Coronavirus Local Fiscal Recovery Funds (CSLRF Funds) under the American Rescue Plan Act (ARPA) for development of affordable housing in the City of Palmdale. (Staff Reference: Director Neighborhood Services Miller - Presented by Housing Manager Reyes)

[02 SR HR ARPA Grant from City 8.3.2022.docx](#)

- 12.2 Approve Excess Costs Loan Agreement with Ravello Mods Palmdale 118, LLC of \$1,200,000 for development of 118 unit affordable rental housing located at 65th Street East and East Avenue S. (Staff Reference: Director of Neighborhood Services Miller - Presented by Housing Manager Reyes)

[04 SR Ravello ARPA Agreement 8.3.2022.docx](#)

[04 Ravello ARPA Agreement A-8008 8.3.2022.pdf](#)

[04 Project Map Ravello.pdf](#)

- 12.3 Approve the minutes from the previous meetings. (Staff Reference: Deputy City Clerk/Deputy Agency Secretary Scott)

HA - June 15, 2022

HA - June 16, 2022

[City Council_SA_HA_IDA_PAA_PCA_PFA Minutes 06 15 2022.pdf](#)

[City Council_SA_HA_IDA_PAA_PCA_PFA - 06_16_2022 - 5_00 PM & 7_00 PM.pdf](#)

13. PUBLIC HEARING

- 13.1 Public Hearing and Review of Proposed Resolution No. CC 2022-065 for adoption, regarding an updated city wide fee schedule. (Staff Reference: Director of Finance Samson)

Adopt Resolution No. CC 2022-065, A Resolution of the City Council of the City of Palmdale restating in its entirety the Palmdale Master Schedule of Fees and repealing Resolution No. CC 2021-057

[1. FY_2022-23_Staff_Report_Citywide_Fee_Resolution_Final_JS\(2\).docx](#)

[2. FY_2022-23_Reso_CC_2022-065_Citywide_Fee_Resolution_Final_1_.doc](#)

[3. Palmdale Fee Schedule_Proposed 08.3.22.pdf](#)

- 13.2 Public Hearing and Review of Proposed Resolution No. CC 2022-084, regarding the issuance of California Municipal Finance Authority Solid Waste Disposal Revenue Bonds. (Staff Reference: Director of Finance Samson)

Adopt Resolution No. CC 2022-084, A Resolution of the City Council of the City of Palmdale approving a plan of finance for the issuance of the California Municipal Finance Authority Solid Waste Disposal Revenue Bonds (Waste Management, Inc. project) in an aggregate principal amount not to exceed \$355,000,000 for the purpose of financing improvements to solid waste disposal facilities and certain other matters relating thereto.

[1. Staff_Report_-_TEFRA_Public_Hearing_and_Resolution_Aug2022_WM.docx](#)

[2. TEFRA Reso - Waste Management.docx](#)

[3. Proof of Publication.pdf](#)

- 13.3 Public Hearing and Review of Proposed Ordinance No. 1592 for introduction and adoption. (Staff Reference: Director of Economic and Community Development Garibay)

AN ORDINANCE OF THE CITY COUNCIL AMENDING SECTION 5.04.670 (TOBACCO/SMOKING PRODUCT RETAILER) OF CHAPTER 5.04 (BUSINESS REGULATION) OF TITLE 5 (BUSINESS LICENSES, TAXES, AND REGULATION) OF THE PALMDALE MUNICIPAL CODE TO BAN FLAVORED TOBACCO PRODUCTS

[Staff_Report-Banning_Flavored_Tobacco_Products_PMC_5.04.670_lg.pdf](#)
[Flavored_Tobacco_Ban_Ordinance_1592_lg\(1\).pdf](#)

- 13.4 Public Hearing and Review of Proposed Ordinance No. 1593 for Adoption. (Staff Reference: Interim City Manager Ronda Perez - Presented by City Council Chief of Staff Terrie Zayas).

An Ordinance of the City Council of the City of Palmdale adding Chapter 9 (Unlawful Possession of a Catalytic Converter Prohibited) of Title 10 (Vehicles and Traffic) of the Palmdale Municipal Code Establishing Regulations Prohibiting the Unlawful Possession of Catalytic Converters in the City.

[SR_Catalytic_Converter_Ordinance.pdf](#)

14. NEW BUSINESS

- 14.1 Approve the Amended Employment Agreement between the City of Palmdale and Scott Porter, Interim City Attorney. (Staff Reference: Interim City Manager Perez)

[Staff_Report_8.2022_Final.pdf](#)

[City of Palmdale - Jones & Mayer \(A-7578\) Amendment 1 - 07-27-2022 - Preview.pdf](#)
[Jones & Mayer \(A-7578\) \(3\).pdf](#)

- 14.2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE DIRECTING CITY STAFF AND THE SHERIFF TO NOT ENFORCE AGAINST THE PUBLIC COVID-19 RELATED MASK ORDERS OF THE LOS ANGELES COUNTY DEPARTMENT OF HEALTH

Recommendation: Adopt Resolution CC 2022-089 to not enforce against the Public COVID-19 related mask orders of the Los Angeles County Department of Health.

[SR_-_Non_Enforcement_of_County_Masking_Orders.pdf](#)
[RESO_-_Non_Enforcement_of_County_Masking_Orders.pdf](#)

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

15.1 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
- SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REGIONAL COUNCIL
- UNITED STATES/MEXICO SISTER CITIES ASSOCIATION
- CALIFORNIA STATE PRISON – LOS ANGELES COUNTY, CITIZENS ADVISORY COMMITTEE

15.2 MEETINGS ATTENDED AT PUBLIC EXPENSE

[Bettencourt Informational Report 080322.docx](#)

16. CITY MANAGER'S REPORT

17. CITY COUNCIL REQUESTS FOR NEW AGENDA ITEMS

18. 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.

19. **Adjourn meeting to August 17, 2022 at 7:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.**