



PALMDALE

a place to call home

**CITY COUNCIL MEETING
HOUSING AUTHORITY
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, FEBRUARY 15, 2023
5:00 PM
7:00 PM
www.cityofpalmdale.org**

WELCOME

The Council Chamber is open for in-person public comment and seating. The Mayor/Chair and/or one or more members of the City Council/Housing Authority 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.

Verbal Public Comment During the Meeting:

Zoom Number: US: +1 669 444 9171 Webinar ID: 819 8487 9044 Passcode: 168129

Webinar attendee link <https://us06web.zoom.us/j/81984879044?pwd=eUx4S0taeTBpbVpuTkJUeXgxdtQQT09>

Verbal comments are customarily limited to three (3) minutes.

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 reduced by the chair to accommodate a large number speakers. The time will not be less than one (1) minute in any circumstance . 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 unmute yourself, state your name and begin speaking. Please note use of City Council Chamber technology equipment to present electronic material during meetings is not allowed.

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 MEETINGS 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. **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.

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

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).

4.4 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).

4.5 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).

- 4.6 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Tammy Rose Necessary and Glenn Necessary v. City of Palmdale, et al.
Los Angeles County Superior Court
Case No. 22AVCV00857
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
Daniel Joseph Stoneham and La Eenya Grace Marie Stoneham v. City of
Palmdale et al.
Los Angeles County Superior Court
Case No. 22AVCV00780
This closed session is being held pursuant to the authority of California
Government Code Section 54956.9(d)(1).
- 4.8 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Marlene Jannet Hernandez
Claim No. 2022-049
This closed session is being held pursuant to the authority of California
Government Code Section 54957.5:
- 4.9 PUBLIC EMPLOYMENT
Title: City Attorney

5. ANNOUNCEMENT BY CITY ATTORNEY

6. ADJOURN CLOSED SESSION MEETING

7:00 P.M.

7. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

8. ROLL CALL

MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS
BISHOP, LOA, OHLSEN
COMMISSIONERS FRAGA-SAENZ, DENNY

9. PRESENTATION(S)

- 9.1 Presentation by Mayor and Council of a Proclamation declaring February as Black
History month.

- 9.2 Presentation by Mayor Pro Tem and Assemblyman Carrillo of Certificates of Recognition to the students who participated in the Justice Sunday event.
- 9.3 California High-Speed Rail Update. (Presented by: Margaret Cederoth, Director of Planning and Sustainability, California High-Speed Rail)
[230215 HSR Palmdale Council Briefing DRAFT v3.2.pdf](#)
- 9.4 Presentation by Hope the Mission for the Palmdale Knights Inn Hotel - Project Home Key. (Staff Reference: Assistant City Manager Miller, Housing Manager Reyes - Presented by Ken Craft, Chief Executive Officer of Hope the Mission)

10. 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.)

11. PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

This portion of the Agenda allows an individual the opportunity to address the Council/Authority 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.

12. HOUSING AUTHORITY CONSENT CALENDAR

All matters listed under the Housing Authority Consent Calendar will be enacted by one motion unless an item(s) is pulled by 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 Review and Approve Budget Adjustments for Acquisition of Property. (Staff Reference: Assistant City Manager Miller - Presented by Housing Manager Reyes)

[SR - HA Budget Adjustments.docx](#)

- 12.2 Approve the minutes from the previous meetings. (Staff Reference: Acting Authority Secretary Scott)

HA - December 7, 2022

HA - January 18, 2023

[HA Minutes 12 07 2022.pdf](#)

[HA Minutes 01 18 2023 5pm.pdf](#)

13. **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.

- 13.1 Adopt Resolution No. CC 2023-013, a Resolution of the City Council of the City of Palmdale adopting a Fee Schedule for The Palmdale Film Stage. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Senior Management Analyst Schuler).

[Staff Report - Palmdale Film Stage Fees - Final.pdf](#)
[RESO- 2023-013 Palmdale Film Stage -Final.pdf](#)

- 13.2 Award construction agreement with R.C. Becker and Son, Inc. for PN 795, Sam Yellen Park Phase II Project, in the amount of \$17,530,162.72. (Staff Reference: Director of Public Works Glidden)

[Staff Report PN 795 - Yellen Park Phase 2 Award to RCB.docx](#)
[019-034 - Sam Yellen Park - Site Rendering-20211105.pdf](#)

- 13.3 Approve the updated Sewer System Management Plan for the City of Palmdale. (Staff Reference: Director of Public Works Glidden)

[Sanitary Sewer Management Plan - Staff Report.docx](#)
[Palmdale Draft SSMP v11 1-13-23 Council Draft w_City Corrections.pdf](#)
[Palmdale 2014 OERP rev 11-22-22.pdf](#)
[Palmdale WQMP 12-31-22.pdf](#)

- 13.4 Notice of Completion - accept public improvements for Courson Arts Colony-East located at 939 East Avenue Q-12. (Staff Reference: Director of Public Works Glidden)

[SR-02152023 \(16-15\).docx](#)
[EXHIBIT A 16-15.docx](#)
[EXHIBIT B.docx](#)
[NOC_16-15 PC & SD IMPROVEMENTS.doc](#)

- 13.5 Accept the Local Agency Technical Assistance Grant from the California Public Utilities Commission in the amount of \$325,000 for a Digital Equity Study. (Staff Reference: Director of Public Works Glidden - Presented by Innovation and Environmental Manager Lucha)

[LATA_Grant_Staff_Report.docx](#)
[LATA Consent Form 9-27-22.pdf](#)

- 13.6 Adopt Resolution No. CC 2023-015 Authorizing California Choice Energy Authority to Enter into a Long-Term Renewable Energy Agreement with 3Degrees Group, Inc. on behalf of Energy for Palmdale's Independent Choice. (Staff Reference: Director of Public Works Glidden - Presented by Energy Resource Manager Salt)

[20230215_Palmdale Staff Report EPIC Long Term Renewable 3Degrees.docx](#)
[1._20230215_Palmdale_Resolution CC 2013-015__EPIC_CCA_Long term renewable 3degrees.doc](#)
[2. Power Purchase and Sale Agreement with 3Degrees.pdf](#)

- 13.7 Approve the minutes from the previous meetings. (Staff Reference: Acting City Clerk Scott)

CC - January 18, 2023 (5:00 pm & 7:00 pm)
[CC Minutes 01 18 2023 5pm & 7pm.pdf](#)

14. PUBLIC HEARING

- 14.1 INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1606, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE REVISING, DELETING, ADDING, AND STREAMLINING SELECTED PROVISIONS OF THE PALMDALE MUNICIPAL CODE TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE RELATED TO SIDEWALK VENDING, MOBILE FOOD VENDING, AND FOOD FACILITY REGULATIONS TO STREAMLINE AND ENSURE CONSISTENCY WITH STATE LAW (AMENDING PMC SECTIONS 5.04.590, 5.04.150, 5.04.190, 8.24.210; ADDING PMC SECTION 5.04.600; ADDING PMC CHAPTER 8.46; REPEALING AND DELETING PMC SECTIONS 8.04.105, 10.04.120); AND ADOPTION OF RESOLUTION NO. CC 2023-014, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING PERMIT FEES FOR SIDEWALK VENDING AND MOBILE FOOD VENDING

Staff to read the title of Ordinance No. 1606 and Resolution No. CC 2023-014

Call for Public Testimony

Close the Public Testimony

Recommendation: Introduce and Adopt Ordinance No. 1606 and adopt Resolution No. CC 2023-014

[Staff_Report_-_Ordinance_No._1606__and_Resolution_No._CC_2023-14.docx](#)
[Ordinance No. 1606.docx](#)
[Resolution_No._CC_2023-014.docx](#)

15. **NEW BUSINESS**

- 15.1 Discussion and possible direction regarding a possible partnership with the City of Santa Monica regarding housing opportunities. (Staff Reference: City Manager Perez)

16. **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.

17. **CITY MANAGER'S REPORT**

18. **ADJOURNMENT**