PALMDALE

a place to call home

CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550 WEDNESDAY, MAY 3, 2023
9:00 AM
www.cityofpalmdale.org

WELCOME

How to observe the meeting virtually:

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**

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 Approve the minutes from the previous meetings.

CC_SA_HA_IDA_PAA_PCA_PFA Minutes 04 05 2023.pdf
CC Minutes 03 15 2023.pdf
CC Minutes 04 19 2023.pdf

8. **PUBLIC HEARING**

9. **APPOINTMENTS**

   9.1 Nominate and Appoint individuals to the Measure AV Oversight Committee.
   StaffReport MAV Appointments 2023.docx

10. **NEW BUSINESS**

11. **SPECIAL REPORT**

12. **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.

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

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

15. **CITY MANAGER'S REPORT**

16. **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.

17. **PRESENTATION BY CITY ATTORNEY**

18. **ANNOUNCEMENT BY CITY ATTORNEY**

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

MINUTES
CITY COUNCIL/SA/HA/IDA/PAA/PCA/PFA - 04/05/2023 - 5PM
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
APRIL 5, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETING TO ORDER

Mayor Bettencourt called the meeting to order at 5:00 p.m.

2) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

3) ROLL CALL MAYOR BETTENCOURT, MAYOR PRO TEM ALARCÓN, COUNCILMEMBERS BISHOP, LOA, OHLSEN COMMISSIONERS FRAGA-SAENZ, DENNY

PRESENT: Laura Bettencourt, Austin Bishop, Eric Ohlsen, Richard J. Loa, Christina Fraga-Saenz, Phil Denny.
ABSENT: Andrea Alarcón.

4) PRESENTATIONS

4.1) Councilmember Ohlsen presented a Proclamation to Rosie Mainella declaring April 2023 as Child Abuse Awareness Month in the City of Palmdale. Ms. Mainella announced that death rates are down by 73%.

4.2) Housing Coordinator Nichols presented the Proclamation declaring April 2023 as Fair Housing Month in the City of Palmdale. Ms. Chancela Al-Mansour, Executive Director of Housing Rights Center, accepted the proclamation and spoke regarding housing discrimination.

4.3) Councilmember Bishop presented a Proclamation to Karma Rescue declaring April 2023 as Prevention of Cruelty to Animals Month in the City of Palmdale.

4.4) Councilmember Loa, Councilmember Bishop and a representative from Assemblyman Carrillo's office presented Commendations to outgoing Planning Commissioners Marcos Alvarez and Christina Fraga-Saenz.

5) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

A motion was made and carried unanimously to waive the full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting.

6) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

The following individuals provided public input:

Steve Angebrandt and Sandy Corrales spoke in opposition to the approval of Item 8.2

Eugene Hernandez commented regarding the lack of bus benches in Palmdale.

Mayor Bettencourt requested a list of bus stops without benches.

Marsha Furman spoke regarding the use of Measure AV funds.

Jason Zink commented regarding public comment section, and the use of Measure AV funds.

A motion was made and carried unanimously to close the Public Comments.

7) JOINT CONSENT CALENDAR CC/SA/HA/IDA/PAA/PCA/PFA

7.1) Receive and file the Annual Comprehensive Financial Reports for the Year Ended June 30, 2022, for the City of Palmdale, the Housing Authority of the City of Palmdale, the Palmdale Civic Authority, the Palmdale Financing Authority, and the Palmdale Community Foundation. (Staff reference: Director of Finance Samson)

7.2) Approve the minutes from the previous meetings.

HA - February 1, 2023
HA - February 15, 2023
CC/SA/HA/IDA/PAA/PCA/PFA - March 1, 2023

Motion: Approve all items listed on the Joint Consent Calendar.
Moved by Laura Bettencourt, seconded by Christina Fraga-Saenz.

Vote: Motion carried (6-0)
Yes: Laura Bettencourt, Austin Bishop, Eric Ohlsen, Richard J. Loa, Christina Fraga-Saenz, Phil Denny.
Absent: Andrea Alarcón.

Mayor Bettencourt adjourned the Housing Authority meeting at 5:37 pm.

Mayor Pro Tem Alarcón arrived at 5:38 p.m. and was able to participate in the remainder of the meeting.

8) CONSENT CALENDAR

8.1) Receive and file the Monthly Investment Reports for February 2023.

8.2) Ratify the approval of the Memorandum of Understanding between the City of Palmdale and the Antelope Valley Fair Authority defining the City's benefits resulting from the City's financial contribution to the Multi-Agency Regional Resiliency Center (MARRC).

Councilmember Ohlsen pulled this item for discussion.

Councilmember Bishop recused himself from this item.

City Manager Perez presented a detailed overview of this item. Dan Jacobs, Chief Executive Officer of the Antelope Valley Fair, gave a PowerPoint presentation. There was discussion among Council, staff and Mr. Jacob's regarding the timeframe on the amendment to add a seat for Palmdale and the County on the JPA, and the status of the request for and America Rescue Plan Act (ARPA) opinion on the funding for the Multi-Agency Regional Resiliency Center (MARRC). Interim City Attorney provided clarification on the timeline for an ARPA response.

Motion: Ratify the approval of the Memorandum of Understanding between the City of Palmdale and the Antelope Valley Fair defining the City's benefits resulting from the City's financial contribution to the Multi-Agency Regional Resiliency Center (MARRC) contingent upon it being approved as an expenditure under ARPA and that the State of California sign off on the City of Palmdale having a seat on the Joint Powers Authority.
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Interim City Attorney Curley asked Mr. Jacobs of the AV Fair if they were amenable to the revised motion, and if Mr. Jacobs could speak on behalf of the AV Fair. Mr. Jacobs confirmed he had the authority to speak on behalf of the AV Fair and that they were amenable to waiting while these issues were sorted out.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Richard J. Loa, Eric Ohlsen.

Councilmember Bishop returned to the dais.

8.3) Summary of Annual Housing Element Progress Report.

8.4) Award Agreement with Tangram Interiors in the amount, not to exceed $325,000, for purchase and installation of furniture associated with the Code Enforcement and Public Safety relocation to the Aero Institute Building.

Mayor Bettencourt pulled this item for discussion. Director of Public Works Glidden provided clarification regarding the purchase of new furniture. There was Council and staff discussion regarding the hiring of Code Enforcement Officers and future office space.

Motion: Award Agreement with Tangram Interiors in the amount, not to exceed $325,000, for purchase and installation of furniture associated with the Code Enforcement and Public Safety relocation to the Aero Institute Building
Moved by Austin Bishop, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

8.5) Approve additional funds of $84,323.37 for Purchase Order No. 20230423, with Servpro of Palmdale North, dba P&C Restoration Cleaning Corp. for emergency clean up services for the Chimbole Cultural Center in the amount not to exceed $304,324.

Councilmember Bishop pulled this item and recused himself.

Motion: Approve additional funds of $84,323.37 for Purchase Order No. 20230423, with Servpro of Palmdale North, dba P&C Restoration Cleaning Corp. for emergency clean up services for the Chimbole Cultural Center in the amount not to exceed $304,324.
Moved by Richard J. Loa, seconded by Laura Bettencourt.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Eric Ohlsen, Richard J. Loa.

Councilmember Bishop returned to the dais.

8.6) Approve proposal to amend the 2019-2020 Action Plan to reprogram Community Development Block Grant COVID (CDBG-CV) funds, review and approve budget adjustments to SAVES CDBG and SAVES CDBG-CV budgets, and decrease SAVES CDBG budget.

Mayor Pro Tem Alarcón pulled this item for discussion. Management Analyst I Bartlett provided a brief overview of this item. There was Council and staff discussion regarding the Mortgage Assistance Program, COVID relief funds, outreach to the public, and justification for reprogramming of funds.

Motion: Approve proposal to amend the 2019-2020 Action Plan to reprogram Community Development Block Grant COVID (CDBG-CV) funds, review and approve budget adjustments to SAVES CDBG and SAVES CDBG-CV budgets, and decrease SAVES CDBG budget.
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

8.7) Award construction agreement with SOV Security, for PN 872, Citywide Security Infrastructure Project, at the City facilities, including City Hall, Palmdale Transportation Center, Palmdale Playhouse, and the Maintenance Yard, in the amount not to exceed $973,833 and determine this project is to be exempt from CEQA.

Mayor Bettencourt pulled this item for discussion. Director of Public Works Glidden provided a brief staff report. There was discussion regarding the number of crimes and selection of locations for Phase 1. Information Technology Manager Thompson stated G4S assessed the locations and set the priorities for security. City Manager Perez stated the sites were identified based on the traffic and the amount of children that attend the Playhouse

performances. There was further discussion among Council and staff regarding security systems, public safety, change order to contract, fast-tracking of Phase 2, and timeline for Phase 1.

Motion: Award construction agreement with SOV Security, for PN 872, Citywide Security Infrastructure Project, at the City facilities, including City Hall, Palmdale Transportation Center, Palmdale Playhouse, and the Maintenance Yard, in the amount not to exceed $973,833
Moved by Austin Bishop, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

8.8) Adopt Resolution No. CC 2023-023, a Resolution of the City Council of the City of Palmdale authorizing the execution of a Surety Bond to meet the financial security requirement for energy for Palmdale's Independent Choice.

Motion: Approve all items listed on the Consent Calendar with the exception of Items 8.2, 8.4, 8.5, 8.6, and 8.7.
Moved by Laura Bettencourt, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen,

9) APPOINTMENTS

9.1) City Council Nomination and Appointment of seven (7) Members and one (1) Alternate to the Human Rights Advisory Committee.

Acting City Clerk Scott provided the process for selecting the members of the Human Right Advisory Committee.

Motion: Appoint the following individuals to the Human Rights Advisory Committee: Marcos Alvarez, Sky Jung, Margaret Hicks, Rudolpho Perez II, Covel Jenkins, Xavier Flores, Jovan Hicks, and Elizabeth Henriquez (Alternate).
Moved by Richard J. Loa, seconded by Andrea Alarcón.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

10) NEW BUSINESS

10.1) Discussion and possible action regarding Animal Care and Control Operations.

City Manager Perez provided a brief overview of this item.

Mayor Bettencourt called for Public Comments.

The following individuals provided public inputs:

Jason Zink encouraged the City to increase the budget for Animal Care and Control.

Rosie Mainella commented regarding showcasing pets.

There was discussion among Council and staff regarding cost of services, showcasing pets, reduced hours at the shelter, kill rates, preventative measures, reduced services, non-profit options, outreach, feasibility study, and increase of operating hours.

City Manager Perez requested thirty (30) days to come back with options to facilitate more of a rescue approach to augment Animal Care and Control services. Councilmember Bishop suggested pulling the four-hundred thousand allocated in the mid-year budget. City Manager Perez stated if the bill is not paid, City services will cease. Mayor Pro Tem Alarcón directed Interim City Attorney Curley to take a look at who is legally responsible for the provision of the specified services and scope of work in the County contract.

11) PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following indviduals provided public input

Corbin Ingram asked about the status of the local airport. City Manager Perez provided an update on the local airport.

Peter Denning, Cub Scout, asked the Councilmembers their profession.

Eugene Hernandez commented regarding celebrating the Latino community.

Jason Zink spoke regarding crime, film, art and technology academy, free basic cable and internet for senior citizens, American flags, addition of community groups added to website, water, animal control, and the emergency center.

Marsha Furman commented regarding food trucks at events and ADA compliance, Measure AV information on the website, and Joint Recreation Center.

Steve Hill spoke regarding the settlement agreement with the Department of Justice and law enforcement.

A motion was made and carried unanimously to close Public Comments.

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

12.1) 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

Councilmember Loa attended/reported the following:

- Cesar Chavez event on March 25th at Domenic Massari Park
- Sheriff's Boosters meeting
- Spanish Radio program on March 1st
- Hispanic Chamber 26th Annual Installation Gala on March 3rd
- AV Rural Museum on March 4th;
- Meeting with Executive Directors of the Antelope Valley Fair and Supervisor Barger regarding implementation of a regional facility
- Ribbon cutting at the AV Rural Museum
- Zoning Ordinance meeting with developers regarding drive thru fast facilities
- County Sanitation District meeting
- Public Safety Forum at Legacy Commons; and
- Briefing on vending Ordinance; reported on meetings with legislators regarding the resiliency center

Councilmember Bishop attended/reported the following:

- Palmdale Community Clean-up day on March 25th
- AVAQMD grant money for businesses
- Palmdale Recycled Water Authority (PRWA) is moving efforts from recycled water to potable water
- Home for Families Builders Ball on March 10th
- Council retreat on March 10th
- AV Rural Museum
- Attended Nothing Bundt Cakes grand opening.

Councilmember Ohlsen reported/attended the following:

- Participated in the Read Across America event
- Attended Vets for Veterans support dinner and Welcome Home Veteran Ceremony
- Attended the Cesar Chavez Day event.

Mayor Pro Tem Alarcón reported:

- Meetings were held with California U.S. Senators, and Representatives to discuss appropriations for an Emergency Operation Center and transportation projects.

12) MEETINGS ATTENDED AT PUBLIC EXPENSE

13) CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS

None.

14) CITY MANAGER'S REPORT

City Manager Perez reported/announced the following:

- Nothing Bundt Cakes donated $1400 to SAVES.
- Kicking off the Fentanyl Awareness Campaign in the community
- Presented Council with photos of the utility raps
- Announced the promotion of Sara Gallagher and Nardy Lopez to Deputy City Manager

15) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Jason Zink commented regarding acquisition of property, lawsuits, real estate signs, and Measure AV funds.

There was further discussion among Council regarding real estate signs.

16) PRESENTATION BY CITY ATTORNEY

Interim City Attorney Curley spoke regarding public comments that were made.

Interim City Attorney confirmed items would be heard as listed and stated the address for Item 16.6 should be 838 E. Palmdale Boulevard.

16.1) 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).

16.2) 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).

16.3) 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).

16.4) 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).

16.5) PUBLIC EMPLOYMENT
Title: City Attorney

16.6) CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 828 E. Palmdale Blvd. (APN: 3009-015-001)
Agency Negotiator for the City: Ronda Perez, City Manager and Mike Miller, Assistant City Manager
Negotiating parties: Pat Hunt
Under negotiations is both price and terms

17) ANNOUNCEMENT BY CITY ATTORNEY

Interim City Attorney announced Council was updated on all items and there were no reportable actions.

18) ADJOURN

Mayor Bettencourt adjourned the meeting at 9:30 p.m., in honor of the victims in Nashville, Tennessee, to April 19, 2023 at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

MINUTES
CITY COUNCIL
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
MARCH 15, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETINGS TO ORDER

Mayor Bettencourt called the meeting to order at 5:00 p.m.

*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

PRESENT: Laura Bettencourt, Austin Bishop, Richard J. Loa, Eric Ohlsen.
ABSENT: Andrea Alarcón.
Motion: Excuse the absence of Mayor Pro Tem Alarcón.
Moved by Laura Bettencourt, seconded by Eric Ohlsen.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Austin Bishop, Richard J. Loa, Eric Ohlsen.
Absent: Andrea Alarcón.

3) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

None.

Mayor Bettencourt closed the Public Comments.

4) PRESENTATION BY CITY ATTORNEY

Attorney Halfman confirmed that items would be heard as listed. Mayor Bettencourt noted that Attorney Halfman was filling in for Interim City Attorney Curley.

4.1) 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).

4.2) 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
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).

4.4) PUBLIC EMPLOYMENT
Title: City Attorney

4.5) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision(d) of Section 54956.9: Number of cases – One.

5) ANNOUNCEMENT BY CITY ATTORNEY
Attorney Halfman stated there was no reportable action.

6) ADJOURN CLOSED SESSION MEETING

Mayor Bettencourt adjourned the Closed Session meeting at 7:05 p.m.

7:00 P.M.

Mayor Bettencourt called the meeting to order at 7:06 p.m.

PRESENT: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.
ABSENT: None.

Mayor Bettencourt stated a request was made to move the Planning Commissioner Appointments after Presentations.

Motion: Move Section 13 Appointments to be heard after Section 8 Presentations.
Moved by Richard J. Loa, seconded by Austin Bishop.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

Mayor Bettencourt stated the City Manager desired to add a new item to the agenda. City Manager Perez stated the City of Palmdale was made aware of an opportunity to provide a letter of support to Brightline for a federal grant for transportation dollars. The information came to the City's attention after the posting of the agenda and the City would like to add the new discussion item at the end of the meeting to consider Council support.

Motion: 1) Move to find that the item arose subsequent to the posting of the agenda, and it requires urgent action by the Council; 2) Add Item 14.2) Provide a Letter of Support for Brightline.
Moved by Andrea Alarcón, seconded by Eric Ohlsen.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

7) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mr. Norris led the pledge of allegiance.

8) PRESENTATIONS

8.1) Mayor Bettencourt presented the Women's History month proclamation to Barbara Moran, Soroptimist International.

8.2) Communication PIO Lynch, and Media Production Specialist Gomez spoke regarding the Communications Department being recognized for Best Community Event Video as part of the 2023 ACM West WAVE Awards for the City of Palmdale's PGTV (Palmdale Government Television) Channel 27-production of the dedication of "Courtney's Playground Dedication."

9) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

Motion: Move to waive full reading of the Resolution (s) and/or Ordinance(s) to be considered and voted on at this meeting.
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

10) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

Jason Zink spoke in opposition to Item 11.3.

Mayor Bettencourt closed the Public Comments.

11) CONSENT CALENDAR

11.1) Adopt Resolution No. CC 2023-017, a Resolution of the City Council of the City of Palmdale approving the acquisition of tax defaulted property located on the southwest corner of Avenue Q-3 and 6th Street East Alley (APN 3008-013-042 and 3008-013-043) through a Chapter 8 Agreement Sale with the Los Angeles County Treasurer and Tax Collector. (Staff Reference: Director of Economic and Community Development Garibay)

11.2) Approve First Amendment to Legal Services Agreement with Silver & Wright, LLP to increase the total amount of the Agreement by $65,000, to increase the not to exceed amount to $565,000. (Staff Reference: Interim City Attorney Curley - Presented by Legal and Risk Coordinator Barajas)

11.3) Approve Agreement with J A D Hoyos, Inc. DBA Feathers Custom Signs to wrap 103 of the City of Palmdale's 332L traffic control utility cabinets with anti-graffiti laminate in the amount of $131,404.83 (Staff Reference: Parks and Recreation Director Smith)

Mayor Pro Alarcón pulled this item for discussion. Director of Parks and Recreation Smith provided a brief overview of the staff report. There was Council discussion regarding the different phases of the project and the costs of wrapping the traffic control utility cabinets.

Motion: Approve Agreement with J A D Hoyos, Inc. DBA Feathers Custom Signs to wrap 103 of the City of Palmdale's 332L traffic control utility cabinets with anti-graffiti laminate in the amount of $131,404.83.
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

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

CC - February 15, 2023 (5:00 pm & 7:00 pm)

Motion: Approve the recommendations and findings on all items listed under this Consent Calendar except for 11.3.
Moved by Richard J. Loa, seconded by Eric Ohlsen.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

Section 13) Appointments were heard at this time.

12) PUBLIC HEARING

12.1) INTRODUCTION AND ADOPTION OF ORDINANCE NO. 1603, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ZONING ORDINANCE AMENDMENT 21-007; A REQUEST TO MODIFY THE ZONING CODE AND ZONING MAP TO BE IN COMPLIANCE WITH THE CITY'S GENERAL PLAN UPDATE (PALMDALE 2045), APPLICABLE LAWS, AS WELL AS COMPREHENSIVELY MODIFY PROCESSES, USES, AND STANDARDS OF DEVELOPMENT AND FIND THAT THE PROJECT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) 22-002 PREPARED AND CERTIFIED IN CONJUNCTION WITH PALMDALE 2045. (Staff Reference: Economic and Community Development Director Garibay - Presented by Associate Planner Almora)

Associate Planner Almora read the title of Ordinance No. 1603. Associate Planner Almora and Deputy Director of Economic and Community Development Taggart provided a detailed PowerPoint presentation. There was discussion among staff and Council regarding the future of drive-thru restaurants, the waiver process, and amendments to the ordinance.

Mayor Bettencourt called for Public Testimony.

The following individuals spoke in opposition to the approval of the Zoning Ordinance Amendment: Robert Valencia, Mark McGaughey, Navid Sharafatran, Mary Rosas, Greg Quan, Jason Zink, and two (2) letters were received.

The following individuals spoke in support of the approval of the Zoning Ordinance Amendment: Xavier Flores, Eugene Hernandez, Marcos Alvarez, Citizen, no name given, and twenty-three (23) letters were received.

The Council requested a response from staff regarding the concerns of developers and citizens. Director of Economic and Community Development Garibay provided clarification. There was discussion among staff and Council regarding prohibited uses, conditional use permits, land use designations, the zone change process, amendments, and the waiver process. Director of Economic and Community Development Garibay provided further clarification.

Motion: Introduce and Adopt Ordinance No. 1603 as drafted with the waiver information and direct staff to come back in 90 days after meeting and conferring with community stakeholders to address section 17.92.050 and other concerning sections.
Moved by Eric Ohlsen, seconded by Andrea Alarcón.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

122) ADOPT RESOLUTION NO. CC 2023-019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING GENERAL PLAN AMENDMENT 23-001; A REQUEST TO MODIFY THE CITY'S GENERAL PLAN (PALMDALE 2045) TO ADDRESS INCONSISTENCIES, CORRECT TYPOGRAPHICAL ERRORS, UPDATE THE ASSOCIATED PALMDALE 2045 LAND USE MAP AND FIND THAT THE AMENDMENT IS CONSISTENT WITH PROGRAM ENVIRONMENTAL IMPACT REPORT 22-002 PREPARED AND CERTIFIED FOR PALMDALE 2045. (Staff Reference: Economic and Community Development Director Garibay - Presented by Deputy Director of Economic and Community Development Taggart and Acting Planning Manager Magaña)

Acting Planning Manager Magaña read the title of Resolution No. CC 2023-019 and presented a brief overview of this item. There was discussion among Council and staff regarding distance requirements and correction of typographical errors.

Mayor Bettencourt opened the Public Hearing.

The following individuals provided public comments:

Jason Zink spoke regarding the zoning map and general plan adoption.

Mark McGaughey commented regarding a 90-day review period with staff on the Mixed Use 3 zoning, use restrictions provided on the drive-thru limitations, and the density for residential.

Mayor Bettencourt closed the Public Comments.

There was further discussion among Council and staff regarding consistency in changes between the zoning code and general plan, typographical errors, and the dialogue with the community and stakeholders.

Motion: Adopt Resolution No. CC 2023-019, A Resolution of the City Council of the City of Palmdale Approving General Plan Amendment 23-001.
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

12.3) 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, 3.44.230; 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 Reference: Community Compliance Manager Gallagher)

Community Compliance Manager Gallagher read the title of Ordinance No. 1606 and introduced Attorney Valerie Escalante Troesh with Civica Law Group who provided a PowerPoint presentation.

Mayor Bettencourt opened the Public Comments.

The following individuals spoke in favor of this item:
Eugene Hernandez, Oscar Iraheta, Leticia Arranda, Aaron Ramirez, and Adelfo Villa.

A motion was made and carried unanimously to continue the City Council meeting until 11:00 pm.

Public Comments continued and the following individuals spoke in support of this item:

Maria Barragan, Azucena Preciado, Roman Perea, Kenneth Carrillo, Xavier Flores, Marcos Alvarez, Felix Menendez, and Jason Zink.

The Council spoke in support of this item.

Councilmember Bishop expressed concerns regarding the enforcement of County pockets to ensure that the unincorporated areas in the City of Palmdale are abiding by the same rules as those in the incorporated areas to have conformity. City Manager Perez stated City staff will investigate enforcement in the unincorporated areas. Discussion continued regarding regulation of County pockets. Community Compliance Manager Gallagher spoke regarding joint enforcement efforts with the County. Discussion ensued regarding vendors being victimized and the team efforts of Council.

Motion: Introduce and Adopt Ordinance No. 1606 and Resolution No. CC 2023-014.
Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

A motion was made and carried unanimously to continue the City Council meeting to 11:30 pm.

13) APPOINTMENT(S)
This section was taken out of order and heard after section 11.

13.1) Approve Appointment to the Antelope Valley Mosquito Abatement and Vector Control District. (Staff Reference: Acting City Clerk Scott)

Mayor Bettencourt opened the Public Comments.
Public Comments: None.
Mayor Bettencourt closed the Public Comments.

Mr. Dhinsa introduced himself and provided his background.

Motion: Appoint Bal Dhinsa to the Antelope Valley Mosquito Abatement and Vector Control District
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

13.2) City Council Nomination and Appointment of one (1) Public Member to the Palmdale Enhanced Infrastructure Financing District (EIFD). (Staff Reference: Acting City Clerk Scott)

Mayor Bettencourt opened the Public Comments.

Applicants Mr. Zink and Ms. Gordon spoke regarding their experience in the Antelope Valley.

Mayor Bettencourt closed the Public Comments.

Mayor Pro Tem Alarcón emphasized the importance of the position on the Palmdale Enhanced Infrastructure Financing District.

Motion: Appoint Laura Gordon as the Public Member to the Palmdale Enhanced Infrastructure Financing District (EIFD).
Moved by Laura Bettencourt, seconded by Andrea Alarcón.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

13.3) City Council Nomination and Appointment of Planning Commissioners - Districts 1 - 5. (Staff Reference: Acting City Clerk Faber)

Mayor Bettencourt called for Public Comments.
Public Comments: None.
Mayor Bettencourt closed Public Comments

The following nominees introduced themselves and provided their backgrounds: Mr. Olivarez, Mr. Henderson, Mr. Martinez, and Mr. Elize introduced themselves and provided their backgrounds.

Motion: Appoint David Lujan District 1; Appoint Dean Henderson District 2 Appoint Mateo Olivarez District 3; Appoint Getro Elize District 4; Appoint Christian C. Martinez District 5.
Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

14) NEW BUSINESS

14.1) Discussion and possible action regarding Animal Care and Control Operations. (Staff Reference: City Manager Perez)

City Manager Perez suggested continuing this item to April 5, 2023.
Motion: Continue Item 14.1 to April 5, 2023.
Moved by Austin Bishop, seconded by Eric Ohlsen.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

14.2) Provide a Letter of Support for Brightline.

City Manager Perez provided a brief overview on this item. Mayor Pro Tem Alarcón announced that Brightline will do a project presentation at a future meeting.

Motion: Direct staff to provide a letter of support authored by the Council for Brightline West to apply for an intercity passenger rail grant application to the U.S. Department of Transportation.
Moved by Andrea Alarcón, seconded by Richard J. Loa.

Vote: Motion carried (5-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Richard J. Loa, Eric Ohlsen.

15) PUBLIC COMMENTS ON NON-AGENDA ITEMS

The following individuals provided public input:

Richard Mann spoke regarding help for the unhoused.

Jason Zink commented regarding utility boxes, Palmenthol Historic sign, free cable and internet for seniors, outreach for general plan, Measure J funds, City website redesign, and a commuter study.

Laura Gordon spoke regarding her background in housing.

Mayor Bettencourt closed the Public Comments.

16) CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS

Mayor Pro Tem Alarcón spoke regarding limited opportunities for veteran emergency services through the City of Palmdale and directed City Manager Perez to bring a report back on the establishment of a Veteran Emergency Needs Fund. City Manager Perez suggested looking at the Housing CDBG funds and Measure AV funds. Mayor Bettencourt stated there is an emergency fund through the veteran's organizations.

17) CITY MANAGER'S REPORT

None.

18) ADJOURN

Mayor Bettencourt adjourned the meeting at 11:30 p.m. to April 5, 2023, at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 3rd day of May 2023.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

MINUTES
CITY COUNCIL
CITY HALL COUNCIL CHAMBER
38300 SIERRA HIGHWAY, SUITE B
PALMDALE, CALIFORNIA
APRIL 19, 2023

www.cityofpalmdale.org

5:00 P.M.

1) CALL MEETING TO ORDER

Mayor Bettencourt called the meeting to order at 5:00 p.m.

*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

PRESENT: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Eric Ohlsen. ABSENT: Richard J. Loa.

Motion: Excuse the absence of Councilmember Loa.
Moved by Laura Bettencourt, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Eric Ohlsen.
Absent: Richard J. Loa.

3) PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

4) WAIVER OF FULL READING OF RESOLUTION(S) and ORDINANCE(S)

A motion was made and carried unanimously to waive the full reading of the Resolution(s) and/or Ordinance(s) to be considered and voted on at this meeting.

5) PUBLIC COMMENTS ON CONSENT CALENDAR ITEMS ONLY

None.

A motion was made and carried unanimously to close the Public Comments.

6) CONSENT CALENDAR

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.

Mayor Pro Tem Alarcon pulled this item for discussion. Director of Parks and

Recreation Smith presented the staff report. There was discussion among Council and staff regarding the cost of the lockers and the fiscal impact.

Mayor Bettencourt called for Public Comments.

Public Comments: None.

A motion was made and carried unanimously to close the Public Comments.

Motion: Approve Agreement No. A-8314 with Smarte Carte Inc. to install 172 keyless lockers and two self-service payment kiosks at DryTown Water Park with the exception of changing the rate for the lockers to $8, $10, and $12.
Moved by Andrea Alarcón, seconded by Austin Bishop.

Vote: Motion carried (3-1)
Yes: Andrea Alarcón, Austin Bishop, Eric Ohlsen.
No: Laura Bettencourt.
Absent: Richard J. Loa.

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.

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.

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

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.

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.

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).

6.8) Approve the minutes from the previous meetings.

CC - March 10, 2023

Motion: Approve all items as listed on the Consent Calendar except Item 6.1.
Moved by Andrea Alarcón, seconded by Austin Bishop.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Eric Ohlsen.
Absent: Richard J. Loa.

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.

Director of Parks and Recreation Smith read the title of Resolution No. CC 2023-022. Public Art Program Manager Davis and Public Art Commissioner Sarno provided a detailed overview of the projects completed and future projects for the upcoming year.

There was discussion among Council and staff regarding animal art, small mural mentorship program, grant funding, artist selection process, City theme, aerospace cultural, public outreach, sustainability, and green art.

Mayor Bettencourt called for Public Comments.

The following individuals provided public input.

Jason Zink suggested art and history, the use of $1M in Measure AV funds for art projects, and an interactive map.

Chuck Murphy suggested directing funds to support the programs at the Playhouse.

Marcos Alvarez commented regarding offsetting graffiti by painting murals and art that reflects the community.

Mayor Bettencourt closed the Public Comments.

Motion: Adopt Resolution CC 2023-022, 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
Moved by Andrea Alarcón, seconded by Laura Bettencourt.

Vote: Motion carried (4-0)
Yes: Laura Bettencourt, Andrea Alarcón, Austin Bishop, Eric Ohlsen.
Absent: Richard J. Loa.

8) PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jason Zink commented regarding horn noise, invitation of Board of Supervisors to the Antelope Valley, SNAP program, congratulated Mike Miller on his position, Emergency Center, and seniors.

Debbie Kosel spoke regarding the Walk on Words contest.

Eugene Hernandez commented on an assembly bill related to storage companies, food stamp program, and Cesar Chavez holiday.

Vicky Ventura thanked Council for the sponsorship of the Cesar Chavez event and suggested a sculpture.

Marcos Alvarez spoke regarding Cesar Chavez and future events.

Xavier Flores commented regarding a past Cesar Chavez event.

Chuck Murphy spoke regarding the Cesar Chavez event and suggested educating our children.

A motion was made and carried unanimously to close the Public Comments.

9) CITY COUNCIL ANNOUNCEMENTS AND REQUESTS FOR NEW AGENDA ITEMS

None.

Mayor Pro Tem Alarcon stated moving forward they will work in partnership to highlight the contributions of Cesar Chavez.

10) CITY MANAGER'S REPORT

City Manager Perez reported/announced the following:

- The City is working on the Parks Master Plan.
- A meet and greet was held with Sheriff Luna.
- Hosted several Park Watch meetings.
- A pet wellness clinic will be held at SAVES on April 30th.
- The Supplemental Nutrition Assistance Program (SNAP) has concluded and there has been a 20% increase of SAVES services.

11) PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Mayor Bettencourt opened the Public Comments.

Jason Zink commented regarding lawsuits.

Mayor Bettencourt closed the Public Comments.

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 LITIGATIONMaithi 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

Closed Session was held 6:30 p.m. - 7:20 p.m.

Interim City Attorney Curley confirmed all items were considered, Council received updates on the cases, and there was no reportable action.

14) ADJOURN

Mayor Bettencourt adjourned the meeting at 7:21 p.m. to May 3, 2023, at 5:00 p.m. in the City Hall Council Chamber located at 38300 Sierra Highway, Suite B, Palmdale, California.

PASSED, APPROVED, and ADOPTED this 3rd day of May 2023.

_____
Laura Bettencourt, Mayor

ATTEST:

_____
Rochelle Scott, Acting City Clerk

City Council Staff Report

DATE: **MAY 3, 2023**

TO: **HONORABLE MAYOR AND CITY COUNCIL**

FROM: **CITY MANAGER'S OFFICE – CITY CLERK DIVISION**

DISTRICT: **ALL**

SUBJECT: **CITY COUNCIL NOMINATION AND APPOINTMENT OF SEVEN (7) MEMBERS AND SEVEN (7) ALTERNATES TO THE MEASURE AV OVERSIGHT COMMITTEE**

ISSUE

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

RECOMMENDATION

Staff recommends that the City Council nominate and appoint seven (7) individuals to serve as Committee Members and seven (7) individuals to serve as Alternates on the Measure AV Oversight Committee for a term to expire on April 30, 2025.

BACKGROUND

At the General Municipal Election held on November 3, 2020, voters approved the enactment of a local ¾ cent transaction and use tax in the City of Palmdale. The measure allowed for local control of sales tax dollars, long-term fiscal sustainability, and allowed the City to continue to fund reliable essential services for the community. The revenues and expenditures from the tax are to be regularly reviewed by a citizens advisory committee to ensure the funds collected are expended for the purposes specified in the Measure AV Ballot language and to provide enhanced transparency and public participation. The City Council shall appoint a seven-member committee and by resolution, adopt guidelines for the duties of a citizen's oversight committee, later named Measure AV Oversight Committee.

DISCUSSION

The terms for the current Measure AV Oversight Committee Members expire at the end of April, 2023. City Council directed staff to open a recruitment for multiple positions on the Measure AV Oversight Committee and notify current members that they would need to reapply if they wished to continue to serve. Staff placed an advertisement in the AV Press, AV Press online, and posted the advertisement on the city's website for interested citizens to apply. The Communications Division also provided a press release to the

public and posted the advertisement on the city's Social Media platforms. The recruitment ran February 25, 2023 through March 16, 2023, and was extended through April 23, 2023. Staff received seventeen (17) applications; one application was confirmed that it did not meet qualifications and was not moved forward. All applications were provided to the City Council for their review.

Qualifications to serve on the Measure AV Oversight Committee are as follows: members shall reside in the City of Palmdale; or own a business in the City of Palmdale; be willing to serve a minimum of two years on the committee; and may not be an elected official. Appointments to the Measure AV Oversight Committee are made pursuant to Palmdale Municipal Code Section 2.08.030. While it is preferable that a City Councilmember's appointee reside within the Councilmember's district, it is not required. The District information below has been provided for qualification purposes only.

DISTRICT 1	DISTRICT 2	DISTRICT 3	DISTRICT 4	DISTRICT 5	Outside City
Bishop	**Loa**	**Mayor Bettencourt**	**Ohlsen**	**Mayor Pro Tem Alarcón**	**Boundaries**
**Marina Penrose-Hickerson (Current Alternate)	*Steven D. Angebrandt (Current Member)	Marcos Alvarez		*Cynthia Garcia (Current Member)	Arthur Calloway – Lancaster resident Palmdale Business Owner
	Larry E. Coltin	Nashon Mitchell		Maria R. Mainella	*Rick Carr – Outside City Boundaries – LA County Pocket of Palmdale (Current Member)
	Steve Hutson	Cecil R. Foust		Jason Zink	*Charles Murphy – Outside City Boundaries – LA County Pocket of Palmdale Palmdale Business Owner (Current Member)
	Diana Love				
	Samuel Roman				
	Judy Vaccaro-Fry				

* Currently serving members of the Measure AV Oversight Committee
**Current Measure AV Oversight Committee Alternate

This item is brought forth for City Council Nomination and Appointment of seven (7) Members and seven (7) Alternates to serve on the Measure AV Oversight Committee for two-year term to expire April 2025.

All appointees will need to submit to and pass a Livescan fingerprint submission via the California Department of Justice in order to complete the appointment. The State of California requires a Statement of Economic Interest Form 700 be filed within 30-days of the appointment.

FISCAL IMPACT

Approximately $2,806 in advertising cost. Committee Member compensation of $150 per meeting, a maximum of $300 per month for the Chair, and $100 per meeting, a maximum of $200 per month for all other Members. The Committee meets bi-monthly.

STRATEGIC PLAN

Goal II: Ensure long-term fiscal health of the City and maintain funding for services.

C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Roxanne Faber, Acting City Clerk
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, City Manager
Approved as to form:	William P. Curley, III Interim City Attorney

ATTACHMENTS

Redacted Applications