



PALMDALE
a place to call home

**CITY COUNCIL MEETING
REVISED
CITY COUNCIL CHAMBERS
38300 SIERRA HIGHWAY
SUITE B
PALMDALE, CA 93550
WEDNESDAY, OCTOBER 19, 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: 882 2338 9632 Passcode: 017541

Webinar attendee link <https://us06web.zoom.us/j/88223389632?pwd=aEVwQ3JJSFZiWjRqaDVRMDJ5UEk4QT09>.

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. 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

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).

4.2 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

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: Vacant land on Southeast corner of Avenue M and 10th Street West (APN 3128-015-900 & 902)

City Negotiator: Luis Garibay, Director of Economic & Community Development

Negotiating Parties: Hafrisco LLC and Tripot LLC

Under Negotiation: Price and terms

4.5 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code 54956.9(d)(2): 1 potential case

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 Proclamation by Mayor and Council declaring Hispanic Heritage Month in the City of Palmdale.
- 8.2 Presentation of a Proclamation by the Mayor and Council declaring National Youth Substance Use Prevention Month in the City of Palmdale.
- 8.3 Presentation of a Proclamation by the Mayor and Council declaring October 23 - 31, 2022 as Red Ribbon Week in the City of Palmdale.
- 8.4 Presentation of Certificates of Recognition by Mayor and Council to the 2022 Palmdale Queens.

Miss Palmdale 2022 - Jaylee Vogel
Junior Miss Palmdale 2022 - Emma Madrigal
Young Miss Palmdale 2022 - Jennifer Paris Beatty
Little Miss Palmdale 2022 - Alyssa Figueroa

- 8.5 Presentation of a Proclamation by the Mayor and Council declaring October 10 - 14, 2022 as Code Enforcement Officer Week in the City of Palmdale.
- 8.6 Presentation of a Proclamation by Mayor and Council declaring October as Breast Cancer Awareness Month in the City of Palmdale.

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 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 Adopt Resolution No. CC 2022-116, a Resolution of the City Council of the City of Palmdale to transfer unclaimed checks from their respective funds to the general fund pursuant to California Government Code Section 50050-50057. (Staff Reference: Director of Finance Samson)

1. [_Staff_Report_-_Unclaimed_Checks.docx](#)
2. [Resolution No CC 2022-116 Unclaimed Checks.docx](#)
3. [Public Notice_List of Unclaimed Checks.doc](#)

- 11.2 Adopt Resolution No. CC 2022-114, a Resolution of the City Council of the City of Palmdale approving Energy for Palmdale Independent Choice Integrated Resource Plan. (Staff Reference: Director of Finance Samson - Presented by Energy Resources Manager Salt)

- [20221019_Palmdale_Staff_Report_Final__EPIC_CCA_IRP_TS\(1\).docx](#)
1. [20221019_Palmdale Resolution Final _EPIC CCA IRP_TS.doc](#)

- 11.3 Approve 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 Los Angeles County Treasurer and Tax Collector. (Staff Reference: Director of Economic and Community Development Garibay - Presented by Management Analyst Glynn)

- [Tax_Defaulted_Staff_Report.docx](#)
[EXHIBIT A.pdf](#)

- 11.4 Approve Supplemental Agreement No. 2 with Deark E&C, Inc. for PN 813, Palmdale Film Stages, in the amount of \$135,947.50. (Staff Reference: Acting Director of Public Works Glidden)

- [PN 813 Palmdale Film Stages Supplemental No. 2 Staff Report.docx](#)
[Deark SA2 220927.pdf](#)

12. WORKSHOP PRESENTATION

- 12.1 Presentation of Fentanyl Awareness Campaign. (Staff Reference: Assistant to the City Manager Lopez, Public Safety Supervisor German)

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. **ADJOURN**



City Council Staff Report

DATE: OCTOBER 19, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: CITY MANAGER'S OFFICE – FINANCE DIVISION
DISTRICT: ALL
SUBJECT: ADOPT RESOLUTION NO. CC 2022-116, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO TRANSFER UNCLAIMED CHECKS FROM THEIR RESPECTIVE FUNDS TO THE GENERAL FUND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50050-50057

ISSUE

Adopt Resolution No. CC 2022-116, a Resolution of the City Council of the City of Palmdale to transfer unclaimed checks from their respective funds to the general fund pursuant to California Government Code Section 50050-50057.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2022-116, a Resolution of the City Council of the City of Palmdale to transfer unclaimed checks from their respective funds to the general fund pursuant to California Government Code Section 50050-50057.

BACKGROUND

Section 50050-50057 of the California Government Code states that "Except as otherwise provided by law, money, excluding restitution to victims, that is not the property of a local agency that remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice if not claimed or if no verified complaint is filed and served. At any time after the expiration of the three-year period, the treasurer of the local agency may cause a notice to be published once a week for two successive weeks in a newspaper of general circulation published in the local agency. At the expiration of the three-year period, money representing restitution collected on behalf of victims shall be deposited into the Restitution Fund or used by the local agency for purposes of victim services." Government Code section 50053 allows the City to transfer unclaimed funds in a special fund to the general fund.

DISCUSSION

The City Treasurer desires to follow the guidelines set by California Government Code Section 50053 and the policy set forth by this department in relation to this section. Section 50053 states “When any such money becomes the property of a local agency and is in a special fund, the legislative body may transfer it to the general fund.” The total combined number of unclaimed checks for the three-year period ending June 30, 2022, is \$9,756.15.

FISCAL IMPACT

The total combined number of unclaimed checks for the three-year period ending June 30, 2022, is \$9,756.15. This is the maximum amount that can be transferred to the General Fund.

STRATEGIC PLAN

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

- B. Manage resources, costs, and liabilities to ensure the City’s long-term fiscal health.
- C. Involve and expand engagement to enhance public oversight and transparency.

Prepared by:	Janelle Samson, Director of Finance
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Scott E. Porter, Interim City Attorney

ATTACHMENTS

1. Resolution No. CC 2022-116
2. Public Notice - List of Unclaimed Checks

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE TO TRANSFER UNCLAIMED CHECKS FROM THEIR RESPECTIVE FUNDS TO THE GENERAL FUND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50050-50057.

WHEREAS, the attached list of checks has been outstanding and unclaimed in Special Funds for more than three years.

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. In accordance with California Government Code Section 50050-50057, the unclaimed checks on the attached list in the total amount of \$9,756.15, shall be transferred from the respective funds to the General Fund's cash account.

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 19th day of October 2022.

APPROVED AS TO FORM:

Steven D. Hofbauer, Mayor

ATTEST:

Scott E. Porter
Interim City Attorney

Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 19th day of October 2022 by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____

Rochelle Scott, Acting City Clerk

CITY OF PALMDALE
38300 N. Sierra Highway
Palmdale, CA 93550

Notice is hereby given that the City of Palmdale is holding funds for the following persons. If said funds are not claimed by October 19, 2022, forty-five (45) days hence, these funds will become the property of the City of Palmdale in accordance with California Government Code Section 50050-52.

The said funds may be released to the depositor, their heir, beneficiary, or duly appointed representative provided a claim form has been completed with the necessary information. The information needed is as follows:

- Name, address, telephone number, and social security number (or FEIN).
- Amount of claim.
- Proof of identity such as copy of driver's license, social security card or birth certificate.
- Grounds on which claim is founded.

The Unclaimed Money Claim Form is available at the City of Palmdale Finance Department, located at 38300 North Sierra Highway, Suite D, Palmdale, California.

Persons with funds on deposit for over three (3) years are:

NAME	AMOUNT	FUND
PALMDALE HIGH SWIM BOOSTER	\$ 100.00	General
AICPA	\$ 245.00	General
ASIF G. SHAIKH	\$ 466.95	General
ANGIE ROSS	\$ 13.00	General
FIRE STARTER VIDEOS	\$ 181.00	General
WEST COAST EQUIPMENT INC	\$ 91.56	General
ALICIA DLODUN	\$ 50.00	General
SOLORCITY	\$ 50.00	General
VIVINT SOLAR	\$ 291.61	General
MARTIN MILLER	\$ 797.37	General
I M MASONRY CONSTRUCTION INC	\$ 173.16	General
HOWARD JOHNSON	\$ 37.49	General
PHANTOM	\$ 500.00	General
MARIA SERRATO HERNANDEZ	\$ 30.00	General
LYDIA WANDERS	\$ 438.00	General
OASIS CHRISTIAN CHURCH OF A.V.	\$ 100.00	General
PALMDALE REPERTORY THEATER	\$ 100.00	General

ACROPRINT	\$ 313.00	General
CHRISTOPHER FOLCK	\$ 25.00	General
ACROPRINT	\$ 440.00	General
ASSIST TECHNOLOGY EDUCATION TECHNOLOGY	\$ 574.37	General
LOS ANGELES COUNTY CLERK	\$ 75.00	General
ANTELOPE VALLEY YOUTHBUILD	\$ 80.00	General
KRISTIN HOLLOWAY	\$ 80.00	General
LOS ANGELES COUNTY CLERK	\$ 75.00	General
PALMDALE SCHOOL DISTRICT	\$ 401.00	General
AV PARTNERS FOR HEALTH	\$ 250.00	General
PIHRA	\$ 460.00	General
GREG SLADE	\$ 75.00	General
PALMDALE SCHOOL DISTRICT	\$ 401.00	General
NOSON KREMER	\$ 500.00	General
JAMES PURTEE	\$ 97.92	General
RAQUEL NOEMI VALDOVINOS	\$ 48.00	General
MANUEL MOYA	\$ 14.82	General
WILBUR-ELLIS COMPANY	\$ 62.37	General
CALVARY CHAPEL EASTSIDE	\$ 401.00	General
WILBUR-ELLIS COMPANY	\$ 64.38	General
A I AIR CONDITIONING AND HEATING	\$ 45.19	General
MOUNTAIN VIEW ALARM, INC.	\$ 70.00	General
ARI BLUM	\$ 325.00	General
TRI-STATE HOME IMPROVEMENT INC	\$ 21.75	General
TRI-STATE HOME IMPROVEMENT INC	\$ 43.50	General
HUMBERTO SAENZ	\$ 235.00	General
FRED BROWN	\$ 48.30	General
PUEBLO Y SALUD	\$ 184.50	General
RAYKER INC	\$ 351.86	General



City Council Staff Report

DATE: OCTOBER 19, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: FINANCE
DISTRICT: ALL
SUBJECT: ADOPT RESOLUTION NO. CC 2022-114, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING ENERGY FOR PALMDALE'S INDEPENDENT CHOICE INTEGRATED RESOURCE PLAN

ISSUE

Adopt Resolution No. CC 2022-114, a resolution of the City Council of the City of Palmdale approving Energy for Palmdale's Independent Choice Integrated Resource Plan.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. CC 2022-114 Energy for Palmdale's Independent Choice Integrated Resource Plan.

BACKGROUND

The City's Community Choice Aggregation (CCA) Program, Energy for Palmdale's Independent Choice (EPIC), was established by the City Council through the adoption of Resolution No. CC 2018-087 on December 4, 2018. EPIC began serving customers on October 1, 2022.

DISCUSSION

Senate Bill (SB) 350, approved by the Governor on October 7, 2015, added, among other actions, Public Code section 454.52 which established the requirement for load serving entities, including CCAs, to file an Integrated Resource Plan (IRP) with the California Public Utilities Commission (CPUC).

Additionally, SB 350 made revisions to the Renewables Portfolio Standards (RPS) for California, with which EPIC will be required to comply. Specifically, SB 350 increased the minimum renewable energy standards from 33% by December 31, 2020 to 50% by December 31, 2030.

Report to Mayor and City Council

Re: Adopt Resolution No. CC 2022-114, a resolution of the City Council of the City of Palmdale approving Energy for Palmdale's Independent Choice Integrated Resource Plan

October 19, 2022

Page 2

To ensure CCAs are meeting these minimum standards, as well as meeting greenhouse gas reduction targets as established by the California Air Resources Board, an IRP is required to be filed with the CPUC for certification. The IRP looks out at a 10-year time horizon and establishes a plan for EPIC's procurement activities to meet the RPS and greenhouse gas reduction targets. The IRP is strictly a forecasted plan and does not commit EPIC to the specific actions identified to meet the RPS and greenhouse gas reduction targets. As such, the CPUC requires the IRP to be revised every two years. Palmdale approved its first IRP on September 1, 2020, and per SB 350 will be updated and brought back to City Council for approval every two years.

California Choice Energy Authority and its technical consultants, on behalf of EPIC, have been working closely with the CPUC to ensure the IRP as presented to City Council meets all the requirements established by the CPUC. The proposed IRP, a completed copy of which is on file in the Finance Department and will be posted to the EPIC website, follows the required template as provided by the CPUC.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC PLAN

Goal I: Maintain effective public safety and protection for life, property and the environment.

C. Use a variety of methods to communicate timely, useful, and trusted information about city programs, services and policies.

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

A. Manage resources, costs, and liabilities to ensure the City's long-term fiscal health.

Prepared by:

Certified as to availability of Funds:

Approved by:

Approved as to form:

Tammy Salt, Energy Resources Manager

Janelle Samson, Director of Finance

Ronda Perez, Interim City Manager

Scott Porter, Interim City Attorney

ATTACHMENTS

Resolution No. CC 2022-114

CITY COUNCIL
CITY OF PALMDALE, CALIFORNIA
RESOLUTION NO. CC 2022-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE APPROVING AN INTEGRATED RESOURCE PLAN FOR THE ENERGY FOR PALMDALE'S INDEPENDENT CHOICE COMMUNITY CHOICE AGGREGATION PROGRAM

WHEREAS, *Community Choice Aggregation (CCA), authorized by Assembly Bill 117, is a state law that allows cities, counties, and other authorized entities to aggregate electricity demand within their jurisdictions in order to purchase and/or generate alternative energy supplies for residents and businesses within their jurisdiction while maintaining the existing electricity provider for transmission and distribution services; and*

WHEREAS, *on November 17, 2020, the City Council of the City of Palmdale adopted Resolution No. CC 2020-106, entitled "A RESOLUTION OF THE CITY OF PALMDALE APPROVING THE PALMDALE COMMUNITY CHOICE AGGREGATION PROGRAM IMPLEMENTATION PLAN AND STATEMENT OF INTENT PURSUANT TO PUBLIC UTILITIES CODE SECTION 366.2(c)3," whereby the City Council approved The Palmdale Community Choice Aggregation Program Implementation Plan; and*

WHEREAS, *on April 2, 2019, the City Council of the City of Palmdale adopted Resolution No. CC 2019-040, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE AUTHORIZING THE CITY'S ENTRY INTO A JOINT EXERCISE OF POWERS AGREEMENT REGARDING THE CALIFORNIA CHOICE ENERGY AUTHORITY (CCEA or CALCHOICE)," whereby the City Council authorized and approved the City to become a member of CalChoice; and*

WHEREAS, *Senate Bill 350, approved October 7, 2015 establishes a requirement for Community Choice Aggregation Programs to develop an Integrated Resource Plan and submit to the California Public Utilities Commission for certification.*

NOW THEREFORE, BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF PALMDALE DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. Findings. That based upon and in consideration of staff reports, presentations, public testimony and comment, and such other matters presented to the City Council during the public meeting on this matter, the City Council finds and declares the foregoing recitals to be true and correct and incorporates the same as substantive findings herein.

SECTION 2. Approval. That the Integrated Resource Plan for Energy for Palmdale’s Independent Choice (EPIC) has been developed in compliance with Senate Bill 350 and California Public Utilities Commission direction and is hereby approved.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 19th day of October, 2022.

Approved as to form:

Steven D. Hofbauer, Mayor

ATTEST:

Scott E. Porter
Interim City Attorney

Rochelle Scott, Acting City Clerk

I, Rochelle Scott, Acting City Clerk of Palmdale, California, do hereby certify that the foregoing resolution was duly passed, approved, and adopted by the City Council of the City of Palmdale at a regular meeting of said Council held on the 19th day of October, 2022 by the following roll call vote:

AYES: _____

NOES: _____

ABSTAIN: _____ ABSENT: _____

Date: _____

Rochelle Scott, Acting City Clerk



City Council Staff Report

DATE: OCTOBER 19, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
DISTRICT: ALL
SUBJECT: APPROVE 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 SALE AGREEMENT WITH LOS ANGELES COUNTY TREASURER AND TAX COLLECTOR.

ISSUE

Approve 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 Los Angeles County Treasurer and Tax Collector.

RECOMMENDATION

Staff recommends that City Council:

1. Approve the acquisition of tax defaulted property (APN 3008-013-042 and 3008-013-043) through a Chapter 8 Agreement Sale with Los Angeles County Treasurer and Tax Collector; and,
2. Authorize the City Manager or her designee to prepare and execute all necessary documents to complete property acquisition.

BACKGROUND

Upon the failure of a property owner to meet the payment obligation of his or her property tax, the LA County Treasurer and Tax Collector (TTC) sends the property owner a Notice of Auction. The default opens a 5-year waiting period for residential property and 3-year waiting period for non-residential commercial property during which the delinquent taxes, interest, and penalties accumulate until redeemed. At the end of the 5 years for residential property and 3 years for non-residential commercial property, if the tax is not redeemed, the TTC has the power to sell the property. TTC conducts a tax defaulted property auction twice per year in April and October.

As a public agency, the City of Palmdale can acquire property from the tax defaulted property list if there is a public purpose for the property. To begin the process, a public agency or nonprofit organization submits an Application to Purchase Tax-Defaulted

Property from the County to indicate which property the agency or organization is interesting in purchasing. The City would also need to provide minutes from a public meeting where the City Council approved the potential acquisition of the property. If the City's application is approved, the TTC will designate the City as "pre-qualified" and forward an Agreement Sale packet, along with instructions on how to complete the forms and a checklist of requirements. The process can take anywhere between six and nine months to complete and there is no guarantee that the property will be sold to the City.

DISCUSSION

The City reviewed the tax defaulted property list and identified two parcels that the City would be interested in purchasing. The parcels are located on the southwest corner of Avenue Q-3 and 6th Street East Alley (APN's 3008-013-042 and 3008-013-043). These parcels are located within the Palmdale Transit Area Specific Plan (PTASP) and will support the future development of the California High Speed Rail Palmdale Station. The acquisition of the properties will also allow the City to complete future street widening and pedestrian improvements along sections of Avenue Q-3 and 6th Street East Alley.

The property purchase will only be completed if the application is fully approved by TTC, and the property owners do not reclaim the property before the Chapter 8 Agreement Sale is closed. The property owner has the duration of the process to rectify their defaulted property tax status on the properties. The final purchase price shall include all costs of the sale, and the amount of outstanding taxes and penalties accrued up until the Agreement Sale is finalized.

FISCAL IMPACT

Not to exceed \$75,000. The total cost includes the amount of outstanding taxes and penalties, auction fees and other minimal costs needed to complete the property acquisition. Funds are available in account 15761101-737133

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

A. Launch an efficient regional multi-modal transportation hub connecting high speed rail, air, auto and, public transit.

Prepared by:	Zach Glynn, Management Analyst I
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Scott E. Porter, Interim City Attorney

ATTACHMENTS

1. Exhibit A – Parcel Map

EXHIBIT A - PARCEL MAP





City Council Staff Report

DATE: OCTOBER 19, 2022
TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: PUBLIC WORKS DEPARTMENT
CAPITAL IMPROVEMENT PROGRAM DIVISION
DISTRICT: 1
SUBJECT: APPROVE SUPPLEMENTAL AGREEMENT NO 2 WITH DEARK
E&C, INC. FOR PN 813, PALMDALE FILM STAGES, IN THE
AMOUNT OF \$135,947.50.

ISSUE

Approve Supplemental Agreement No 2 with Deark E&C, Inc. for PN 813, Palmdale Film Stages, in the amount of \$135,947.50.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Supplemental Agreement No. 2 to Agreement No. A-7696 with Deark E&C, Inc. for PN 813, Palmdale Film Stages, in the amount of \$135,947.50, Agreement No. 7696; and
2. Authorize the Interim City Manager or her designee to execute Supplemental Agreement No. 2 to Agreement No. 7696 with Deark E&C, Inc., including making minimal and/or non-substantive changes.
3. Authorize the transfer of \$90,000 from Unappropriated General Fund Reserves to Account F0082101 to cover the additional expenses to the project.

BACKGROUND

Project No. 813 refurbishes the building at 38448 Sierra Highway, Palmdale, CA 93550, to house the Palmdale Film Stages. The improvements include, but are not limited to, building interior and exterior renovations, electrical upgrades, and associated parking and accessibility improvements.

DISCUSSION

This project has one previous Supplemental Agreement that was approved administratively under the authority of City Manager for \$30,343.45. Supplemental Agreement No. 1 included the addition of a bid item for concrete foundation work that was

determined to be required due to field verification after bid award, and an increase in bid quantity for bollards due to an error in the bid schedule.

Supplemental Agreement No. 2 includes three (3) changes to the project scope as outlined below.

The first change relates to the addition of an interior green screen for filming use. The green screen was not included within the original scope, plans or specs, but was highly recommended by the City’s Film liaison to attract more use to the facility. The cost for this change includes the materials and labor to construct the green screen.

The second change relates to the repainting the exterior of the building. The originally approved colors for the building exterior were deemed unacceptable and will be replaced with a more muted color palette. Additionally, the north wall will be added to the paint scope, as it was not originally included in this cost item. The cost for this change includes the materials and labor to repaint the exterior of the building.

The third change relates to the replacement of the exterior doors. The originally approved exterior doors included glass panels, but with growing security concerns, the exterior doors be replaced with solid door panels. The cost for this change includes the material and labor to replace the exterior doors.

FISCAL IMPACT

This project is funded in Account F0082101, Palmdale Film Stage. The current balance is \$58,311. Staff is requesting a transfer of \$90,000 from Unappropriated General Funds reserves to cover the shortfall. This transfer will cover the cost of this additional work in Supplemental Agreement No. 2 and associated administrative costs. The fiscal impact and remaining account balance can be seen in the following table:

SCOPE OF WORK		ORIGINAL PROJECT COST	UPDATED PROJECT COST
A-7696, Construction Contract		\$441,835	\$441,835
Contingency		\$44,184	-
Supplemental Agreement No. 1 (admin approved)		-	\$30,343.45
Supplemental Agreement No. 2		-	\$135,947.50
Design		-	\$4,500
Labor Compliance		\$4,500	\$4,500
Administration and Inspection		\$25,000	\$32,500
Total Cost:		\$515,519	\$649,626
Account Number Starting Balance Balance Transfer Remaining Balance			
F0082101	\$560,000	\$90,000	\$374

STRATEGIC PLAN

Goal III: Invest in infrastructure to improve community livability.

- C. Plan and maintain safe and attractive neighborhoods, streets, facilities, and public spaces with exciting programming that promotes active fun for everyone.

Prepared by:	Lynn Glidden P.E., Acting Public Works Director
Certified as to availability of Funds:	Janelle Samson, Director of Finance
Approved by:	Ronda Perez, Interim City Manager
Approved as to form:	Scott Porter, Interim City Attorney

ATTACHMENTS

1. Supplemental No. 2 to Agreement A-7696



SUPPLEMENTAL AGREEMENT

Supplemental Agreement No: 2

Project Title: Palmdale Film Stages

Deark E&C, Inc.
1830 West 147th Street
Gardena, CA 90249

Project No: 813 Account No. F0082155-7245252 Contract Date: October 19, 2022

The following changes are hereby made to the Contract Documents:

See attached change order summary - Exhibit "A"

Justification:	TOTAL	\$	135,947.50
-----------------------	--------------	----	------------

See attached change order summary - Exhibit "A"

Change to Contract Price:

Original Contract Amount:		\$	472,178.45
The Contract Price due to this Supplemental Agreement will be increased by:		\$	135,947.50
The new Contract Price due to this Supplemental Agreement will be:		\$	608,125.95

Change to Contract Time:

Original Contract Time:			286 Calendar days
The Contract Time has been increased by 60 calendar days			120 Calendar days
The amended date for completion of all work under the contract is:			12/22/2022

APPROVALS REQUIRED:

To be effective, this order must be approved by the Owner if it changes the scope or objective of the project, or as may otherwise be required under the terms of the Supplementary General Conditions of the Contract.

Contractor:	Peter Jeong	Date:	
Project Manager:	Ulises Gonzalez, AIA, ENV-SP, PMP	Date:	
Acting Director of Public Works:	Lynn Glidden, P.E., PMP	Date:	
City Manager:	Ronda Perez, Interim City Manager	Date:	

ATTEST:

APPROVED AS TO FORM:

 Roxanne Faber,
 Acting City Clerk

 Scott E. Porter,
 Interim City Attorney

CHANGE ORDER SUMMARY
Supplemental Agreement No. 2 to Agreement No. A-7696
for City Project No. 813, Palmdale Film Stages

ITEM NO.	DESCRIPTION OF CHANGE AND JUSTIFICATION	AMOUNT
1	CCO # 04: Additional Work – Green Screen Additional work due to City requirement for the addition of a green screen wall not included in the original plans and specifications. City and Contractor mutually agreed to pay as a lump sum amount.	\$60,087.50
2	CCO #05 (1,2): Increase in Bid Item Cost – Painting Increase in bid item cost due to City requirement for additional painting and repainting of exterior. City and Contractor mutually agreed to pay as a lump sum amount.	\$69,650.00
3	CCO #05 (3): Increase in Bid Item Cost - Doors Increase in bid item cost due to City requirement for replacement of exterior doors. City and Contractor mutually agreed to pay as a lump sum amount.	\$6,210.00
THREE (3) ITEMS		TOTAL AMOUNT OF CHANGES: \$135,947.50