

**AVALON CITY COUNCIL MEETING  
TUESDAY, OCTOBER 2, 2012 – 5:30 P.M.  
CITY COUNCIL CHAMBERS  
410 AVALON CANYON ROAD, AVALON  
A G E N D A**

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact Denise Radde, City Clerk (310) 510-0220. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35.104 ADA Title II). All public records relating to an agenda item on this agenda are available for the public inspection at the time the records are distributed to all, or a majority of all, members of the City Council. Such records shall be available at City Hall located at 410 Avalon Canyon Rd.

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / INVOCATION / ROLL CALL**

**ANNOUNCEMENTS / WRITTEN COMMUNICATIONS**

**PRESENTATION**

1. A very detailed progress report on the City of Avalon's Bay Water Quality will be given starting at 5:30 p.m.

Presenters will be:

Shawn Hagerty - Best, Best and Krieger, LLP.

John Harris, Mark Hill and Dennis Jaich – Consulting engineers from RBF, Inc.

Dr. Stanley Grant – Scientist

Ryan Bonner – Environ Strategies

Following the presentation, there will be a discussion of the next steps and future requirements of the Cease and Desist Order.

**ORAL COMMUNICATION**

Members of the public may address the City Council at this time. No action will be taken on non-agenda items at this meeting. Speakers should limit comments to three (3) minutes each.

**CONSENT CALENDAR**

All items listed on the Consent Calendar are considered to be routine by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a specific item is removed from the Consent Calendar for further discussion and possible action.

2. Actions

Although the live recording is the official record of public meetings, actions are prepared for the Council's approval.

Recommended Action

Approve actions from the September 18, 2012 City Council meeting.

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3. Expenditures Submitted for Approval

- o Warrants in the amount of \$1,694,018.80.
- o Payroll in the amount of \$191,520.01
- o Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$10,589.00.

Recommended Action

Approve total expenditure amount of \$1,896,127.81.

4. City of Avalon Successor Agency to the ACIA Expenditures Submitted for Approval  
Warrants in the amount of \$4,506,952.96, and an Electric Fund Transfer for Series A&B Bond Principal and interest payment of \$1,542,783.64 are submitted for approval.

Recommended Action

Approve warrants in the amount of \$6,049,736.60.

5. Approval of Professional Service Agreement to Hire Dennis Miura to Provide Financial Consulting Services

Under AB 1484 the City of Avalon acting as the Successor Agency to the ACIA is required to perform a Due Diligence Review (DDR) of the former redevelopment agency's fund balance and related transactions from January 1, 2011 forward. Staff is still finalizing the City and ACIA's books from the relevant time period. To facilitate the closing of books so the DDR can be completed, Staff recommends hiring Mr. Miura.

Recommended Action

Approve professional service agreement to hire Dennis Miura as a financial consultant.

**GENERAL BUSINESS**

6. Consideration of an Ordinance of the City Council of the City of Avalon, California, Amending Title 9, Chapter 5, Article 4, Section 9-5.404 of the Municipal Code to Allow Restaurants, Bars or Cafes as a Conditionally Permitted Use in Existing Hotels.

Staff was directed to begin the process of changing the Municipal Code to allow restaurant/bar/café land use in existing hotels in the high density zone after a request was made from a local hotelier.

Recommended Action

Introduce and waive all subsequent readings of an Ordinance of the City Council of the City of Avalon, California, Amending Title 9, Chapter 5, Article 4, Section 9-5.404 of the Municipal Code to Allow Restaurants, Bars or Cafés as a Conditionally Permitted Use in Existing Hotels in the multiple residential, high density zone.

7. Cancellation of Lease – Catalina Snorkel and Scuba

Catalina Snorkel and Scuba has consistently violated the terms of their lease and City regulations. Staff is recommending revocation of their lease pursuant to the lease terms.

Recommended Action

Provide lessee with a 30 day termination of lease notice and advertise for new tenant.

8. Capital Improvement Needs and Resources

Staff has developed a list of currently known capital infrastructure improvements needed within the City.

Recommended Action

Provide Staff with priorities and direction to commence Capital Improvement Projects.

**CLOSED SESSION**

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Pebbly Beach Road

Agency Negotiators: Steven Hoefs, City Manager and Scott Campbell, City Attorney

Negotiating Party: The Santa Catalina Island Company

Under Negotiation: Price and terms of payment

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**COUNCILMEMBER REPORTS**

**MAYOR REPORT**

**ADJOURN**

**NOTICE OF POSTING**

I, Denise Radde, declare that the City Council Agenda for October 2, 2012 was posted on Friday, September 28, 2012, on the City's website [www.cityofavalon.com](http://www.cityofavalon.com), and at City Hall, 410 Avalon Canyon Road. Copies of agendas and staff reports are available at City Hall.



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Denise A. Radde, City Clerk / Assistant City Manager