

**AVALON CITY COUNCIL MEETING
TUESDAY, JUNE 19, 2012 – 6:00 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

A special recognition will be given to Catalina Kid Venture employees.

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.

1. 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 May 15, 2012 and June 5, 2012 City Council meetings.

2. Appointment of Two Assistant Vehicle Hearing Officers

Two positions to assist the Vehicle Hearing Officer are open for a two year term. The position was posted in the paper and the City received two applications.

Recommended Action

Appoint applicants, Mark Tasca and Gene Eubanks, as Assistants to the Vehicle Hearing Officer for a two year term.

3. Authorize Environ Strategy (ES) to Prepare Necessary Documents and Obtain a Five Year Renewal of the City's NPDES Permit

The City of Avalon's five year NPDES permit for the Wastewater Treatment Plant expires in April 2013 and an application needs to be submitted six months in advance. ES has the task of creating the required documents and applying for the permit.

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Recommended Action

Authorize an ASA for Environ Strategy to prepare necessary documents to apply for a renewal of the City's NPDES permit – Cost not to exceed \$59,090.

GENERAL BUSINESS

4. Expulsion Appeal – Chris Schwartz

On Sunday, May 27, 2012 the vessel "Reel Time" was cited for discharging in the harbor. Part of the citation includes expulsion from Avalon Bay for a period of one year. The owner is appealing the one year expulsion from the harbor.

Recommended Action

Hear appeal from Mr. Schwartz owner of "Reel Time". Staff is recommending upholding the one year expulsion unless City Council can make a finding that the one year expulsion would not "promote justice".

5. Appeal of Staff/City Attorney Interpretation of Code Relating to Restaurant/Hotel in High Density Residential Zone

In 1989 the Seaport Village applied and received approvals for expansion to the hotel to include employee housing and a conference center with a kitchen. The approval did not reference a restaurant/bar/café because the Municipal Code does not allow a restaurant, etc. as an allowable land use in a High Density Residential Zone.

Recommended Action

Hear appeal from Seaport Village owner. Staff is recommending to uphold Staff/City Attorney interpretation of Municipal Code and deny appeal.

6. Pavement Assessment Program

Due to the sewer reconstruction project and previously installed patch jobs from work performed by the utility companies and private contractors our City streets are in need of proper repair. RBF Inc. has been asked to prepare a Pavement Assessment Program so a clear understanding of what the City's street repair needs are and the cost associated with them.

Recommended Action

Retroactively approve contract with RBF Inc. for \$18,500 to conduct a Pavement Assessment Study and make recommendations.

7. Presentation on the Sewer System Management Plan (SSMP) and Adoption of the Edited Sewer System Management Plan

The current Cease and Desist Order requires the City of Avalon to take two actions regarding the SSMP before June 30, 2012. The existing SSMP was adopted in September 2010 and has been amended in three ways.

Recommended Action

Listen to presentation and adopt amended Sewer System Management Plan.

8. Required Science Studies for the Cease and Desist Order

The Cease and Desist Order requires the City of Avalon to conduct two scientific studies relating to Bay Water Quality. Dr. Stanley Grant has submitted two proposals to conduct the necessary studies.

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Recommended Action

Authorize the City to commence work on science studies to comply with the Cease and Desist Order.

9. Bay Water Quality Graphics

At the meeting of April 3, 2012 the City Council authorized a contract with Mix Marketing to create signage and brochures to place on the beaches where and when the County beach posting signs are in place. The purpose of the signage is to inform the public about why the posting signs are there and what the City has done and is doing to improve Bay Water Quality. Staff will make a presentation on the various concepts developed by Mix Marketing and seek Council input. Samples of the art work are on display at City Hall.

10. Introduce Ordinance Amending the Time of Regular City Council Meetings

At the June 5, 2012 meeting it was decided to change the meeting time of the City Council meetings from 7:00 p.m. to 6:00 p.m. on the first and third Tuesdays of each month. The Municipal Code has to be changed to reflect this.

Recommended Action

Introduce and waive all further readings of an ordinance amending Chapter 1, Title 2, Section 2-1.01 of the Avalon Municipal Code changing the time of regular meetings on the first and third Tuesday of each month to 6:00 p.m.

CITY MANAGER REPORT

CHIEF ADMINISTRATIVE OFFICER REPORT

CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS AND MAYOR REPORT

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Subdivision (a) of Section 54956.9

Title: In the Matter of Avalon K-12 School Site, 200 Falls Canyon Road, Avalon, CA 90704 I/SED: 11/12-003

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for June 19, 2012 was posted on Friday, June 15, 2012, on the City's website www.cityofavalon.com, and at City Hall, 410 Avalon Canyon Road. Copies of agendas and staff reports are available at City Hall.