

**AVALON CITY COUNCIL MEETING
TUESDAY, AUGUST 7, 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 - None

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 July 10, 2012 and July 17, 2012 City Council meetings.

2A. Expenditures Submitted for Approval

- o Warrants in the amount of \$699,348.61.

Recommended Action

Approve total expenditure amount of \$699,348.61.

2B. Expenditures Submitted for Approval

- o Warrants in the amount of \$334,623.21.
- o Payroll in the amount of \$224,641.45.

Recommended Action

Approve total expenditure amount of \$559,264.66.

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3. Joe Machado Filed Rehabilitation Project – Notice of Completion
Over the last two years the City has been able to make significant improvements to Joe Machado Field using a variety of grants.
Recommended Action
- 1) Find that all construction for the Joe Machado Field Rehabilitation Project is complete.
 - 2) Authorize the City Manager to execute and file the Notice of Completion.
4. Adoption of Resolutions of the City of Avalon/Successor Agency to Avalon Community Improvement Agency for FY 2012-2013 Budget, Investment Policy and Gann Limit.
Resolutions should be adopted when the Annual Operating Budget is adopted. City Council adopted the budget on June 7, 2012 at the first study session of the budget.
Recommended Action
Adopt the following resolutions:
- 1) A resolution of the City Council of the City of Avalon /Successor Agency to ACIA adopting the budget for Fiscal Year 2012-2013.
 - 2) A resolution of the City of Avalon/Successor Agency to ACIA adopting the Statement of Investment Policy for Fiscal Year 2012-2013.
 - 3) A resolution of the City of Avalon establishing an appropriations limit for Fiscal Year 2012-2013 pursuant to Article XIII B of the California Constitution.

PUBLIC HEARINGS

- 4A. Adoption of Resolutions of the City of Avalon for FY 2012-2013 Direct Assessments
Resolutions are required to be adopted to place certain fees on tax rolls.
Recommended Action
Adopt the following resolutions:
- 4) A resolution of the City Council of the City of Avalon adopting the report of the Annual Sewer Use Fees and directing the City Clerk of the City to file said report with the Los Angeles County Auditor and request the auditor place the Fiscal Year 2012-2013 Sewer Use Fees on the Tax Roll.
 - 5) A resolution of the City Council of the City of Avalon adopting the report of the Annual Saltwater Standby Charges and directing the City Clerk of the City to file said report with the Los Angeles County Auditor and request the auditor place the Fiscal Year 2012-2013 Saltwater Standby Charges on the Tax Roll.
 - 6) A resolution of the City Council of the City of Avalon adopting the report of the Annual Trash Collection Service Fees and directing the City Clerk of the City to file said report with the Los Angeles County Auditor and request the auditor place the Fiscal Year 2012-2013 Trash Collection Service Fees on the Tax Roll.
 - 7) A resolution of the City Council of the City of Avalon adopting the report of the Annual Grease Collection Service Fees and directing the City Clerk of the City to file said report with the Los Angeles County Auditor and request the auditor place the Fiscal Year 2012-2013 Grease Collection Service Fees on the Tax Roll.

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GENERAL BUSINESS

5. One Percent Transfer Fee Exemption for Island Express Helicopter
Island Express Helicopter Service's has requested that the City exempt them from the obligation to pay a one percent transfer fee.
Recommended Action
Consider Island Express Helicopter Service's request for an exemption from the obligation to pay a one percent transfer fee following the execution of a Stock Purchase Contract.

6. Consider Amending Title 4, Chapter 4 of the Avalon Municipal Code to Create an Authorized Category and Parking Guidelines for Oversized Autoettes
The proposed amendment to the Code creates a class of autoettes referred to as "oversized autoettes" and addresses parking issues that would be applicable to the oversized autoette.
Recommended Action
Introduce and waive all subsequent readings of an ordinance amending Title 4, Chapter 4 of the Avalon Municipal Code to create an authorized category and parking guidelines for oversized autoettes.

7. Consideration of a Moratorium on Issuing Condition Use Permits (CUP) to Transient Rentals
Guidelines for the transient rental CUP have a long history. Over the years many changes and modifications have been made in the attempt to protect all. It has been requested that the City Council review these guidelines and consider a moratorium on the issuance of any other transient rental CUP.
Recommended Action
Review information and give direction to Staff.

8. Consideration of Going Out to Bid – Solid Waste / Trash Contract
The current contract with Seagull Sanitation will expire on June 30, 2013. This contract includes solid waste pick up and disposal, managing the hazardous waste site, operating the annual large item pick up, and disposing of items abandoned on public property.
Recommended Action
Discuss and provide direction to Staff.

9. Consideration of an Ordinance Repealing Portions of Title 4, Chapter 4 of the Avalon Municipal Code Removing Restrictions on Travel for Portions of Pebbly Beach Road
The proposed ordinance will remove the City's restrictions on travel on Pebbly Beach Road. The City and other public safety officials retain power to close Pebbly Beach Road when persons using the road may be endangered due to rockslides. Appropriate warning signs will be located on Pebbly Beach Road to warn people traveling on the road of the potential for rockslides.
Recommended Action
Introduce and waive all subsequent readings of an ordinance repealing portions of Title 4, Chapter 4 of the Avalon Municipal Code to remove restrictions on travel for portions of Pebbly Beach Road.

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CITY MANAGER REPORT

**CITY ATTORNEY REPORT
COUNCILMEMBER REPORTS**

MAYOR REPORT

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Subdivision (b) of Section 54956.9
Significant Exposure to Litigation: In the Matter of Avalon K-12 School Site, 200 Falls Canyon Road, Avalon, CA 90704 I/SED: 11/12-003
2. 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
3. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Subdivision (a) of Section 54956.9
Name of Case: Long Beach Unified School District vs. the City of Avalon, Successor Agency to City of Avalon Community Improvement Agency, et. al.
Case number BS137598
4. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATORS
Property: 225 Metropole
Agency negotiators: Steven Hoefs, City Manager, Charlie Wagner, Chief Administrative Officer, and Scott Campbell, City Attorney.
Negotiating parties: Any person or entity interested in purchasing the property.
Under Negotiation: Price and terms of payment.

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for August 7, 2012 was posted on Thursday, August 2, 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.