

**AVALON CITY COUNCIL MEETING
TUESDAY, DECEMBER 4, 2012 – 5:00 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.

The City Council meeting will start at 5:00 p.m. and go directly into Closed Session. The Regular City Council Meeting will take place immediately following Closed Session.

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

PRESENTATION

Station Commander Lieutenant Doug Fetteroll will introduce two new additions to the Avalon Sheriff Station, Deputy Miguel "Mike" Orellana and Deputy Jeff Flotree.

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Subdivision (b) 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
Title: Long Beach Unified School District v. City of Long Beach, et al, Case No. BS137598
2. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9. (one case)
3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Section 54956.9. (two cases)
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: All City Leased Properties
Agency Negotiators: Steven Hoefs, City Manager, Charlie Wagner, Chief Administrative Officer and Scott Campbell, City Attorney
Under Negotiation: Price and terms of payment

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.

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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 October 2, 2012 and October 16, 2012 City Council meetings.

2. Expenditures Submitted for Approval

- o Warrants in the amount of \$1,843,916.71
- o Payroll in the amount of \$752,704.55
- o Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$15,043.00

Recommended Action

Approve total expenditure amount of \$2,611,664.26.

3. 2012 Volunteer Fire Assistance (VFA) Grant

The VFA Cal Fire Grant is a 50/50 cost sharing grant. The grant allows the Avalon Fire Department to purchase structure fire personal protective equipment (turnouts).

Recommended Action

Adopt resolution approving the City of Avalon Fire Department enter into the Volunteer Fire Assistance Grant (VFA) with the California Department of Forestry and Fire Protection (Cal Fire) for \$8,096.00.

4. 2013 Waterside Permit Renewals

Prior to December of each year, the Harbor Master reviews all existing Waterside Permits whose terms are to expire on December 31st. The Harbor Master recommends all current Waterside Permit holders who are restricted to Float D on the Pleasure Pier continue to use Float D while it is installed thus allowing the general boating public easy access to other pier floats. When Float D is out for the winter, vessels restricted to Float D can use all floats on the Pleasure Pier except Floats E, F & G on cruise ship days as shoreboats have already been granted priority.

Recommended Action

Approve renewal of all Waterside Permits on the attached list for the year 2013.

5. Resolution Authorizing the Finance Director to Execute the Transportation Development Act Claim Form for Article 8 Local Transportation Funds for Fiscal Year 2012/2013.

Each year the City is allocated monies from the Los Angeles County Metropolitan Transportation Authority's Local Transportation Fund for local streets, road

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construction and maintenance, or for any unmet public transportation needs. The City held a Public Hearing on April 3, 2012 to hear any testimony on the City's unmet transit needs. This resolution will give the Finance Director authority to apply for the City's 2012/2013 allocation of \$106,643.00.

Recommended Action

Adopt resolution authorizing the Finance Director to execute the Transportation Development Act Claim Form for Article 8 Local Transportation Funds for Fiscal Year 2012/2013.

6. Reallocation of Prop 1B Funds

The City received \$400,000 in Prop 1B Funds in FY 2008/09 which was allocated to the Lower Terrace Road Project. Prop 1B Funds have a strict lapsing policy and the funds must be expended by June 30, 2013. The Lower Terrace Road Project has been extended due to a change in the scope of the project and staff is unsure if the project will be completed by the June 30, 2013 deadline and is requesting the funds be reallocated to City-Wide Street Repairs which will be expended by the deadline.

Recommended Action:

Adopt resolution authorizing the reallocation of \$400,000 in Prop 1B Funds to the City-Wide Street Repair Project in accordance with Prop 1B Requirements.

7. Avalon Mooring & Diving Service – Rate Increase and Contract Extension

Avalon Mooring & Diving Service is requesting that their contract be renewed for an additional five year extension, under the same terms as currently exist. They are in addition requesting permission to increase their rates by 9% due to the dramatic increase in fuel, insurance, material and general overhead cost.

Recommended Action

Authorize the City Manager to execute an amendment extending the franchise agreement with Avalon Mooring & Diving Service for an additional five (5) years from July 1, 2013 – June 30, 2018.

GENERAL BUSINESS

8. Grant Application for New Buses through the Metro Call for Projects Grant Process

There is a grant opportunity through Metro's Call for Projects. Recently Staff and Councilmember Michael Ponce visited the Ebus plant in Downey to view electric buses that could replace the City's trolleys.

Recommended Action

Authorize City Staff to prepare a grant application for three electric buses to replace the current trolleys.

9. Carnival Cruise Line Request

Carnival Cruise Line is interested in bringing a second cruise ship into Avalon port. The City has a Municipal Code Section that allows for the City Manager to waive 50% of the wharfage fee on a second vessel of the same cruise line. Carnival is proposing something slightly different that City Council will have to approve.

Recommended Action

Discuss and provide direction to Staff.

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10. Study Session Regarding Owner Obtained Autoette Permits for Transient and Non-Transient Renters
In March 2012, the City imposed a moratorium on the issuance of autoette permits to owners of dwelling units who sought permits, but still allowed residents of dwelling units to obtain an autoette permit. This moratorium was to allow Staff time to study the issues regarding the issuance of autoette permits to owners of dwelling units for use by transient and non-transient residents.
Recommended Action
1. Hold a study session to discuss possible changes to the Avalon Municipal Code sections regarding issuing autoette permits to owners of dwelling units. 2. Direct Staff on possible amendments to the Municipal Code.

11. Funding for the City of Avalon's Centennial Celebration
Planning is underway for the City of Avalon's celebration which will kick off June 1, 2013 and extend through May of 2014. Members of the Centennial Board of Directors believe it is a necessary expense to hire a PR firm to manage the advertising, event planning, branding etc. to get a maximum return on investment for the event, with the idea that the money spent would be recovered in an increase of TOT monies.
Recommended Action
Discuss and provide direction on allotting funding for start-up costs, which would include hiring a PR agency, for the City of Avalon Centennial Celebration.

12. Naming Rights for Joe Machado Field (JMF) Concession Building
The Lion's Club has expressed an interest in making a donation to JMF in exchange for naming right of the concession building. Council is being asked to identify the type of sponsorship and how a sponsor's name shall appear, give direction or approval on the dollar amount offered, and give guidance as to its desire of future naming rights in parks and recreational spaces.
Recommended Action
Discuss and provide direction on the subject of naming rights of City of Avalon properties, specifically the Joe Machado Field Concession Building.

CITY MANAGER REPORT / CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS / MAYOR REPORT

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for December 4, 2012 was posted on Friday, November 30, 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.