

**AVALON CITY COUNCIL MEETING
TUESDAY, JANUARY 15, 2013 – 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.

The City Council meeting will start at 6:00 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

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.

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: Case No. 11/12-003

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 December 18, 2012 City Council meeting.

**CITY COUNCIL AGENDA
JANUARY 15, 2013
PAGE 2**

2. Expenditures Submitted for Approval

- Warrants in the amount of \$2,398,736.55
- Payroll in the amount of \$544,954.75
- Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$1,572.00

Recommended Action

Approve total expenditure amount of \$2,945,263.30.

3. Waterside Project Application – Miss Catalina

A Waterside Project Application for a charter and tour business was submitted by John Durrah. He proposes to operate seven days a week, year round, from 8:00 a.m. to 7:30 p.m.

Recommended Action

Grant the Waterside Project Application to John Durrah with the following conditions:

1. The applicant produces a Certificate of Inspection showing he can carry more than six passengers for hire for both vessels and a Coast Guard operator's license.
2. All dragon canoe tours stay outside and clear of the Avalon Harbor entrance.
3. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.
4. Pay 7% Use Fee under section 10-2.402 (c).

4. Waterside Project Application – Louie Lardas

A Waterside Project Application for a waterside delivery service was submitted by Louie Lardas. He proposes to operate seven days a week, year round, 24 hours a day.

Recommended Action

1. The applicant obtains any permits necessary from the Los Angeles County Health Department pertaining to food delivery.
2. Delivery goods will need to be loaded at a dinghy dock. If the applicant chooses to load elsewhere, they will be restricted to the shore side of Float 5 from June 15 to September 30. In the winter months vessels restricted to Float 5; during the summer can use all floats on the Pleasure Pier except Floats E, F & G on cruise ship days as shoreboats have already been granted priority.
3. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.
4. Pay 7% Use Fee under section 10-2.402(g).

5. Approval of Lease Transfer - ATM Located at #10 Pleasure Pier

Marathon ATM, Arthur Wright, has notified the City of the sale of his business. He is requesting the City transfer his lease to the purchaser, CORD Financial.

Recommended Action

Approve transfer and authorize City Manager to execute amendment to lease upon payment of transfer fee as provided in lease.

**CITY COUNCIL AGENDA
JANUARY 15, 2013
PAGE 3**

6. Approval of Lease Transfer - Catalina Divers Supply
Catalina Divers Supply wishes to sell its business entities. They are requesting their City lease located on the Pleasure Pier be transferred to the buyer, C&N LINS, Inc. and Scuba Cat, Inc.
Recommended Action
Approve transfer and authorize City Manager to execute an amendment to an existing lease between the City and Catalina Divers Supply upon payment of a transfer fee.

7. Approval of Past Work Authorizations for Environ Strategies: Amend Budget for ASA Work
Over the last six months authorization has been given to Environ Strategies to make emergency repairs, procure items to prepare for emergencies or make normal repairs consistent with the budget. Four fifths vote required.
Recommended Action
Retroactively approve actions of CAO to authorize emergency repairs and or ASA repairs consistent with budget to sewer and salt water systems. Amend Sewer and Salt Water budgets to incorporate authorized work.

8. Avalon Bay Bacteria Wasteload Allocation Compliance Plan (Total Maximum Daily Load - TMDL)
The Cease and Desist Order required the City to develop a Compliance Plan for meeting the wasteload allocations (WLAs) and to submit the plan to the Regional Board for approval by November 30, 2012. The Compliance Plan establishes an implementation schedule for best management practices designed to attain WLAs.
Recommended Action
Note and file the Avalon Bay Bacteria Wasteload Allocation Compliance Plan (TMDL).

GENERAL BUSINESS - None

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS

MAYOR REPORT

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Lease for Catalina Freight Lines
Agency negotiator: Steven Hoefs, City Manager and Scott Campbell, City Attorney
Negotiating parties: Port of Los Angeles
Under negotiations: Price and terms of payment

**CITY COUNCIL AGENDA
JANUARY 15, 2013
PAGE 4**

2. PUBLIC EMPLOYMENT
Title: Successor position to the Chief Administrative Officer

3. CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Steven Hoefs, City Manager and Scott Campbell,
City Attorney
Unrepresented employee: Successor position to the Chief Administrative Officer

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for January 15, 2013 was posted on Friday, January 11, 2013, 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.

Denise A. Radde, City Clerk / Assistant City Manager