

**AVALON CITY COUNCIL MEETING
TUESDAY, AUGUST 20, 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.

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

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

PRESENTATION

A presentation will be given on a new program being conducted by the Catalina Island Medical Center called "Stepping into Health".

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 August 6, 2013 City Council meeting.

2. Expenditures Submitted for Approval

- o Warrants in the amount of \$150,840.06.

Recommended Action

Approve total expenditure amount of \$150,840.06.

3. Expenditures Submitted for Approval

- o Warrants in the amount of \$212,313.51.
- o Payroll in the amount of \$217,157.68.

Recommended Action

Approve total expenditure amount of \$429,471.19.

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4. Adopt Ordinance Amending the Municipal Code to Expand the Areas Where a Waterside Permit is Required and Determine that the Amendments Are Exempt from the California Environmental Quality Act

At the last City Council meeting this ordinance was introduced and all further readings waived. The City currently requires persons conducting businesses or commercial enterprises in or emanating from Avalon Harbor to obtain a Waterside Permit. The proposed amendment will require businesses operating in or emanating from any City waters to obtain a Waterside Permit.

Recommended Action

Adopt ordinance amending Chapter 2, Harbor Regulations, of Title 10 of the Avalon Municipal Code to expand the areas where a Waterside Permit is required.

5. Adopt Ordinance of the City of Avalon Adding Chapter 20 to Title 5 of the Avalon Municipal Code to Expressly Define Medical Marijuana Dispensaries and Mobile Marijuana Dispensaries and Clarify that Such Dispensaries are Unlawful in the City and Determine that the Ordinance is not a Project Under the Meaning of CEQA

At the last City Council meeting this ordinance was introduced and all further readings waived. Given the recent California Supreme Court case finding that state marijuana laws do not override the police power of a municipality to regulate Medical Marijuana Dispensaries (MMD's), the proposed ordinance will support the City's goal to protect the public peace, health, safety and welfare concerns associated with the operation of MMD's and Mobile Marijuana Dispensaries by clarifying that such Dispensaries are unlawful in the City.

Recommended Action

Adopt ordinance adding Chapter 20 to Title 5 of the Avalon Municipal Code to expressly define Medical Marijuana Dispensaries and Mobile Marijuana Dispensaries and clarify that such dispensaries are unlawful in the City.

GENERAL BUSINESS

6. Appeal for Denial of a Special Event Permit for the Catalina Air Show

The Catalina Air Show was denied a Special Event Permit for an event to be held on the weekend of September 7-8, 2013. The California Outriggers Association will be holding their 54th annual event the same weekend. The Air Show coordinators have appealed this decision.

Recommended Action

1. Hear appeal and discuss.
2. Uphold the denial of the Special Event Permit for the Catalina Air Show. Render decision based on guidance provided by Avalon Municipal Code and the Special Event Permit Ordinance.

7. Skate Park Renovation Options

Direction is needed on the renovation, operation and maintenance of the City Skate Park facility.

Recommended Action

Discuss and give direction to Staff.

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CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS

MAYOR REPORT

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

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for August 20, 2013 was posted on Saturday, August 17, 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 / Interim City Manager