

**SPECIAL JOINT CITY COUNCIL / PLANNING COMMISSION MEETING and  
REGULAR AVALON CITY COUNCIL MEETING  
TUESDAY, MARCH 19, 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.

**SPECIAL JOINT CITY COUNCIL / PLANNING COMMISSION MEETING  
AGENDA**

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

**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.

**PUBLIC HEARING – Avalon General Plan/Local Coastal Plan and EIR (Workshop #6)**

This is a required Public Hearing to provide an opportunity for the public, Council and Commission to review plans, provide comments and/or make corrections before final approval. Public comment period ends on March 25<sup>th</sup>.

**Recommended Action**

Open Public Hearing and receive public comment. Review updates/edits to the General Plan, Local Coastal Plan and EIR.

**REGULAR MEETING AGENDA**

**CALL TO ORDER / ROLL CALL**

**ANNOUNCEMENTS / WRITTEN COMMUNICATIONS**

**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.

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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 March 5, 2013 City Council meeting.
2. Retention of Meyers Fozi, LLP for Insurance Coverage Work  
The City has a couple of litigation matters that may be covered by insurance policies. (Department of Toxic Substance Control Order and a PARSAC matter.) To best protect the City's interest in these matters the City Attorney is recommending a firm specializing in insurance coverage issues.  
Recommended Action  
Authorize the City Manager to enter into an agreement to retain the legal services of Meyers Fozi, LLP for the purpose of assisting with two discrete insurance coverage issues.
3. Authorization to Exercise Option for Actuarial Consulting Services  
The City needs an actuarial valuation for the City's retiree health program. The actuarial valuation is necessary to comply with the requirements of GASB 43 and 45.  
Recommended Action  
Authorize the City Manager to approve an additional Contract Amendment for Nyhart Epler to perform additional actuarial valuation work for the fiscal years ending on June 30, 2009 and June 30, 2012 in the amount of \$1,500.
4. Proposals for Rockfall Fencing Design  
PARSAC, the City's main insurance provider, has required the City to undertake efforts to mitigate rockfalls along Pebbly Beach Road and Casino Way.  
Recommended Action  
Authorize City Staff to retain TerraCosta Consulting Group to provide the geotechnical design services for the construction and installation of the rockfall and debris barriers along certain segments of Pebbly Beach Road and Casino Way in an amount not to exceed \$39,515.
5. Purchase of Vacuum Pressure Washer and Panga Vessel  
To be in compliance with the Cease and Desist Order issued by the Regional Water Quality Control Board the City of Avalon can no longer allow rinse water from the washing down of floats, ramps and piers to go directly into the bay.  
Recommended Action  
Authorize the Harbor Master to purchase a pressure washing vacuum system necessary to clean floats, ramps and piers from Steele Eagle, in the amount of \$22,765.83 plus shipping.
6. Award Engineering Services Contract for Fuel Dock Replacement  
Blue Water Design Group was asked to supply a proposal to include: Complete engineering design support necessary for the in-kind replacement of the existing pier structure, procurement of the required regulatory permits for construction, bid

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assistance to select a contractor and construction support services during the building of the project.

Recommended Action

Authorize a contract amendment with the Blue Water Design Group for engineering and design of the Avalon Fuel Dock Wharf and Dock Facilities in the amount of \$149,783.

7. Appointment of One Director to the Avalon Medical Development Corporation Board

The bylaws to the Avalon Medical Development Corporation provide that the City Council make the appointments to the Board. One seat on the Board has been vacated.

Recommended Action

Appoint Conrado Vega to serve the remaining term of a recently vacated position on the Board of Directors of the Avalon Medical Development Corporation.

**GENERAL BUSINESS**

8. Solid Waste Franchise and Lease Execution

At the meeting on March 5, 2013 the City Council selected CR&R's solid waste bid and directed Staff to negotiate the final agreement with CR&R. The final agreement is ready for Council's approval.

Recommended Action

Authorize the City Manager to execute the Franchise and Lease Agreement with CR&R for solid waste collection and facility management services.

9. Consideration of an Ordinance Amending Sections of the Avalon Municipal Code Regarding Autoette Permits for Dwelling Units and Hotels

In March 2012 a moratorium was enacted which prohibited the issuance of autoette permits to owners of dwelling units who would not be personally using the autoette, but allowed occupants of dwelling units to obtain autoette permits themselves. Two study sessions and public comments times were held on December 4, 2012 and February 5, 2012.

Recommended Action

That the City Council introduce and waive all readings of an ordinance to amend the Avalon Municipal Code sections 4-4.1703(g)(1), 5-11.04, and 5-11.06 regarding autoette permits for dwelling units and hotels.

10. Authorize Execution of Professional Services Agreement with RBF Consulting for Development of Water Quality Programs

In February 2013 the State Water Resources Control Board adopted a new Stormwater permit for small municipal separate storm sewer systems. The City of Avalon is required to comply with the permit because it operates such a storm sewer system. The City has a deadline of July 1, 2013 to obtain coverage under the permit.

Recommended Action

Authorize the City Manager and City Attorney to execute a contract with RBF Consulting to develop water quality programs to comply with the new Phase II MS4 Permit, the Compliance Plan, TMDL and Cease and Desist Order.

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**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**COUNCILMEMBER REPORTS**

**MAYOR REPORT**

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (d) of Section 54956.9  
Unknown number of cases
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: Public Employee Appointment - City Manager

**ADJOURN**

**NOTICE OF POSTING**

I, Denise Radde, declare that the City Council Agenda for March 19, 2013 was posted on Friday, March 15, 2013, on the City's website [www.cityofavalon.com](http://www.cityofavalon.com), and at City Hall, 410 Avalon Canyon Road. Copies of agendas and staff reports are available at City Hall.

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Denise A. Radde, City Clerk / Assistant City Manager