

**AVALON CITY COUNCIL MEETING
TUESDAY, MARCH 5, 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

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
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Interim Chief Financial Officer

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 February 19, 2013 City Council meeting.

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2. Expenditures Submitted for Approval

- o Warrants in the amount of \$1,406,323.33
- o Payroll in the amount of \$179,567.59
- o Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$2535.00

Recommended Action

Approve total expenditure amount of \$1,588,425.92

3. Wet Spot Rentals Lease Amendment

The tenants at Wet Spot Rentals have requested an additional 35 square feet on their lease to accommodate a self-contained Italian Ice cart.

Recommended Action

Approve 35 additional square feet on the Wet Spot Rentals lease.

4. 2013 Growth Ordinance

The Municipal Code requires that the City Council, in conjunction with the Planning Commission, adopt an Annual Growth policy. At its February 20th meeting, the Planning Commission considered the growth permitted in 2012 and the effects and demands of such development and any additional development on the City's natural resources.

Recommended Action

Approve the 2013 Growth Policy Resolution as recommended by the Planning Commission.

5. 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 exercise an option to have Nyhart Epler perform additional actuarial valuation for fiscal year ending June 30, 2012 in the amount of \$1,750.

6. 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.

GENERAL BUSINESS

7. Solid Waste Franchise Proposal and Contract Award

At the February 19, 2013 City Council meeting it was determined that the two solid waste bidders be given the opportunity to provide additional information for the Council's consideration. Both bidders provided updated information.

Recommended Action

1) Select CR&R as the contractor for waste hauling and facilities management, 2) Authorize Staff to finalize an agreement with CR&R, and 3) Authorize the City Manager to execute the agreement.

8. 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.

CITY MANAGER REPORT

CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS

MAYOR REPORT

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Subdivision (a) of Section 54956.9
Title: Hermosa on Metropole, LLC v. City of Avalon, NC 044760
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for March 5, 2013 was posted on Friday, March 1, 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