

**CITY OF AVALON CITY COUNCIL MEETING
TUESDAY, DECEMBER 16, 2014- 5:00 P.M.
CITY COUNCIL CHAMBERS
410 AVALON CANYON ROAD, AVALON
AGENDA**

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.

Please note early start time of 5:00 p.m.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE / INVOCATION

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

PRESENTATIONS

1. Update by Southern California Edison will be given on Phase 2 Water Rationing.
2. Audra McDonald, City of Avalon's Administrative Analyst, will give a presentation regarding Formula Community Development Block Grant Funds (CDBG) the City receives through the Los Angeles County Development Commission.
3. A representative of the California HERO Program will give a presentation on their program. This program is being offered to allow property owners in participating cities and counties to finance renewable energy, energy and water efficiency improvements, and electric vehicle charging infrastructure on their property.

CITY MANAGER REPORT / CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS / MAYOR REPORT

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 December 2, 2014 City Council meeting.

2. Expenditures Submitted for Approval

- o Warrants in the amount of \$1,176,354.56
- o An Electric Fund Transfer in the amount of \$45,605.18
- o Two Payrolls in the amount of \$368,930.14

Recommended Action

Approve total expenditure amount of \$1,590,889.88.

3. Fuel Dock Float Replacement Material Purchase

The fuel dock floats replacement was an approved item in the Fiscal Year 2014-15 budget. Three quotes were received for the lumber purchase.

Recommended Action

Authorize the Harbor Master to purchase lumber to build the new budget replacement fuel dock floats from Jones Lumber in the amount of \$7,695.71.

4. Mobil Device Usage and Stipend Policy

Electronic mobile devices are important business tools. The Mobile Device Usage and Reimbursement Policy provides a means to reimburse those employees using personal mobile devices for business use. These guidelines apply to all City employees authorized to utilize either City-owned or personally-owned mobile devices that store or access City information or conduct City business. Mobile devices include cell phones, smart phones and tablets.

Recommended Action

Adopt the Mobile Device Usage and Reimbursement Policy for appropriate business use of mobile devices.

GENERAL BUSINESS

5. Appointment of an Alternate Planning Commissioner

The City adopted an ordinance at the October 21, 2014 City Council meeting establishing an alternate Planning Commission position. This Alternate will be required to attend all meetings of the Planning Commission, assume the seat of any Commissioner that is absent or has a conflict of interest, and serve a two-year term with a maximum of two terms. The City received one application from Michael Ponce.

Recommended Action

Appoint Michael Ponce to serve as the Alternate Planning Commissioner for a term of two years.

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6. Drawing of Straws for any Appeal Pertaining to the Vons Project

The City received a request for an appeal hearing from the Catalina Eucalyptus Summer Alliance group regarding the Planning Commission decision for the proposed Vons at their November 19, 2014 meeting. At the present time, there appears to be three Council Members with potential conflicts of interest that may preclude them from participating in an appeal. Rather than wait for the meeting where the appeal would be heard, it is recommended that straws be drawn now.

Recommended Action

That the City Council draw straws to determine which Council Member may vote on the appeal of the Vons Project.

7. Introduce Ordinance Amending the Time that the Regular City Council Meets on the First and Third Tuesdays of Each Month

Over the last several months it has been suggested by Council to have an earlier start time to its regular meetings on the first and third Tuesday of every month. Staff has brought this forward so Council may discuss it in a public forum.

Recommended Action

Discuss and if there is City Council consensus, introduce and waive all further readings of an ordinance amending Chapter 1, Title 2, Section 2-1.01 of the Avalon Municipal Code changing the time of regular meetings on the first and third Tuesday of each month to 5:00 p.m.

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

2. Conference with Legal Counsel - Existing Litigation
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: Hermosa Hotel v. City of Avalon: CV 13-02439 ABC

ADJOURN

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda for December 16, 2014 was posted on Wednesday, December 10, 2014, 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 / Chief Administrative Officer

CITY OF AVALON CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 1

ORIGINATING DEP: City Clerk

CITY MANAGER: BH

PREPARED BY: Denise Radde, City Clerk

SUBJECT: City Council Actions

RECOMMENDED ACTION(S): Approve City Council Actions from the regular City Council meeting on December 2, 2014.

REPORT SUMMARY: Although the live recording is the official record of public meetings, actions are prepared for the Council's approval.

FISCAL IMPACTS: N/A

GOAL ALIGNMENT: To be determined.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: N/A

FOLLOW UP ACTION: File Actions in the City Clerk's office.

ADVERTISING, NOTICE AND PUBLIC CONTACT: This item was properly listed on the posted agenda pursuant to the Brown Act.

ATTACHMENTS: City Council Actions.

**CITY OF AVALON CITY COUNCIL MEETING
TUESDAY, DECEMBER 2, 2014
ACTIONS**

CALL TO ORDER 4:04 p.m.

ROLL CALL - Mayor Anni Marshall, Mayor Pro Tem Oley Olsen, Councilmembers Cinde Cassidy, Richard Hernandez and Joe Sampson. Also present City Manager Ben Harvey, Chief Administrative Officer/City Clerk Denise Radde, and City Attorney Scott Campbell.

PLEDGE OF ALLEGIANCE / INVOCATION

Adjourn to the Housing Authority of the City of Avalon Board of Commissioners Meeting – 4:05 p.m. - 5:30 p.m.

PRESENTATION - None

CITY MANAGER REPORT / CITY ATTORNEY REPORT

COUNCILMEMBER REPORTS / MAYOR REPORT

CONSENT CALENDAR

There were 4 items on the Consent Calendar. Councilmember Sampson pulled Item 4 for further discussion. Motion by Oley Olsen, seconded by Cinde Cassidy to approve Items 1-3. (All Ayes)

1. Approved actions from the November 18, 2014 City Council meeting.
2. Pleasure Pier and Cabrillo Mole Piling Inspections
Authorized the Harbor Master to enter into a contract with FREY Environmental Inc. to conduct a piling inspection of the Pleasure Pier and the Cabrillo Mole in the amount of \$15,500.00.
3. Consider the Adoption of a Resolution Supporting a Grant Application to the State of California Department of Water Resources 2014 Water-Energy Grant Program
Adopted Resolution 14-32 authorizing submission of a grant application to the State of California of Water Resources 2014 Water-Energy Grant Program and gave approval to enter into an agreement with the State of California.

Pulled Item:

4. Approval of First Amendment to the Employment Agreement of City Manager Ben Harvey - Councilmember Sampson pulled this item and requested that it go back to another Closed Session for further discussion. Both Councilmembers Sampson and Hernandez expressed concern over the equality of all employees being able to use a City vehicle. Mayor Marshall voiced her logic in approving this amendment.

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Motion by Oley Olsen, seconded by Cinde Cassidy to approve the proposed First Amendment to the Employment Agreement of City Manager Ben Harvey with the exclusion of Section 1c-Use of City Vehicle. (4 Ayes-Marshall, Olsen, Cassidy and Hernandez, 1 No- Sampson)

GENERAL BUSINESS

5. Proposal to Prepare a Conditional Use Permit and Conduct an Impact Study of Desalination Reverse Osmosis Systems for the City of Avalon
Approved the proposal, and directed Staff to enter into an agreement with Environ Strategy (ES) to prepare a Conditional Use Permit as reflected by a Conduct & Impact Study of Desalination Reverse Osmosis Systems, for a not to exceed amount of \$6,560.00. Motion by Cinde Cassidy, seconded by Richard Hernandez. (All Ayes)

6. Nuisance Abatement
Adopted Resolution 14-33 declaring 215 Clarissa Avenue a Public Nuisance and directed abatement of the nuisance. Motion by Oley Olsen, seconded by Richard Hernandez. (All Ayes)

7. Consideration, Prioritization and Authorization of Three Proposals for Grant Funding Through the Los Angeles County Metropolitan Transportation Authority Call for Projects Process
Adopted three resolutions authorizing the submittal of three pedestrian projects through the Los Angeles County Metropolitan Transportation (LACMTA) Authority Call for Projects process, concurred with Staff prioritization of the projects and authorized the City Manager to execute three professional engineering contracts with Willdan to provide cost estimates and concept plans for an amount not to exceed \$14,915.00.
 - 1) Resolution 14-34 approving the submittal of an application for funding to construct the Tremont Pedestrian Improvement Project through the Los Angeles County Metropolitan Transit Authority's 2014 Call for Projects process.
 - 2) Resolution 14-35 approving the submittal of an application for funding to construct the Five Corners Pedestrian Project through the Los Angeles County Metropolitan Transit Authority's 2014 Call for Projects process.
 - 3) Resolution 14-36 approving the submittal of an application for funding to construct the South/East Avalon Canyon Pedestrian Project through the Los Angeles County Metropolitan Transit Authority's 2014 Call for Projects process.

8. Adopt an Ordinance Adding a Chapter to the Avalon Municipal Code Relating to Administrative Citations and Penalties and Adding Enforcement Provisions to the Avalon Municipal Code – City Attorney Scott Campbell explained the intent of the ordinance. He stated he had spoken with Judge Pete Mirich and Captain Doug Fetteroll about this ordinance and they were in favor of the law change. Motion by Oley Olsen, seconded by Joe Sampson to adopt Ordinance 1135-14 which adds a new chapter to the Avalon Municipal Code implementing a system for imposition, enforcement, collection and administrative review of administrative fines for violations

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of the Avalon Municipal Code and provides for reimbursement of attorneys' fees and costs when the City incurs such expenses in Code Enforcement matters. (All Ayes)

9. Adoption of Phase Two of the City Council Goals
Council reviewed the goals, discussed certain elements in many of them and made slight changes. They adopted Phase Two of the City Council Goals with changes noted. Motion by Oley Olsen, seconded by Cinde Cassidy. (All Ayes)

10. Accommodations Expenditure and Multi-Year Contract - USC Band
Councilmembers Cassidy and Hernandez recused themselves due to potential financial Conflict of Interests. Motion to approve the expenditure for 41 hotel rooms for two nights for the 2015 Fourth of July Extravaganza for housing the USC Band and authorize the City Manager to enter into a five year agreement for fixed pricing for this expenditure for 2016 through 2020 by Oley Olsen, seconded by Joe Sampson. (3 Ayes- Olsen, Sampson and Marshall, 2 Abstain- Cassidy and Hernandez)

ADJOURN

Mayor Marshall adjourned the regular City Council meeting at 7:20 p.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting on December 2, 2014 is the official record of that Council Meeting and is on file and maintained in City Hall.



Denise A. Radde, City Clerk / Chief Administrative Officer

CITY OF AVALON CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 2

ORIGINATING DEP: Finance

CITY MANAGER: BH

PREPARED BY: Chris Woidzik, Interim CFO

SUBJECT: Warrants

RECOMMENDED ACTION(S): Approve the warrants in the amount of \$1,176,354.56, an EFT in the amount of \$45,605.18 and two payrolls in the amount of \$368,930.14, for a total expenditure of \$1,590,889.88.

REPORT SUMMARY: Attached you will find the warrant lists for all general warrants issued for the dates indicated drawn on U.S. Bank. The warrant list on 11/14/14 represents check number #19394 in the amount of \$1,360.00, warrants dated 11/21/14 represents check numbers #19395-19463 in the amount of \$647,464.60 and warrants dated 12/5/2014 represents check numbers #19464-19522 in the amount of \$527,529.96. Payrolls dated 11/14/14 in the amount of \$186,414.31 and 11/26/14 in the amount of 182,515.83. An EFT to CalPERS Retirement is included on 11/25/14 in the amount of 45,605.18.

GOAL ALIGNMENT: Ongoing meeting of City obligations.

FISCAL IMPACTS: There are sufficient funds available, and the expenditures are included in the adopted 2014-2015 budget.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: N/A

FOLLOW UP ACTION: N/A

ADVERTISING, NOTICE AND PUBLIC CONTACT: Pursuant to the Brown Act.

ATTACHMENTS: Audit Certificate and Warrant List

RECORD OF PAYMENTS MADE DATES BELOW FOR COUNCIL MEETING OF DECEMBER 16, 2014

	MONTH OF NOVEMBER & DECEMBER	
US BANK WARRANT #19394	\$ 1,360.00	11/14/2014
US BANK WARRANTS #19395-19463	\$ 647,464.60	11/21/2014
PAYROLL	\$ 186,414.31	11/14/2014
EFT - CALPERS RETIREMENT	\$ 45,605.18	11/25/2014
PAYROLL	\$ 182,515.83	11/26/2014
US BANK WARRANTS #19464-19522	\$ 527,529.96	12/5/2014

\$ 1,590,889.88

TOTAL DISBURSEMENTS

\$ 1,590,889.88

CERTIFICATE

IN ACCORDANCE WITH SECTION 32702 OF THE GOVERNMENT CODE, I CERTIFY THAT THE ABOVE DEMANDS ARE ACCURATE AND THAT FUNDS ARE AVAILABLE FOR PAYMENT.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED THIS 16TH DAY OF DECEMBER 2014

APPROVED AND AUDITED
THIS 16TH DAY OF DECEMBER 2014

AUDIT COMMITTEE - RICHARD HERNANDEZ

INTERIM CFO - CHRIS WOIZIK

AUDIT COMMITTEE - CINDE CASSIDY

WARRANT LIST

AVALON CITY COUNCIL
MEETING OF DECEMBER 16, 2014

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
19394	11/14/14	1,360.00	SENTRIC, INC	PAYROLL TIME SYSTEM
19395	11/21/14	18,424.00	ALLIANT INSURANCE SRVCS, INC.	INSURANCE - FUEL DOCK
19396	11/21/14	258.52	ALL THE KINGS FLAGS	SUPPLIES - FIRE
19397	11/21/14	241.27	AT & T	COMMUNICATIONS - FIRE
19398	11/21/14	312.07	AT & T LONG DISTANCE	LONG DISTANCE - ALL DEPTS
19399	11/21/14	3,000.00	AVALON ENVIRONMENTAL	CONTRACT SVCS - OCT 14
19399	11/21/14	116,292.19	AVALON ENVIRONMENTAL	CONTRACT SVCS - OCT 14
19400	11/21/14	2,876.29	AVALON MOORING & DIVING	SERVICE - HARBOR
19401	11/21/14	94.53	BOYD, RAY	REIMB O/P COSTS - UNIFORMS
19402	11/21/14	353.15	CARMENITA TRUCK CENTER	SUPPLIES - GARAGE
19403	11/21/14	119.26	CARSTARPHEN, ORNE	REIMB O/P COSTS - TRAVEL
19404	11/21/14	293.60	CASSIDY, CINDE	REIMB O/P COSTS - TRAVEL
19405	11/21/14	651.15	CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
19406	11/21/14	75,166.67	CHAMBER OF COMMERCE	TOT - DECEMBER 14
19407	11/21/14	4,407.87	CATALINA BROADBAND SOLUTION	IT SERVICES - ALL DEPTS
19408	11/21/14	27,846.00	CATALINA EXPRESS	2ND HLF 10/14 - SUBSIDY
19408	11/21/14	596.00	CATALINA EXPRESS	TRAVEL - REC/GARAGE
19409	11/21/14	801.67	CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
19410	11/21/14	50.00	CATALINA CONSERVANCY	CONFERENCE FEES - ADMIN
19411	11/21/14	37,500.00	CIMC	SUBSIDY - DECEMBER 14
19412	11/21/14	995.81	CATALINA ISLAND PLUMBING	SERVICE - PUBLIC WKS
19413	11/21/14	66.80	CATALINA LAUNDRY	SERVICE - GARAGE/REC
19414	11/21/14	36,844.25	CATALINA TRANSPORTATION	ACT/ART/DAR - DECEMBER 14
19415	11/21/14	511.00	CHE'T'S HARDWARE	SUPPLIES - FIRE/PUBLIC WKS
19416	11/21/14	85.00	CITY OF CLAREMONT	PTAF LITIGATION FEES
19417	11/21/14	15.00	COOK, AMANDA	REIMB O/P COSTS - TRAVEL
19418	11/21/14	8,189.14	CO OF LA SHERIFF'S DEPT	WATERFRONT PT - OCT 14
19418	11/21/14	98,991.00	CO OF LA SHERIFF'S DEPT	RESIDENT DEPUTY - OCT 14
19419	11/21/14	217.00	DEWEY PEST CONTROL	SERVICE - ADMIN/HBR
19420	11/21/14	20,504.24	EDISON	UTILITIES - ALL DEPTS
19421	11/21/14	9,619.88	EVOQUA	BIOXIDE - WWTP
19422	11/21/14	19.25	FLICKINGER, WILLIAM	REIMB O/P COSTS - TRAVEL
19423	11/21/14	5,318.85	GEMPLER'S	UNIFORMS - PUBLIC WORKS
19423	11/21/14	1,465.40	GEMPLER'S	UNIFORMS - RECREATION
19424	11/21/14	418.24	GRAINGER	SUPPLIES - FIRE/HBR
19425	11/21/14	625.00	HAMILTON, KATHERINE	CONTRACT SVCS - ADMIN
19426	11/21/14	1,760.00	HELVETIC CONSULTING	CONTRACT SVCS - PLANNING
19427	11/21/14	6,660.00	CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
19428	11/21/14	3,060.00	CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
19429	11/21/14	1,620.00	KOFF & ASSOCIATES, INC	CONTRACT SVCS - ADMIN
19430	11/21/14	114.00	KRUG, MICHAEL	REIMB O/P COSTS - TRAINING
19431	11/21/14	1,950.62	LICARI, TONY	CONTRACT SVCS - ADMIN
19432	11/21/14	15,210.00	LOCAL GOVERNMENT SERVICES	CONTRACT SVCS - ADMIN
19433	11/21/14	150.00	LB AREA CHAMBER OF COMMERCE	CONFERENCE FEES - COUNCIL
19434	11/21/14	3,000.00	L.G. EVERIST, INC	STORAGE FEES - HBR/FD
19435	11/21/14	717.23	MACKTAL, JOHN	SUPPLIES - GARAGE
19436	11/21/14	1,080.00	RICHARD MAINTENANCE	MONTHLY INSP. - FUEL DK

19437	11/21/14	195.45	MCMASTER-CARR	SUPPLIES - HARBOR
19438	11/21/14	1,397.00	MUNICIPAL COURT OF AVALON	PARKING CITATIONS - SEPT 14
19439	11/21/14	349.36	OUTDRIVE EXCHANGE	SUPPLIES - GARAGE
19440	11/21/14	9,352.54	PARSAC	W/C SIR SHARE - ALL DEPTS
19441	11/21/14	809.53	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
19442	11/21/14	4,400.00	POST, ROCKY	BAL DUE ON CONTRACT
19443	11/21/14	742.64	QUILL CORP.	SUPPLIES - ALL DEPTS
19444	11/21/14	56.03	RADDE, DENISE	REIMB O/P COSTS - SUPPLIES
19445	11/21/14	290.00	RBF	SERVICE - CDO
19446	11/21/14	3,506.25	ROSENOW SPEVACEK GROUP	CONTRACT SVCS - HA
19446	11/21/14	5,485.00	ROSENOW SPEVACEK GROUP	CONTRACT SVCS - SA
19447	11/21/14	2,571.52	REGIONAL GOVERNMENT SVCS	CONTRACT SVCS - PLANNING
19448	11/21/14	948.20	SAFEWAY	SUPPLIES - ALL DEPTS
19449	11/21/14	8,342.00	SIRIA'S CLEANING SERVICE	CONTRACT SVCS - NOV 14
19450	11/21/14	1,500.00	STEVE'S STEAKHOUSE	SUPPLIES - OKTOBERFEST
19451	11/21/14	195.00	SUNGARD PUBLIC SECTOR, INC	ANNUAL DUES - FINANCE
19452	11/21/14	26.62	SPRINT	LONG DISTANCE - ADMIN
19453	11/21/14	4,047.59	SIMPLOT PARTNERS FULLERTON	SUPPLIES - JMF
19454	11/21/14	455.00	STONE, WANDA	SERVICE - HARBOR
19455	11/21/14	9,520.00	VEGA, EDMUNDO	CONTRACT SVCS - DEC 14
19456	11/21/14	130.19	VWR	SUPPLIES - CDO
19457	11/21/14	413.15	VERIZON WIRELESS	COMMUNICATIONS - ALL DEPTS
19458	11/21/14	1,304.07	WOIDZIK, CHRIS	REIMB O/P COSTS - TRAVEL
19459	11/21/14	495.00	WILMES, LLC	SERVICE - RECREATION
19460	11/21/14	-	VOID - PRINTER ERROR	VOID - PRINTER ERROR
19461	11/21/14	-	VOID - PRINTER ERROR	VOID - PRINTER ERROR
19462	11/21/14	2,181.25	LA COUNTY CLERK	RECORDING FEES - FUEL DK
19463	11/21/14	80,259.26	CHAMBER OF COMMERCE	13/14 BALANCE DUE

\$ 648,824.60

WARRANT LIST

AVALON CITY COUNCIL
MEETING OF DECEMBER 16, 2014

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
19464	12/05/14	1,625.00	ADVANCED WIRING	SERVICE - PW/HBR
19465	12/05/14	16,325.01	AMERICAN EXPRESS	CREDIT CARD CHGS - ALL DEPTS
19466	12/05/14	810.00	ANTONIO'S	SENIOR MEALS - OCT 14
19467	12/05/14	32.08	ART, CAPS 'N DESIGN	UNIFORMS - HARBOR
19468	12/05/14	29,894.66	AVALON FUEL FACILITIES	RESALE FUEL - FUEL DOCK
19469	12/05/14	4,356.38	AVALON MOORING & DIVING	SERVICE - HARBOR
19470	12/05/14	59,393.87	BEST BEST & KRIEGER	CONTRACT SVCS - AUGUST 2014
19471	12/05/14	5,995.98	BEYOND SOFTWARE SOLUTIONS	CONTRACT SVCS - ADMIN
19472	12/05/14	69,048.97	CALPERS	MEDICAL - DECEMBER 14
19473	12/05/14	393.04	CARSTARPHEN, ORNE	REIMB O/P COSTS - TRAVEL
19473	12/05/14	1,380.00	CARSTARPHEN, ORNE	REIMB O/P COSTS - TRAINING
19474	12/05/14	39.00	CASSIDY , CINDE	REIMB O/P COSTS - TRAVEL
19474	12/05/14	550.00	CASSIDY , CINDE	REIMB O/P COSTS - CONFERENCE
19475	12/05/14	167.86	CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
19476	12/05/14	1,806.83	CATALINA BROADBAND SOLUTIONS	IT SERVICES - ADMIN
19477	12/05/14	134.15	CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
19478	12/05/14	188.00	CATALINA LAUNDRY	SERVICE - RECREATION
19479	12/05/14	170.03	CARUSO FORD	SUPPLIES - GARAGE
19480	12/05/14	1,294.32	CHET'S HARDWARE	SUPPLIES - ALL DEPTS
19481	12/05/14	371.80	CREATIVE SIGN, INC	SUPPLIES - GARAGE
19482	12/05/14	3,559.49	COLLINS COLLINS MUIR & STEWARD	LITIGATION COSTS - ADMIN
19483	12/05/14	6,994.34	DELTA DENTAL	DENTAL - DECEMBER 14
19484	12/05/14	6,464.22	EDISON	UTILITIES - WWTP/HBR
19485	12/05/14	33.67	EDISON	PROPANE - JMF
19486	12/05/14	83,168.42	ENVIRON STRATEGY CONSULTANTS	CONTRACT SVCS - NOVEMBER 2014
19486	12/05/14	51,787.08	ENVIRON STRATEGY CONSULTANTS	EMERG. RPR WK/PERMIT FEES
19487	12/05/14	336.00	ESGIL CORPORATION	PLAN CHECK SVCS - PLANNING
19488	12/05/14	2,034.25	GEMPLER'S	UNIFORMS - PUBLIC WKS
19489	12/05/14	4,980.01	GRAINGER	SUPPLIES - FIRE
19490	12/05/14	65.13	HD FACILITIES MAINT, LTD	SUPPLIES - CASITAS BUNGALOW
19491	12/05/14	2,700.00	HINDERLITER,DELLAMAS & ASSOC	CONTRACT SVCS - ADMIN
19492	12/05/14	2,140.30	HELVETIC CONSULTING	CONTRACT SVCS - PLANNING
19493	12/05/14	2,111.96	HOEFS, STEVEN	REIMB O/P COSTS - MEDICAL
19494	12/05/14	992.88	HERNANDEZ, OLGA	REIMB O/P COSTS - MEDICAL
19495	12/05/14	6,534.90	IDR ENVIRONMENTAL	HHW DISPOSAL - ALL DEPTS
19496	12/05/14	1,200.72	IMPERIAL SUPPLIES	SUPPLIES - GARAGE
19497	12/05/14	6,030.00	CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
19498	12/05/14	1,800.00	CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
19499	12/05/14	636.00	KATIE'S KITCHEN	SENIOR MEALS - OCT 14
19500	12/05/14	349.57	LLEWELLYN SUPPLY	SUPPLIES - GARAGE
19501	12/05/14	2,744.64	LOPEZ, LEONARD	REIMB O/P COSTS - MEDICAL
19502	12/05/14	6,350.00	MAYER HOFFMAN MCCANN	AUDIT SERVICES - FINANCE
19503	12/05/14	1,687.00	MAID IN AVALON	SERVICE - JUNE-OCT 14
19504	12/05/14	1,554.89	MCMASTER-CARR	SUPPLIES - GARAGE
19505	12/05/14	260.75	MATTHEWS	SUPPLIES - CEMETERY
19506	12/05/14	1,094.77	MED-TECH RESOURCE, INC	SUPPLIES - FIRE
19507	12/05/14	199.07	MONARCH PRODUCTS	SUPPLIES - GARAGE

19508	12/05/14	756.00	MR. NINGS	SENIOR MEALS - OCT 14
19509	12/05/14	250.00	MYGOV	SOFTWARE LEASE - DEC 2014
19510	12/05/14	1,468.15	NAPA AUTO PARTS	SUPPLIES - GARAGE
19511	12/05/14	1,547.10	OUTDRIVE EXCHANGE	SUPPLIES - GARAGE
19512	12/05/14	1,432.24	PORT SUPPLY	SUPPLIES - GARAGE
19513	12/05/14	4,884.48	POWERERX	SUPPLIES - FIRE
19514	12/05/14	1,000.00	PURCHASE POWER	POSTAGE MACHINE LINE OF CREDIT
19515	12/05/14	4,067.50	REGIONAL GOVERNMENT SVCS	CONTRACT SVCS - ADMIN
19516	12/05/14	5,826.00	SWRCB	PERMIT FEES - STORM DRAIN
19517	12/05/14	33,197.33	SOV SECURITY, INC	SECURITY CAMERAS - HARBOR
19518	12/05/14	20.24	UNITED PARCEL SERVICE	FREIGHT - PLANNING
19519	12/05/14	3.00	UNDERGROUND SVC ALERT	SERVICE - PLANNING
19520	12/05/14	266.80	AMERIFLEX	FSA ADMIN FEES - DEC 2014
19521	12/05/14	74,793.08	BEST BEST & KRIEGER	CONTRACT SVCS - SEPT 2014
19522	12/05/14	6,231.00	SWRCB	PERMIT FEES - ADMIN

\$ 527,529.96

CITY OF AVALON CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 3

ORIGINATING DEP: Harbor

CITY MANAGER: BH

PREPARED BY: Harbor Master Brian Bray

SUBJECT: Fuel Dock Float Replacement Material Purchase

RECOMMENDED ACTION(S): Authorize the Harbor Master to purchase lumber to build the new budget replacement fuel dock floats from Jones Lumber in the amount of \$7,695.71.

REPORT SUMMARY: The fuel dock floats replacement was an approved item in the Fiscal Year 2014-15 budget. Three quotes were received for the lumber purchase as follows:

Company	Price
Jones Lumber	\$7,695.71
Ganahl Lumber	\$8,827.37
Royal Plywood	\$9,385.67

GOAL ALIGNMENT: Infrastructure- replacement of the fuel dock floats.

FISCAL IMPACTS: The FY 2014-15 budget contains \$125,000 in account 114 70 6509A for the replacements of the fuel dock floats.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The current fuel dock floats built out of steel have out lived their lifespan.

FOLLOW UP ACTION: Purchase materials to begin construction of floats.

ADVERTISING, NOTICE AND PUBLIC CONTACT: Pursuant to the Brown Act.

ATTACHMENTS: Quotes from Jones Lumber, Ganahl Lumber and Royal Plywood.

CITY OF AVALON CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 4

ORIGINATING DEP: City Manager's Office

CITY MANAGER: BH

PREPARED BY: Ben Harvey, City Manager

SUBJECT: Mobile Device Usage and Reimbursement Policy

RECOMMENDED ACTION(S): Adopt the Mobile Device Usage and Reimbursement Policy for appropriate business use of mobile devices.

REPORT SUMMARY: Electronic mobile devices are important business tools. The Mobile Device Usage and Reimbursement Policy provides a means to reimburse those employees using personal mobile devices for business use, specify appropriate use of mobile devices either paid by reimbursement or provided by the City and direction on protecting City information and systems. These guidelines apply to all City employees authorized to utilize either City-owned or personally-owned mobile devices that store or access City information or conduct City business. Mobile devices include cell phones, smart phones and tablets. All mobile devices used for business purposes are subject to the provisions of the City's Mobile Device Usage and Stipend Policy.

Currently, approved safety employees in the Fire and Harbor departments receive a \$25 monthly reimbursement for cell phone use. This policy will provide additional reimbursement options to the Fire and Harbor departments as well as extend reimbursement to all eligible non-safety employees.

Additionally, the policy provides enhancements based on the type of business usage (phone, text, email) and the type of equipment utilized (cell phone, smartphone, tablet, hotspot). The reimbursement will range from \$25 to \$125 a month with an average reimbursement of \$60. The average reimbursement includes \$40 for smartphone usage (phone, text, email) and \$20 for data plan usage for a total of \$60. The Director and City Manager will identify eligible users and appropriate reimbursement based on eligibility requirements related to job function, requested accessibility (phone, text, and/or email), connectivity requirements while commuting and data download/upload requirements for business purposes.

The policy has an option for a City provided mobile device for those employees interested in a separate phone for business use only.

Upon approval by city council, the policy will be implemented absent any collective bargaining processes requested or required by the city's unions.

GOAL ALIGNMENT: City Policy: A high-level plan embracing the general goals and acceptable procedures especially of a government body.

FISCAL IMPACTS: Estimated cost of fully implementing the policy is \$27,780 for FY14-15. Monies are allocated in the salary and benefit line-items of the budget for the entire fiscal year.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: Policy on appropriate use of mobile devices will not be implemented and Non-Safety employees will not be reimbursed for the business use of personally-owned mobile devices.

FOLLOW UP ACTION: Policy will be implemented absent any collective bargaining processes.

ADVERTISING, NOTICE AND PUBLIC CONTACT: This item was properly listed on the posted agenda pursuant to the Brown Act.

ATTACHMENTS: Mobile Device Usage and Reimbursement Policy

City of Avalon

Mobile Device Usage and Reimbursement Policy

Date: 12/16/2014

Background

The City of Avalon ("City") recognizes that the performance of certain job responsibilities may require the use of a cellular (cell) phone, smartphone, tablet or other mobile computing device, hereafter referred to collectively as "mobile device", unless otherwise indicated. This directive defines the available options for departments to provide technology to those members requiring access to these tools in the course of daily business, as well as defining responsibilities of both management and members in the appropriate use and oversight, allowing for departmental flexibility in providing the best services to our City and minimizing the expenditure of taxpayer dollars.

The need and use of such equipment must be in direct support of the assigned duties and responsibilities of the user and support the delivery of municipal services. An employee's use of such technology shall be consistent with specific requirements set forth in this directive to ensure appropriate, efficient, ethical and legal use of equipment. Eligible employees (see eligibility requirements below), will have the opportunity to participate in the Mobile Device Usage and Reimbursement Program. Eligible employees will, through their supervisor, select one of two available options for utilizing a mobile device for City business.

Eligibility Requirements

Employees whose job duties include the regular, frequent or ongoing need for a mobile device may receive compensation, in the form of a monthly Reimbursement to cover City business-related costs (Option 1), or may be issued a City-owned mobile device (Option 2). An employee is eligible for either Option 1 or 2 if at least one of the following criteria is met:

1. The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important to the City that he/she is accessible during those times;
 - a. Accessible is defined as reachable by either phone, text or City email. The type of accessibility will be approved and determined by the City Manager and/or Director.
2. The job function of the employee requires him/her to be accessible outside of scheduled or normal working hours;
3. The job function of the employee requires him/her to have wireless data and internet access for work related tasks and projects; and/or
4. The employee is designated as "stand-by" or "on-call" per memorandum of understanding, agreement or Personnel Rules & Regulations.
5. For tablets, mobile computing device, and/or mobile hotspot device, there is the additional requirement that: The specific form, factor and/or functionality of the tablet (e.g. larger screen) or mobile computing device (e.g. connectivity while commuting and data download/upload) is crucial to the employee's ability to perform the needed service or job function.

Refer to Section "Oversight, Approval & Funding" and "IRS Guidelines" for additional compliance requirements.

A qualified employee who occasionally requires a mobile device for business purposes is not eligible to participate in Options 1 or 2; however, they may submit a record of these expenses for reimbursement. "Occasionally" is defined as infrequent use, approximately once or twice a week, a couple of times each month, or from time to time. Anything more than that would qualify as frequent use and would result in the employee being considered eligible for the program.

City business-related communications include the need to contact vendors or other parties on government business while away from the office, the need to be in contact with other government employees at all times (including emergencies) and any other business reasons unique to the job function, department or division of the City of Avalon.

Option 1 – City paid Reimbursement

A monthly Reimbursement will be issued to those employees who hold positions where the duties of that position require the use of a mobile device. This Reimbursement is meant to offset the overall costs of the mobile device ownership when an employee is using his/her personal mobile device for business purposes. The Reimbursement is not meant to cover the full cost of a personal cell phone. Rather, the goal is to ensure that the City covers the employee's expenses that arise from business use of his/her personal cell phone. Employees that receive a reimbursement agree to use their communication device for City business. The Reimbursement is not considered taxable income to the employee.

A Reimbursement may be requested using the Mobile Device Usage and Reimbursement Policy Acknowledgment Form. The request may be made any time during the fiscal year. Once approved, the Reimbursement amount will be added to the employee's regular pay.

This Reimbursement does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, and benefits based on a percentage of salary, etc. The Reimbursement will be paid as a flat rate per month, based on the selected service(s) and usage level(s) outlined below. As a Reimbursement, the City will pay only the agreed upon amount, even if monthly costs exceed that amount. A new request form must be submitted if the Reimbursement amount needs to be changed because of documented business purposes.

The Reimbursement and equipment allowance are neither permanent nor guaranteed as an entitlement. The City reserves the right to remove a participant from this plan or to change the value of the reimbursement if a participant's job no longer qualifies as eligible for the program, misuses a communication device in the course of employment, or if it is found that the amount of the reimbursement is inappropriate.

The amount of the Reimbursement will be first determined by the accessibility or type of use of the equipment (phone, text or City email) and then by the type of equipment utilized by the employee. The monthly Reimbursement amounts are the following:

Cell Phones	Smart Phones	Tablets	Data Plan	Hot Spot Device
\$25	\$40	\$25	\$20	\$40

- Cell Phone: Employee utilizes phone and text for City-related business only. If an employee has a Smart phone but only uses phone and text for City-related business, the reimbursement is \$25 a month. The employee will not be eligible for Smart Phone data plan or Tablet reimbursement.
- Smart Phone: Employee utilizes phone, text and City email for City-related business.
- Tablet: Employee utilizes a personal mobile tablet device for City-related business such as City email, creation of documents, viewing of PDF's, work related tasks, projects and research. Employee may utilize Wifi, a monthly renewable data plan on the tablet or internet service as needed. Reimbursement is intended to cover usage of a personal tablet and/or a portion of the cost of internet connection if applicable.
- Smart Phone Data Plan: Employee utilizes a data plan with their Smart Phone and uses phone, text and City email for City-related business.
- Hot Spot Device: An employee is eligible for a mobile Hot Spot Device reimbursement if travel is required routinely or if the employee's job requires considerable use of a data plan, beyond the data plan limits for a Smart Phone or Tablet, and is required for work out of the office.

Employees can only be reimbursed for up to two data plans/hot spot service for a maximum total of \$125 per month. Please see examples below on how to determine reimbursement.

- Example for Reimbursement administration:
 - o If an employee has a Cell Phone or Smart Phone and uses it for phone and text only, the reimbursement is \$25 a month.
 - o If an employee has a Smart Phone (\$40) and a Data Plan (\$20), and the employee uses phone, text and email for city-related business, reimbursement is \$60.
 - o If an employee has a Smart Phone (\$40) and a Data Plan (\$20), Tablet (\$25), reimbursement is \$85.
 - o If an employee has a Smart Phone (\$40), Tablet (\$25) and Hot Spot Device (\$40), reimbursement is \$105.
 - o If an employee has a Smart Phone (\$40) with a Data Plan (\$20), a Tablet (\$25) and Hot Spot Device (\$40), reimbursement will be equal to \$125 a month.

Regardless of the maximum reimbursement set out herein, in the event that the reimbursement does not fully cover the employee's business use of the device, the employee may request additional reimbursement by submitting an expense report. This expense report shall detail the employee's business use of the phone so the City can reimburse the employee for any costs

incurred in excess of their reimbursement. This additional step is designed to appropriately offset the overall costs of the mobile device ownership when an employee is using his/her personal mobile device for business purposes. The Reimbursement is not meant to cover or exceed the full cost of any communication device.

The employee is responsible for purchasing a mobile device and establishing a service contract with the provider of his/her choice. The contract is in the name of the employee or the address of the employee, who is solely responsible for all payments to the service provider. The employee purchases service and equipment; determines plan choices, service levels, calling areas, service and features; and accepts termination clauses and payment terms.

Because the mobile device is owned, the employee may use the phone for both business and personal purposes, as needed. The employee may, at his/her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee is expected to work directly with their carrier for resolution. Technology support from the City is limited to connecting a personally-owned mobile device to City-provided services, i.e. email, calendar, and contacts.

An employee receiving a Reimbursement must be able to show, if requested by their supervisor, a copy of the monthly access plan charges and business related use to determine if the amount of City compensation is appropriate. If at any time the reimbursement exceeds the actual cost or if the employee terminates the wireless or data plan contract at any point, they must notify their supervisor within 5 business days to terminate the Reimbursement. The City does not accept any liability for claims, charges or disputes between the service provider and the employee. Please see IRS Guidelines and Initial Reimbursement Setup on page 7.

Option 2 – City provided Mobile Device

The City will provide a City-owned mobile device to eligible employees when the use of such devices support organizational objectives in the performance of job duties for safety purposes or to assist in the completion of assignments and are not intended to be a personal convenience. Use of City-owned devices is for official City business, however, minimal, incidental personal use is allowed. The mobile device issued will be acquired by the City through an authorized provider and be used for City business-related purposes only. Under this Option, a monthly Reimbursement does not apply and all device-related costs will be borne by the City.

City-owned devices should not be used for personal reasons. Any personal information is stored at the employee's own risk. Monthly audits of cell phone bills will check for misuse or overages from resulting from personal use. Use of a City-owned device for commercial profit or secondary employment is strictly prohibited. Every employee shall be responsible for reimbursing the city for personal calls each month or if the monthly audit identifies misuse.

Charges for repair due to misuse of the mobile device or misuse of services may be the responsibility of the employee as determined on a case-by-case basis. If repeated misuse or neglect is determined, the employee may be required to use Option 1 as an alternative. As a reminder, proper care and use of city equipment is each employee's responsibility. The cost of any item, not issued by the City or beyond the standard authorized equipment, is also the responsibility of the employee.

If a mobile device with data capabilities is stolen or missing, it must be reported to the employee's supervisor and the City's technology advisor immediately. If technology allows, once the city-owned phone is reported stolen or missing, the phone provider will be notified to remotely set the phone to factory defaults or full device wipe in order to protect city information.

Upon an employee's separation from the City, all City-issued mobile devices must be returned to the City immediately. Additionally, the phone number associated with the city mobile device is owned by the City and cannot be transferred.

Use, Safety and Security

Regardless of Option 1 or Option 2, an employee's use of the mobile device in any manner deemed to be obscene, threatening, demeaning, harassing or otherwise offensive nature that are illegal, inappropriate or used in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the agreement and may result in disciplinary action, up to and including termination. City-issued devices are used to conduct City business and/or to create, receive, send, or store City data. As a result, information contained on devices are covered by this policy and the Public Records Act. Information contained on devices covered by this policy is also subject to the Public Records Act. An employee receiving a City Reimbursement must also comply with these Federal, State, and City requirements. The employee must assist the City in providing access to information about or contained on the mobile device covered by the Public Records Act in response to requests for such data or information by third parties as required by Federal and/or State law.

Safety of all City employees while using a wireless phone is paramount and the City does not endorse wireless phone use while driving. Therefore, the City requires all employees receiving the Option 1 Reimbursement to utilize hands-free equipment when using the mobile device while operating a City owned vehicle, personal vehicle, or rental vehicle for business. A wireless phone should be dialed by a driver only if the phone is equipped with a voice-activated dialing scheme providing it does not distract an employee from safe driving. Otherwise, drivers on City business or using City vehicles are required to pull over to the side of the road, stop the car, and then operate the phone or communication device. Even the use of hands-free equipment is only appropriate when the conditions allow for it (e.g. weather, traffic, the nature of the discussion, etc. could make even hands free equipment use inappropriate). Therefore, only voice-activated calling with hands-free equipment is permitted while driving on City business or using City vehicles. Any other mobile device enabled activity that prevents an employee from focusing on driving such as surfing the internet, text messaging, checking email, use of applications, or other activities, is strictly prohibited.

Most wireless transmissions are not guaranteed to be secure. Therefore, individuals using wireless services should use discretion in relaying confidential information. Any mobile device that has data capabilities must be secure based on current City security standards including password protection and encryption and reasonable precautions should be made to ensure the a device with data capabilities is not stolen, vandalized or missing. In such an event, it must immediately be reported to the employee's supervisor, the wireless device service provider, and to the City's technology advisor.

Employees are expected to delete all City data from the device when their employment with the City is separated, except when required to maintain that data in compliance with a litigation hold notice.

Oversight, Approval, & Funding

The City Manager/Personnel Officer and department heads are responsible for identifying employees who hold positions that include the need for a mobile device and the type of use required for City related business, either phone, text, email or hot spot (travel related or significant data usage). Each department is strongly encouraged to review whether a mobile device is necessary, and to select alternative means of communication -e.g., landlines, pagers, and mobile radios - when such alternatives would provide adequate and less costly service to the City. The City Manager/Personnel Officer approves all requests for mobile device reimbursement. The Finance Department is responsible for maintaining signed acknowledgment forms for IRS reporting purposes.

The department head is responsible for overseeing employee mobile device needs and assessing each employee's continued need for a mobile device for business purposes. The need for a Reimbursement, under Option 1, must be reviewed annually, to determine if existing reimbursements should be continued as-is, changed, or discontinued.

Department Directors or their designee are also responsible for:

- a. Informing employees of the purpose for communication devices in conducting City business.
- b. Ensuring employees understand the requirements of usage.
- c. Ensuring compliance with this directive.
- d. Communicating to members the consequences of noncompliance.

Social Media

The City acknowledges the availability and access to social media sites via mobile devices. However, employees are prohibited from using City provided devices to access social media sites during normal working hours. Employees assigned to updating the City's Facebook page, tweeting, etc. will do so in accordance with the City's Social Media policy. When accessing social media, networking sites and any other applications or 'apps,' employees are expected to fully comply with the Anti-Discrimination and Harassment Policy or any other rule that would violate or be contrary to local, state, or federal laws.

Forthcoming Policies

City-issued devices are used to conduct City business and/or to create, receive, send, or store City data. The forthcoming Information Technology and Records Retention policies will provide more detail on approved uses of city equipment and City data on City-issued mobile devices and personal mobile devices used for business purposes. When finalized, this policy will be revised and distributed.

Enforcement

Any employee, contractor, consultant or temporary laborer found to have violated this Policy may be subject to disciplinary action up to and including termination of employment or services.

IRS GUIDELINES

Per IRS Notice 2011-72, as long as there are substantial reasons for the employee to have a cell phone provided by the City, then the employee can use the phone tax free, and it is not necessary for the employee to substantiate the business use or personal use. Additionally, the IRS has addressed the reimbursement of cell phone expenses where employees are required to use their personal cell phones for business use. As long as the monthly (or other periodic) reimbursement is reasonably calculated not to exceed the actual cost of the cell phone, and if the reimbursement is not a substitute for regular compensation, the reimbursement would not be taxable to the employee as income.

Initial Reimbursement Setup-Compliance with IRS Guidelines

Upon initial setup of a reimbursement for cell phone, smartphone, tablet or hot spot, the city employee must provide a copy of the entire bill indicating the total amount paid monthly for service.

Upon receiving a reimbursement, the employee must be able to show, when requested by a supervisor, a copy of the monthly access plan charges or applicable pages to determine if the amount of City compensation is still within IRS guidelines. The Finance Department is responsible for contacting supervisors to request a copy of the monthly access plan charges for annual compliance and audit review.

Mobile Device Usage and Reimbursement Policy Acknowledgement Form

I acknowledge that I have received and read the provisions contained in this Mobile Device Usage and Reimbursement Policy and understand that it is my responsibility to consult my supervisor or Human Resources if have any questions that are not answered in the Policy.

I also understand that the provisions in this Policy are guidelines and are not intended to be construed as all-encompassing. I further understand that the City of Avalon reserves the right to add, eliminate or otherwise change at any time any of the provisions contained in this Policy.

I understand that the reimbursement cannot exceed the actual cost of the monthly cell phone, tablet or hot spot related costs. If at any time the reimbursement exceeds the actual cost or I discontinue the use of cell phone, tablet or hotspot, I will notify the Finance Department in writing within 5 business days to modify or discontinue reimbursement. If I do not notify the Finance Department in writing within 5 business days, I may be subject to additional taxes on the reimbursement as income.

I understand that upon receiving a Reimbursement, I must be able to show, when requested by my supervisor, a copy of the monthly access plan charges and business related use to determine if the amount of City compensation is appropriate.

I understand that any changes will be communicated to me through my supervisor and that the City Manager has the authority to implement and interpret this Policy and to make necessary changes.

I understand that it is my responsibility to follow the provisions contained in this Policy and any subsequent modifications or amendments. I further understand that failure to do so may result in disciplinary action or termination of my employment or services.

EMPLOYEE TITLE

EMPLOYEE NAME (PRINT)

EMPLOYEE SIGNATURE/DATE

EMPLOYEE PERSONAL CELL PHONE #
(For Cell Phone Reimbursement Request Only)

DEPARTMENT HEAD SIGNATURE/DATE

CM/PERSONNEL OFFICER SIGNATURE/DATE

<p>SETUP: FINANCE ONLY</p> <p>Starting Pay Period: _____</p> <p>Amount: _____</p> <p>Phone Number (city provided phone): _____</p> <p>Comments: _____</p> <p>Finance Initial: _____</p> <p>Original in Personnel File, Email Copy to EE, Dept Head, IT and Admin for Emergency Phone Roster</p>
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<p><i>Department Head Completes prior to City Manager/Personnel Officer signature:</i></p> <p>Please mark Option and Eligibility Criteria #'s :</p> <p>____ Option 1 Reimb. ____ Eligibility Criteria</p> <p>____ Option 2 City Device ____ Eligibility Criteria</p> <p>Please mark type of accessibility/use:</p> <p>____ Cell phone only</p> <p>____ Cell phone and Text</p> <p>____ Cell phone, Text and City Email</p> <p>____ Qualifies for Data Plan or Hot Spot Usage</p> <p>Please mark type of reimbursement. Total \$ _____</p> <p>____ Cell Phone \$25 –Cell Only, or Cell & Text</p> <p>____ Smart Phone \$40 – Cell, Text, Email</p> <p>____ Tablet \$25- Email accessible</p> <p>____ Smart Phone Data Plan \$20 – Cell,Text, Email</p> <p>____ Hot Spot Device \$40- Email accessible</p> <p>____ <i>Attach Monthly Bill with charges for cell, smartphone or hot spot.</i></p> <p>Please mark type of device requested:</p> <p>____ Flip Phone – Cell, Text Only</p> <p>____ Smart Phone - Cell, Text, Email</p> <p>____ Other Request : _____</p>
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CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 5

ORIGINATING DEP: Administration

CITY MANAGER: BH

PREPARED BY: Denise Radde - City Clerk/Chief Administrative Officer

SUBJECT: Appointment of an Alternate Planning Commissioner

RECOMMENDED ACTION(S): Appoint Michael Ponce to serve as the Alternate Planning Commissioner for a term of two years.

REPORT SUMMARY: The City adopted an ordinance at the October 21, 2014 City Council meeting establishing an alternate Planning Commission position. This Alternate will be required to attend all meetings of the Planning Commission, assume the seat of any Commissioner that is absent or has a conflict of interest, and serve a two-year term with a maximum of two terms. The City received one application from Michael Ponce.

FISCAL IMPACTS: N/A

GOAL ALIGNMENT: To be determined.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The Planning Commission will continue to function with seven commissioners and possibly not have a quorum at times.

FOLLOW UP ACTION: City Clerk will notify the newly appointed alternate commissioner.

ADVERTISING, NOTICE AND PUBLIC CONTACT: This item was properly listed on the posted agenda pursuant to the Brown Act.

ATTACHMENTS: Alternate Planning Commission application from Michael Ponce.

CITY OF AVALON CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 6

ORIGINATING DEP: Administration

CITY MANAGER: BH

PREPARED BY: Denise Radde

SUBJECT: Drawing of Straws for any Appeal Pertaining to the Vons Project

RECOMMENDED ACTION(S): That the City Council draw straws to determine which Council Member may vote on the appeal of the Vons Project.

REPORT SUMMARY: At the request of Mayor Anni Marshall this item is coming before the City Council for consideration again.

On November 19, 2014, the Planning Commission heard and approved the application for the proposed new Vons. On December 3, 2014 the City received a request for an appeal hearing with the City Council by the Catalina Eucalyptus Sumner Alliance group (CESA). A date for the appeal has not yet been confirmed. Pursuant to the Municipal Code the City Council will act as the appellate and adjudicative body.

At the present time, there appears to be three Council Members with potential conflicts of interest that preclude them from participating in any appeal. In such an instance, those members with conflicts would have to draw straws to determine which conflicted Council Member can participate in any appeal. Rather than wait for the meeting where the appeal would be heard, it is recommended that straws be drawn now.

As long as a conflict of interest exists, a public official cannot make, participate in or attempt to use his or her influence on a decision for which a conflict exists. The regulations governing these actions have been previously provided to the City Council.

GOAL ALIGNMENT: To be determined.

FISCAL IMPACTS: None

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: If potential conflicts still exist when the appeal is heard, straws would have to be drawn then. Further, the City Council will be without power to direct the applicant erect story poles should the applicant decline the City's request to erect such poles.

ADVERTISING, NOTICE AND PUBLIC CONTACT: This item was properly listed on the posted agenda pursuant to the Brown Act.

ATTACHMENTS: None

CITY COUNCIL

MEETING DATE: December 16, 2014

AGENDA ITEM: 7

ORIGINATING DEP: City Clerk

CITY MANAGER: BH

PREPARED BY: Denise Radde, City Clerk/Chief Administrative Officer

SUBJECT: Introduce Ordinance Amending the Time that the Regular City Council Meets on the First and Third Tuesdays of Each Month

RECOMMENDED ACTION(S): Discuss and if there is City Council consensus, introduce and waive all further readings of an ordinance amending Chapter 1, Title 2, Section 2-1.01 of the Avalon Municipal Code changing the time of regular meetings on the first and third Tuesday of each month to 5:00 p.m.

REPORT SUMMARY:

Over the last several months it has been suggested by Council to have an earlier start time to its regular meetings on the first and third Tuesday of every month. Staff has brought this forward so Council may discuss it in a public forum. If we were to move the time an hour earlier it would help in several ways. Guest dignitaries, speakers, consultants, attorneys, applicants, etc. who are here on the Island for the meeting would be able to do a round trip in the same day, and in some of those instances save the City the expense of a hotel room.

It is also being suggested that City Council consider putting a cap on the meeting time length. The City Council should discuss this and provide direction.

This ordinance was last changed in July of 2012, when the start time was changed from 7:00 p.m. to 6:00 p.m.

Municipal Code

Sec. 2-1.01 Regular Meetings.

The City Council of the City of Avalon shall hold regular meetings in the Council Chamber of the City Hall on the first and third Tuesdays of each month, commencing at 6:00 p.m., and on such other days, at such other times, as may be held in accordance with the provisions of the Brown Act. Whenever more than seventy-two (72) hours notice is given, the meeting held shall be a regular meeting. When the date for any regular meeting falls on a legal holiday as established by any law of the State, then such meeting shall be held at the same hour on the next succeeding business day, with the same effect as if it has been held on the day herein appointed.

FISCAL IMPACTS: N/A

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The City Council will continue to meet each first and third Tuesday of each month at 6:00 p.m.

FOLLOW UP ACTION: The ordinance will come back at the next meeting for a second reading.

ADVERTISING, NOTICE AND PUBLIC CONTACT: This item was properly listed on the posted agenda pursuant to the Brown Act.

ATTACHMENTS: Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF AVALON AMENDING
CHAPTER 1, TITLE 2, SECTION 2-1.01 OF THE AVALON MUNICIPAL CODE TO
CHANGE THE TIME OF REGULAR MEETINGS ON THE
FIRST AND THIRD TUESDAY OF EACH MONTH TO 5:00 PM.**

WHEREAS, the Avalon Municipal Code (“AMC”) currently provides that City Council of the City of Avalon (“City Council”) shall hold regular meetings in the Council Chambers of City Hall on the first and third Tuesdays of each month, commencing at 6:00 p.m.

WHEREAS, the City Council now desires to amend the AMC so that regular meetings shall be held in the Council Chambers of City Hall on the first and third Tuesdays of each month, commencing at 5:00 p.m.;

WHEREAS, the date and times for regular meetings can change at the discretion of the City Council.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF AVALON DOES ORDAIN AS FOLLOWS:

Section 2-1.01. Section 2-1.01 of the AMC is hereby amended to read as follows.

Section 2-1.01 Regular Meetings. The City Council of the City of Avalon shall hold regular meetings in the Council Chamber of the City Hall on the first and third Tuesdays of each month, commencing at 5:00 p.m., and on such other days, at such other times, as may be held in accordance with the provisions of the Brown Act. Whenever more than seventy two hours notice is given, the meeting held shall be a regular meeting. When the date for any regular meeting falls on a legal holiday as established by any law of the State, then such meeting shall be held at the same hour on the next succeeding business day, with the same effect as if it has been held on the day herein appointed.

INTRODUCED at the regular meeting of the City Council of the City of Avalon on the 16th day of December, 2014, by the following vote

AYES:

NAYS:

ABSENT:

ABSTAIN:

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Avalon in this _____, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

Ann H. Marshall, Mayor

ATTEST:

Denise A. Radde, City Clerk