

**CITY OF AVALON CITY COUNCIL MEETING  
TUESDAY, JULY 15, 2014  
CITY COUNCIL CHAMBERS  
410 AVALON CANYON ROAD, AVALON  
AGENDA  
4:30 P.M. START TIME**

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**

**GENERAL BUSINESS**

An informal study session will be convened to continue dialogue on prioritizing the goals of the City Council.

**ADJOURN TO THE REGULAR CITY COUNCIL MEETING IMMEDIATELY FOLLOWING THE GOAL SETTING STUDY SESSION.**

---

**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 June 3, 2014, June 17, 2014 and July 1, 2014 City Council meetings.

**CITY COUNCIL AGENDA**  
**JULY 15, 2014**  
**PAGE 2**

2. Expenditures Submitted for Approval
  - Warrants in the amount of \$332,984.93
  - Payroll in the amount of \$268,233.92Recommended Action

Approve total expenditure amount of \$601,218.85.
  
3. Expenditures Submitted for Approval
  - Warrants in the amount of \$668,501.46
  - Payroll in the amount of \$233,448.32
  - Electric Fund Transfer in the amount of \$68,854.03Recommended Action

Approve total expenditure amount of \$970,803.81.
  
4. Resolution Adopting an Interim Budget for Fiscal Year 2014-2015

The City of Avalon budget for FY 2014/2015 is in the process of being developed. The City should adopt an interim budget for the purpose of continuing the normal and ongoing day-to-day operations and maintenance of the City.

Recommended Action

Adopt resolution adopting an Interim Budget for Fiscal Year 2014-2015.
  
5. Renewal of Contract with Helvetic Consulting, Inc. for Building Official Services

Helvetic Consulting, Inc./Bryan Zuppiger has provided the City of Avalon with Building Official services since 2010. His current contract expired in February 2014.

Recommended Action

Approve the renewal of the contract with Helvetic Consulting, Inc. for Building Official services at terms requested.
  
6. Resolution of Intent to Include Cost of Living Adjustment in FY 14-15 Budget

As a part of the development of the budget, a proposed 2% cost of living adjustment has been included in the proposed budget for non-management represented members of the three bargaining units: Avalon Municipal Employees Association (AMEA), Avalon Harbor Employees Association (AHEA), and the International Association of Firefighters Local 2295 (IAFF).

Recommended Action

Adopt resolution of intent to include a cost of living adjustment for represented employees in the FY 14-15 Budget.
  
7. Adopt Ordinance of the City Council of the City of Avalon Amending Avalon Municipal Code Sections 9-6.202 and 9-6.302 and Adding Chapter 19-16 to the Avalon Municipal Code Regarding Emergency Shelters.

California Government Code Section 65583 requires that each local government in California identify, in its General Plan's Housing Element, adequate sites for housing, including emergency shelters and make adequate provision for the existing and projected needs of all economic segments of the community.

**CITY COUNCIL AGENDA**  
**JULY 15, 2014**  
**PAGE 3**

Recommended Action

Adopt ordinance of the City Council of the City of Avalon amending Avalon Municipal Code Sections 9-6.202 and 9-6.302 and adding Chapter 9-16 to the Avalon Municipal Code regarding Emergency Shelters.

8. Authorize Execution of a Professional Services Agreement with RBF Consulting for Development of Tasks Related to the MS4 Permit

The City is required to comply with the Phase II MS4 Permit obligations. RBF has submitted a Scope of Work document that will fulfill our time sensitive requirements.

Recommended Action

Authorize the City Manager and City Attorney to negotiate and execute a contract with RBF Consulting to develop water quality tasks to comply with the new Phase II MS4 Permit.

**GENERAL BUSINESS**

9. Request for Letter of Support from Avalon Freight Services, LLC

In January, Avalon Freight Services, LLC was selected as the successful candidate for the contract to provide freight service between the mainland and the island. Avalon Freight Services is required to apply with the California Public Utilities Commission for an operating permit and as part of that process the City has been asked to submit a letter of support on their behalf.

Recommended Action

Review and consider request for letter of support from Avalon Freight services, LLC in their California Public Utilities Commission (CPUC) operating permit application.

10. Avalon City Council Policies Manual

This policy manual will serve as a reference for Councilmembers regarding duties and responsibilities of elected and appointed officials of the City of Avalon.

Recommended Action

Discuss presented chapter from the Avalon City Council Policies Manual and adopt Chapters 8- Training, Education and Conferences.

11. Request by Catalina Island Resort Services to Waive Permitted Construction Hours per the Avalon Municipal Code for the Duration of the Descanso Beach Club Project

Mark Bradshaw, Project Manager for Catalina Resort Services submitted a written request to waive Avalon Municipal Code, Title 5 – Chapter 13, Section 5-13.05. The written request states if the waiver should be granted, only interior construction work will be performed from 6:00 a.m. to 8:00 a.m.

Recommended Action

Review and consider the request to waive permitted construction hours per the Avalon Municipal Code for the duration of the Descanso Beach Club Project.

**CITY COUNCIL AGENDA  
JULY 15, 2014  
PAGE 4**

**CITY MANAGER REPORT**

**CITY ATTORNEY REPORT**

**COUNCILMEMBER REPORTS**

**MAYOR REPORT**

**ADJOURN**

**NOTICE OF POSTING**

I, Denise Radde, declare that the City Council Agenda for July 15, 2014 was posted on Thursday, July 10, 2014, 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.



---

Denise A. Radde, City Clerk / Chief Administrative Officer

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 1

ORIGINATING DEP: City Clerk

CITY MANAGER: BU

PREPARED BY: Denise Radde, City Clerk

SUBJECT: City Council Actions

---

**RECOMMENDED ACTION(S):** Approve City Council Actions from the regular City Council meetings on June 3, 2014, June 17, 2014 and July 1, 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:** N/A

**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.

**ATTACHMENTS:**  
City Council Actions will be provided under separate cover.

AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 2

ORIGINATING DEPT: Finance

CITY MANAGER: BH

PREPARED BY: Chris Woidzik, Interim CFO

DEPT. HEAD: CW

---

SUBJECT: Warrant List

---

**RECOMMENDATION(S):** Approve the warrants in the amount of \$332,984.93, payroll in the amount of \$268,233.92 for a total expenditure amount of \$601,218.85.

**REPORT SUMMARY:** Attached you will find the warrant list for all general warrants issued for the the dates as indicated drawn on U.S. Bank. The warrant list represents check number #18562-18609 in the amount of \$291,666.33 and check numbers #18621-18626 in the amount of \$41,318.60 fo a total expenditure of \$332,984.93.

Also represented is the payroll dated June 27, 2014 in the amount of \$268,233.92 for a total expenditure of \$268,233.92.

**FISCAL IMPACT:** There are sufficient funds available, and the expenditures have been approved in the adopted fiscal year 13/14 budget.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S):** N/A

**FOLLOW UP ACTION(S):** N/A

**ADVERTISING, NOTICE AND PUBLIC CONTACT:** Agenda Posting

**ATTACHMENTS:** Audit Certificate and Warrant List

RECORD OF CHECKS DRAWN ON JUNE 29 & JUNE 30, 2014 FOR CM OF 07/15/2014

MONTH OF JUNE

US BANK WARRANT # 18562-18609	\$291,666.33	6/29/2014
US BANK WARRANT # 18621-18626	\$41,318.60	6/30/2014

\$332,984.93

PAYROLL	\$268,233.92	6/27/2014
---------	--------------	-----------

\$268,233.92

TOTAL DISBURSEMENTS

**\$601,218.85**

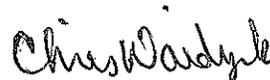
CERTIFICATE

---

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 15TH DAY OF JULY 2014



---

INTERIM CFO - CHRIS WOIDZIK

APPROVED AND AUDITED  
THIS 15TH DAY OF JULY 2014

---

AUDIT COMMITTEE - RICHARD HERNANDEZ

---

AUDIT COMMITTEE - CINDE CASSIDY

WARRANT LIST

AVALON CITY COUNCIL  
MEETING OF JULY 15, 2014

CHECK NUMBER	AMOUNT	PAYEE	DESCRIPTION
18562	06/29/14	666.00 ANTONIO'S	SENIOR MEALS - MAY 2014
18563	06/29/14	3,991.19 AT & T	COMMUNICATIONS - ALL DEPTS
18564	06/29/14	253.57 AT & T LONG DISTANCE	LONG DISTANCE - ALL DEPTS
18565	06/29/14	451.63 AVALON BOAT STAND	SERVICE - GARAGE
18566	06/29/14	4,834.96 AVALON MOORING & DIVING	SERVICE - HARBOR
18567	06/29/14	433.17 BLUE TARP FINANCIAL	SUPPLIES - GARAGE
18568	06/29/14	755.30 CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
18569	06/29/14	6,825.00 CATALINA BOAT YARD, INC.	STORAGE FEES - HBR/FUEL DK
18570	06/29/14	24,276.00 CATALINA EXPRESS	1ST HLF 6/14 - SUBSIDY
18571	06/29/14	33.73 CATALINA YAMAHA	SUPPLIES - GARAGE
18572	06/29/14	2,472.12 CLINE, KEN	REIMB MEDICAL PREMIUM
18573	06/29/14	9,041.68 CO. OF LA SHERIFF'S DEPARTMENT	WATERFRONT PT - 5/14
18574	06/29/14	2,815.14 COMMUNICATIONS USA	SUPPLIES - FIRE
18575	06/29/14	6,720.00 CONSTRUCTORS PLUS	CONTRACT SVCS - ADMIN
18576	06/29/14	92.50 DAHL, TOM	LASD SUBSISTENCE
18577	06/29/14	5,200.26 EDISON	UTILITIES - ALL DEPTS
18578	06/29/14	4,800.00 EHS INTERNATIONAL	TRAINING - PW/HBR/FIRE/WWTP
18579	06/29/14	4,610.94 ESGIL CORPORATION	PLAN CHECK SVCS - PLANNING
18580	06/29/14	99.53 GALLIVER, JIM	LASD SUBSISTENCE
18581	06/29/14	2,965.46 GCR TIRES	SUPPLIES - GARAGE
18582	06/29/14	919.73 GEOFF KING PLUMBING	SERVICE - JMF CONCESS. PROJ
18583	06/29/14	564.92 GRAINGER	SUPPLIES - GARAGE
18584	06/29/14	728.87 H.S. SEAFOOD, INC.	SUPPLIES - FUEL DOCK
18585	06/29/14	2,472.80 HELVETIC CONSULTING, INC.	CONTRACT SVCS - PLANNING
18586	06/29/14	125,000.00 HOEFS, STEVEN	SETTLEMENT AGREEMENT
18587	06/29/14	2,474.52 IDEXX DISTRIBUTION, INC.	SUPPLIES - CDO
18588	06/29/14	1,362.40 IDR ENVIRONMENTAL SERVICES	USED OIL DISPOSAL
18589	06/29/14	4,663.08 JORDAHL CONSTRUCTION	EMER. REPAIR WORK - PW
18590	06/29/14	877.64 JUDICIAL DATA SYSTEMS	PARKING ACTIVITY - MAY 2014
18591	06/29/14	158.79 LIM, RAYMOND	LASD SUBSISTENCE
18592	06/29/14	216.90 MATTHEWS	SUPPLIES - CEMETERY
18593	06/29/14	405.67 MCM ELECTRONICS	SUPPLIES - HARBOR
18594	06/29/14	107.62 MED-TECH RESOURCE, INC.	SUPPLIES - FIRE
18595	06/29/14	657.00 PITNEY BOWES	POSTAGE MACHINE LEASE
18596	06/29/14	14,094.19 PLATINUM CONSULTING GROUP	CONTRACT SVCS - CITY
18596	06/29/14	9,628.06 PLATINUM CONSULTING GROUP	CONTRACT SVCS - SA
18597	06/29/14	157.81 PORT SUPPLY	SUPPLIES - HARBOR
18598	06/29/14	123.33 QUILL CORP.	SUPPLIES - HARBOR
18599	06/29/14	34,934.30 RBF CONSULTING	CONTRACT SVCS - CDO
18600	06/29/14	642.74 RICOH USA, INC.	COPIER LEASE - PLANNING
18601	06/29/14	1,350.00 SAND TRAP	SENIOR MEALS - APR/MAY 14
18602	06/29/14	1,354.54 SANI-TEC USA	CITY RESTROOM SUPPLIES
18603	06/29/14	1,936.00 SHEAR PERFORMANCE	SUPPLIES - GARAGE
18604	06/29/14	3,780.00 SOUTHLAND MEDICAL CORP.	SUPPLIES - CEMETERY
18605	06/29/14	13.17 SPRINT	LONG DISTANCE - ADMIN
18606	06/29/14	10.50 UNDERGROUND SERVICE ALERT	SERVICE - PLANNING

18607	06/29/14	9.03	UNITED PARCEL SERVICE
18608	06/29/14	1,330.56	US BANK
18609	06/29/14	353.98	WOIDZIK, CHRIS

FREIGHT - GARAGE  
LODGING - FINANCE  
REIMB O/P COSTS - TRAVEL

**\$291,666.33**

WARRANT LIST

AVALON CITY COUNCIL  
MEETING OF JULY 15, 2014

CHECK NUMBER		AMOUNT	PAYEE	DESCRIPTION
18621	06/30/14	30,714.60	BLUE WATER DESIGN GROUP	SERVICE - FUEL DOCK
18622	06/30/14	35.00	CAMPBELL, STEPHANIE	REFUND - PONY LEAGUE
18623	06/30/14	4,999.00	KAPPA SURVEYING, INC.	CONTRACT SVCS - PLANNING
18624	06/30/14	35.00	PADILLA, CHRISTIAN	REFUND - PONY LEAGUE
18625	06/30/14	5,500.00	RBF CONSULTING	SEWER CIP PLANNING
18626	06/30/14	35.00	TORRES-ZELLER, EILEEN	REFUND - PONY LEAGUE

**\$ 41,318.60**

AVALON CITY COUNCIL

MEETING DATE: July 15 , 2014

AGENDA ITEM: 3

ORIGINATING DEPT: Finance

CITY MANAGER: BH

PREPARED BY: Chris Woidzik, Interim CFO

DEPT. HEAD: OW

---

SUBJECT: Warrant List

---

**RECOMMENDATION(S):** Approve the warrants in the amount of \$668,501.46, payroll in the amount of \$233,448.32 and CalPERS Health EFT in the amount of \$68,854.03 for a total expenditure amount of \$970,803.81.

**REPORT SUMMARY:** Attached you will find the warrant list for all general warrants issued for the the dates as indicated drawn on U.S. Bank. The warrant list represents check number #18610-18627 in the amount of \$575,540.20, check numbers #18628-18629 in the amount of \$65,461.26 and check number #18630 in the amount of \$27,500.00 for a total expenditure of \$668,501.46.

Also represented is the payroll dated July 11, 2014 in the amount of \$233,448.32 and CalPERS Health EFT in the amount of \$68,854.03 for a total expenditure of \$302,302.35.

**FISCAL IMPACT:** There are sufficient funds available, and the expenditures are included in the preliminary 14/15 budget which will be adopted in the near future.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S):** N/A

**FOLLOW UP ACTION(S):** N/A

**ADVERTISING, NOTICE AND PUBLIC CONTACT:** Agenda Posting

**ATTACHMENTS:** Audit Certificate and Warrant List

RECORD OF CHECKS DRAWN ON JULY 1 & JULY 3 AND JULY 7, 2014 FOR CM OF 07/15/2014

MONTH OF JULY

US BANK WARRANT # 18610-18627	\$575,540.20	7/1/2014
US BANK WARRANT # 18628-18629	\$65,461.26	7/3/2014
US BANK WARRANT #18630	\$27,500.00	7/7/2014

\$668,501.46

EFT TO - CALPERS HEALTH	\$68,854.03	7/10/2014
PAYROLL	\$233,448.32	7/11/2014

\$302,302.35

TOTAL DISBURSEMENTS **\$970,803.81**

APPROVED AND AUDITED  
THIS 15TH DAY OF JULY 2014

\_\_\_\_\_  
AUDIT COMMITTEE - RICHARD HERNANDEZ

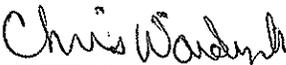
\_\_\_\_\_  
AUDIT COMMITTEE - CINDE CASSIDY

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 15TH DAY OF JULY 2014

  
\_\_\_\_\_  
INTERIM CFO - CHRIS WOIZIK

WARRANT LIST

AVALON CITY COUNCIL  
MEETING OF JULY 1, 2014

CHECK NUMBER		AMOUNT	PAYEE	DESCRIPTION
18610	07/01/14	4,300.00	BROWN, MARSHALL	YELLOW JACKET CONTROL
18611	07/01/14	136,755.41	DEPT. OF PARKS & RECREATION	ANNUAL STATE LOAN PYMTS
18612	07/01/14	4,300.00	HERNANDEZ, SALVADOR	YELLOW JACKET CONTROL
18613	07/01/14	761.25	LEAGUE OF CALIFORNIA CITITES	ANNUAL MEMBERSHIP 14/15
18614	07/01/14	266,355.00	PARSAC	POLICY RENEWALS 14/15
18615	07/01/14	2,087.00	SUNGARD PUBLIC SECTOR	SOFTWARE LEASE - 7/14
18616	07/01/14	9,520.00	VEGA, EDMUNDO	CONTRACT SVCS - JULY 2014
18617	07/01/14	37,500.00	CIMC	SUBSIDY - JULY 2014
18618	07/01/14	75,166.67	CHAMBER OF COMMERCE	TOT - JULY 2014
18619	07/01/14	1,950.62	LICARI, TONY	CONTRACT SVCS - JULY 2014
18620	07/01/14	7,453.25	CATALINA TRANSPORTATION	ACT - JULY 2014
18627	07/01/14	29,391.00	CATALINA TRANSPORTATION	ART/DAR - JULY 2014
18628	07/03/14	65,461.26	COMMUNITY FIRST NATIONAL BANK	VACTOR TRUCK LEASE PYMT
18629	07/03/14	-	VOID - PRINTER ERROR	VOID - PRINTER ERROR
18630	07/07/14	27,500.00	BOULDER CONTRACTING	DITCH WITCH PURCHASE - PW

**\$668,501.46**

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 4

ORIGINATING DEPT: Administration

CITY MANAGER: BH

PREPARED BY: Ben Harvey, City Manager

SUBJECT: Resolution Adopting an Interim Budget for Fiscal Year 2014-2015

---

**RECOMMENDED ACTION(S):** Adopt resolution adopting an Interim Budget for Fiscal Year 2014-2015.

**REPORT SUMMARY:**

The City of Avalon is in the process of developing the budget and annual goals for the fiscal year beginning July 1<sup>st</sup>, 2014 and ending June 30, 2015. As of July 1<sup>st</sup>, the City is required to make routine monthly payments for costs of administration, goods, services, payroll as necessary to continue the day-to-day operations and maintenance of the City.

The resolution presented provides the authority for the adoption of an interim budget to continue the routine payments and on-going operations and maintenance of the City, including payroll and expense disbursement in accordance with the practices prevailing at the end of Fiscal Year 2013-2014 until the City Council adopts a final budget for Fiscal Year 2014-15.

The City Manager is also further authorized to revise any payroll, fringe benefits and other expenses paid by the City to conform to the terms of any labor contracts/memoranda of understanding or other commitments which have been approved by the City Council.

**GOAL ALIGNMENT:** N/A

**FISCAL IMPACTS:** The City is continuing the FY13-14 budget allocation as adopted.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** The City will not have an authorized budget in place.

**FOLLOW UP ACTION:** Continuing goal setting process, including guidance and priorities for the FY14-15 final budget adoption process.

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

**ATTACHMENTS:** Resolution

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF AVALON,  
CALIFORNIA, ADOPTING AN INTERIM BUDGET  
FOR FISCAL YEAR 2014-15**

WHEREAS, the City of Avalon, (the "City") is in the process of developing an annual budget for fiscal year 2014-15; and

WHEREAS, the budget will not be completed by June 30, 2014; and,

WHEREAS, the City is required to make routine monthly payments for costs of administration, goods, and services, and miscellaneous maintenance as necessary to continue the day-to-day operations and maintenance of the City, including payroll and expense disbursement of the City; and

WHEREAS, the City Council desires to adopt an interim budget for the purpose of continuing the normal and ongoing day-to-day operations and maintenance of the City, including payroll and expense disbursement until the final annual budget is completed.

NOW, THEREFORE, BE IT RESOLVED, that for the Fiscal Year commencing July 1, 2014 and ending June 30, 2015, the City Manager or her authorized designee is hereby authorized and directed to continue processing demands for payment and issuing warrants/checks for normal payroll and expense disbursements in accordance with the practices prevailing at the end of Fiscal Year 2013-2014; and,

BE IT FURTHER RESOLVED, that the City Manager is further authorized to revise any payroll, fringe benefits and other expenses paid by the City to conform to the terms of any labor contracts/memoranda of understanding or other commitments which have been approved by the City Council; and,

BE IT FURTHER RESOLVED, that such sums as may be needed for the above purpose are hereby appropriated; and

BE IT FURTHER RESOLVED, that such interim budget shall remain in effect until the City Council adopts a final budget for fiscal year 2014-15.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Avalon on this 15th day of July, 2014, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

---

Ann H. Marshall, Mayor

**ATTEST:**

---

Denise Radde, City Clerk

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 5

ORIGINATING DEP: Planning

CITY MANAGER: BA

PREPARED BY: Amanda Cook

SUBJECT: Renewal of Contract with Helvetic Consulting, Inc. for Building Official Services

---

**RECOMMENDED ACTION(S):** Approve the renewal of the contract with Helvetic Consulting, Inc. for Building Official services at the terms requested.

**REPORT SUMMARY:** Helvetic Consulting, Inc./Bryan Zuppiger has provided the City of Avalon with Building Official services since 2010. Bryan currently provides his services three days a week in the office and two days a week by email or phone. Bryan has proposed to change the cross channel carrier he travels on to the 6:15 a.m. boat out of Long Beach (instead of the Newport boat) in order to expand the hours he is in the office. The rate per hour for Bryan's services has not changed since 2010. He is requesting an increase from \$50/hr. to \$60/hr. This increase would equate to roughly 4.5% increase per year for every year since the contract began. All other terms of the contract have not been modified.

Staff is supportive of renewing the contract. Bryan has provided excellent service to the City and the citizens of Avalon.

**GOAL ALIGNMENT:** To be determined.

**FISCAL IMPACTS:** An additional \$12,000 a year will need to be budgeted within the FY 14-15 budget.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** Helvetic Consulting would have to decide if they wish to continue the contract under the current terms.

**FOLLOW UP ACTION:** Authorize the City Manager to renew the contract with Helvetic Consulting.

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

**ATTACHMENTS:**

- Current Contract
- Exhibit "A"
- Resume

## Exhibit "A"

Duties shall include: independently, without supervision, inspect residential and commercial buildings (including docks) in various stages of construction for compliance to approved plans and applicable codes; review blueprints and other plans for code compliance when necessary; respond to questions and concerns from the public regarding building construction inquiries; resolve complaints regarding code compliance; and assist with City construction projects as required. Perform other related duties as required.

### PAYMENT TERMS

HCI's hourly rate to perform the building inspection services is \$60.00 an hour at an 8-hour minimum per day. Invoices for work performed will be provided every two weeks and the payment terms are net 30 days.

### ASSUMPTIONS

- The City of Avalon will reimburse HCI for travel time for ferry transportation between the mainland and Catalina Island within a regular 8-hour work day.
- The City of Avalon will reimburse HCI for one night's hotel accommodation per week NTE \$75.00 per night.
- HCI will invoice ferry travel and hotel expenses in accordance with agreed upon terms.
- The City of Avalon will provide office supplies deemed necessary.
- HCI will provide training and inspection tools.
- HCI will provide professional liability insurance as per the requirements of the City's Municipal Code.

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 6

ORIGINATING DEPT: Administration

CITY MANAGER: BH

PREPARED BY: Ben Harvey, City Manager

SUBJECT: Resolution of Intent to Include Cost of Living Adjustment in FY 14-15 Budget

---

**RECOMMENDED ACTION(S):** Adopt resolution of intent to include a cost of living adjustment for represented employees in the FY14-15 Budget.

**REPORT SUMMARY:**

The City Council is in the process of determining city-wide goals and City staff is finalizing the draft FY 14-15 Budget for City Council review and consideration.

As a part of the development of the budget, a proposed 2% cost of living adjustment has been included in the proposed budget for non-management represented members of the bargaining units below:

- The Avalon Municipal Employees Association (AMEA)
- The Avalon Harbor Employees Association (AHEA)
- The International Association of Firefighters Local 2295 (IAFF)

AMEA represented employees will receive a cost of living adjustment of 4%. The current memorandum of understanding requires represented members to contribute a portion of their salary towards retirement costs. Retirement costs have risen for the next fiscal year. The City is proposing to include the retirement cost increase in the cost of living adjustment. Per the memorandum of understanding, represented members will pay an additional 1.9% towards the employee portion of retirement costs for FY14-15. The result is a net increase of at least 2% for AMEA represented employees.

AHEA and IAFF represented employees have been contributing the full employee portion of retirement costs per the current memorandum of understanding. As a result, the cost of living adjustment for each association will be 2%.

Unrepresented confidential and all part-time positions will also receive a 2% cost of living adjustment. The cost of living adjustment for all represented and unrepresented non-management employees will be effective upon the adoption by City Council of the proposed FY 14-15 Budget. Additionally, the proposed cost of living adjustment will be retroactive to July 1<sup>st</sup>, 2014. Negotiations between City staff and associations will continue in regards to any other negotiating points and completion of the MOU ratification.

**GOAL ALIGNMENT:** To be determined.

**FISCAL IMPACTS:** The proposed cost of living adjustment is estimated to cost \$150,000 for FY14-15.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** None; City staff plans to present the proposed cost of living adjustments for represented employees as part of the FY 14-15 budget.

**FOLLOW UP ACTION:** Continue to work with the City Council and labor associations on the proposed budget and bargaining unit negotiations.

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

**ATTACHMENTS:** Resolution

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF INTENT OF THE CITY AVALON,  
CALIFORNIA, TO INCLUDE A COST OF LIVING  
ADJUSTMENT IN THE  
FISCAL YEAR 14-15 BUDGET**

WHEREAS, the City of Avalon, (the "City") is in the process of developing an annual budget for fiscal year 2014-15; and

WHEREAS, City Council city-wide goal setting and labor negotiations are in progress; and,

WHEREAS, the City Council and staff desires to communicate the intent to include a cost of living adjustment for non-management represented employees in the Fiscal Year 2014-15 budget,

WHEREAS, the cost of living adjustment of 4% is proposed for the Avalon Municipal Employees Association (AMEA) with 1.9% of the increase contributing directly to the increasing employee portion of retirement costs per the current memorandum of understanding resulting in a net increase of at least 2% for AMEA represented employees,

WHEREAS, the cost of living adjustment of 2% is proposed for the Avalon Harbor Employees Association (AHEA) and the AHEA has been contributing the full employee portion of retirement costs per the current memorandum of understanding,

WHEREAS, the cost of living adjustment of 2% is proposed for the International Association of Firefighters Local 2295 (IAFF) and the IAFF has been contributing the full employee portion of retirement costs per the current memorandum of understanding,

WHEREAS, unrepresented confidential and all part-time positions will receive a 2% cost of living adjustment,

WHEREAS, the cost of living adjustment for the non-management AMEA, AHEA , IAFF and confidential and part-time employees for FY14-15 will be effective upon adoption of the FY14-15 budget and retroactive to July 1<sup>st</sup>, 2014,

WHEREAS, the cost of living adjustment for the AMEA, AHEA, IAFF and confidential and part-time employees for FY14-15 totals \$150,000,

WHEREAS, negotiations between City staff and associations will continue in regards to any other negotiating points and completion of the MOU ratification.

NOW, THEREFORE, BE IT RESOLVED, that for the Fiscal Year commencing July 1st, 2014 and ending June 30, 2015, the City Manager or his authorized designee is hereby authorized and directed to include a cost of living increase in the Fiscal Year 2014-2015 budget.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Avalon on this 15th day of July, 2014, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

---

Ann H. Marshall, Mayor

**ATTEST:**

---

Denise Radde, City Clerk

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 7

ORIGINATING DEPT: Planning Department

CITY MANAGER: BT

PREPARED BY: Amanda Cook, Planning Director

**SUBJECT:** Adopt Ordinance of the City Council of the City of Avalon Amending Avalon Municipal Code Sections 9-6.202 and 9-6.302 and Adding Chapter 19-16 to the Avalon Municipal Code Regarding Emergency Shelters.

**RECOMMENDED ACTION(S):** Adopt ordinance of the City Council of the City of Avalon amending Avalon Municipal Code Sections 9-6.202 and 9-6.302 and adding Chapter 9-16 to the Avalon Municipal Code regarding Emergency Shelters.

**BACKGROUND:** Senate Bill 2 (SB 2), adopted in 2007, amended California Government Code Section 65583 and requires that each local government in California identify, in its General Plan's Housing Element, adequate sites for housing, including emergency shelters and make adequate provision for the existing and projected needs of all economic segments of the community. For purposes of compliance with state law, "emergency shelters" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.

Implementation requires that the City designate one or more zones where emergency shelters are a principally permitted use and may not require a conditional use permit or any other discretionary permit, provided an application for an emergency shelter complies with the development standards for the zone. As part of the 4th cycle of the Housing Element, the City adopted a number of programs designed to bring the City into compliance with State laws. The City has received certification of the 4th cycle Housing Element from the Department of Housing and Community Development ("HCD"). The City submitted to HCD the 5th cycle Housing Element in late 2013. HCD has indicated that prior to receiving certification of the 5th cycle Housing Element, the City must make the zoning changes called for in the 4th cycle Housing Element, including the adoption of the Emergency Shelter Ordinance.

When considering land use changes in the 4th cycle of the Housing Element, the City Council designated the Commercial and Special Commercial zones as appropriate for this land use.

Adoption of the ordinance establishing Chapter 9-16 and the amendments to the Municipal Code Section 9-6.202 and 302 do not approve any particular project or any particular parcel for immediate construction of an emergency shelter.

The ordinance will add Section 9-16 – Emergency Shelters to Title 9 of the Municipal Code. This section will include standards specific to emergency shelters (as allowed by

SB 2) including the maximum capacity for a shelter, the length of stay, parking requirements, and management standards.

The amendment to Municipal Code Sections 9.6-202 and 303 will add emergency shelters as principal uses within the Commercial and Special Commercial Zones.

**FISCAL IMPACTS:** There is no fiscal impact from the adoption of the Ordinance.

**GOAL ALIGNMENT:** N/A

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** The City will have not complied with the 4th Cycle Housing Element program to adopt an Emergency Shelter Ordinance making emergency shelters a principal use in the Commercial and Special Commercial Zones and it is likely the Department of Housing and Community Development will not certify the City's 5th Cycle Housing Element.

**FOLLOW UP ACTION:** Adopt the Ordinance.

**ADVERTISING, NOTICE AND PUBLIC CONTACT:** Brown Act. The ordinance will be published as required by law.

**Environmental Review:** This change was included in the EIR prepared for the adopted General Plan and thus is exempt from further CEQA review pursuant to State CEQA Guidelines Section 15061(b)3.

**ATTACHMENTS:**

1. Ordinance

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 8

ORIGINATING DEPT: Public Works

CITY MANAGER: BH

PREPARED BY: Dennis Jaich

SUBJECT: Authorize Execution of a Professional Services Agreement with RBF Consulting for Development of Tasks Related to the MS4 Permit

---

**RECOMMENDED ACTION(S):** That the City Council authorize the City Manager and City Attorney to negotiate and execute a contract with RBF Consulting to develop water quality tasks to comply with the new Phase II MS4 Permit.

**REPORT SUMMARY:** On February 5, 2013, the State Water Resources Control Board (State Board) adopted a new storm water permit for small municipal separate storm sewer systems (MS4 Permit). The City was required to comply with the permit because it operates a small municipal separate storm sewer system.

Like the Cease & Desist Order (CDO) and Total Maximum Daily Load (TMDL) regulations, the City must comply with the Phase II MS4 Permit obligations or face significant penalties and potential third party lawsuits. To achieve compliance with Phase II MS4 Permit, the City will need to retain a consultant who will assist with the development of programs and with enrollment under the permit.

RBF Consulting has worked with the City's sewer system in the past, and is familiar with the City's facilities, as well as the CDO, Compliance Plan, and Permit. RBF's familiarity makes it the ideal consultant for the time-sensitive nature of the requirements.

RBF has submitted to the City a Scope of Work (SOW) document that contains tasks that can satisfy certain obligations to this MS4 Permit. The total cost of this work on a "Not to Exceed" (NTE) cost is \$53,000.

Staff has analyzed this SOW, and believes that a few of these tasks may be completed internally. With this approach, staff believes that RBF's total NTE cost will be \$35,000.

**GOAL ALIGNMENT:** To be determined.

**FISCAL IMPACTS:** The budgeted costs incurred here will come out of the Storm Drain Fund, 124-25-5105. The total NTE cost shall be \$35,000.00.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** Failure to award a contract for the consulting services may result in noncompliance with the MS4 Phase II Permit issued by the State Board. Noncompliance may result in administrative civil liability, referral to the Attorney General for further legal action, and also third party lawsuits.

**FOLLOW UP ACTION:** Authorize the City Manager and City Attorney to enter into an agreement with RBF for the services listed above.

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

**ATTACHMENTS:** A copy of RBFs Scope of Services, Small MS4 Permit Year 1 Tasks.

**CITY OF AVALON CITY COUNCIL**

**MEETING DATE:** July 15, 2014

**AGENDA ITEM:** 9

**ORIGINATING DEPT:** Administration

**CITY MANAGER:** BH

**PREPARED BY:** Ben Harvey, City Manager

**SUBJECT:** Request for Letter of Support from Avalon Freight Services, LLC

---

**RECOMMENDED ACTION(S):** Review and consider request for letter of support from Avalon Freight Services, LLC in their California Public Utilities Commission (CPUC) operating permit application.

**REPORT SUMMARY AND BACKGROUND:** In January of this year, the Santa Catalina Island Company (SCICo) announced its selection of Avalon Freight Services, LLC (a joint venture between Catalina Express and Harley Marine Services then referred to as "Catalina Tug & Barge Services") as the successful candidate for the contract to provide freight service between Pebbly Beach in Avalon and the Port of Los Angeles. New freight service is scheduled to begin in April of 2016 (SCICo information release attached to this staff report). With their selection, Avalon Freight Services, LLC is required to apply to the CPUC to obtain an operating permit. Avalon Freight Services, LLC has indicated via a letter to the City of Avalon (attached to this staff report) that support from the City of Avalon would assist and potentially speed up the CPUC application process.

**FISCAL IMPACTS:** None.

**GOAL ALIGNMENT:** To be determined.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION(S):** None.

**ALTERNATIVE ACTION(S):** N/A

**FOLLOW UP ACTION(S):** Should the City Council wish to support Avalon Freight Services, LLC in their CPUC operating permit application, direct the City Manager to author a letter of support on behalf of the City of Avalon.

**ADVERTISING, NOTICING AND PUBLIC CONTACT:** The agenda for this meeting was properly posted.

**ATTACHMENTS:**

1. SCICo information release "New Freight Service for 2016" dated January 15, 2014.
2. Letter from Avalon Freight Services, LLC dated July 8, 2014.

CITY OF AVALON CITY COUNCIL

**MEETING DATE:** July 15, 2014  
**ORIGINATING DEP:** Administration  
**PREPARED BY:** Scott Campbell, City Attorney and  
Jordan Monroe, Management Aide  
**SUBJECT:** Avalon City Council Policies Manual

**AGENDA ITEM:** 10  
**CITY MANAGER:** BA

---

**RECOMMENDED ACTION(S):** Discuss presented chapter from the Avalon City Council Policies Manual and adopt chapter.

**REPORT SUMMARY:** At the request of Mayor Pro Tem Olsen at the April 23, 2014 Special Council Meeting, City staff is developing a policies manual to serve as a reference for Council Members regarding duties and responsibilities of elected and appointed officials of the City of Avalon.

Rather than providing the manual in its entirety for approval at one time, specific chapters will be presented to allow for individual and comprehensive review, which will then be adopted into a complete document.

The ultimate goal of this process is the development a single reference tool to be used by the City Council to provide guidelines as to the appropriate operating procedures and policies. The Avalon City Council Policies Manual will serve as a resource for Council Members, Department Heads, City staff and members of the public in determining the manner in which matters of the City business are to be conducted.

In addition to these proposed policies other specific training will be, or has been, afforded to the City Council and City Staff, including ethics training.

The chapter to be reviewed for this meeting is policy pertaining to 1) Training, Education and Conferences.

Council Policy Manual Chapter 8 titled Training, Education and Conferences established procedures for seeking approval for attendance by Council members, reimbursement best practices and reporting requirements for attending seminars, workshops, conferences, etc.

At the May 6, May 20, and July 1, 2014 City Council meetings policy chapters 1: The Purpose of Council Policies, 2: The Basis of Authority for the Policies, 3: Meeting Policies, 4: Council Member Compensation and Rules and Regulations Regarding Payment, 5: Communication Roles of City Council and City Staff, 6: Council Actions and Decisions, and chapter 7: Rules of Order for Council and Committee Meetings were presented and approved.

**GOAL ALIGNMENT:** N/A

**FISCAL IMPACTS:** None.

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** The Avalon City Council and community will not have a working policies document for reference and direction.

**FOLLOW UP ACTION:** Review in its entirety the eight (8) chapters of the Council Policy Manual to be used as a guideline and living document to be referenced and assessed as needed.

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

**ATTACHMENTS:** Chapters of the Avalon City Council Policies Manual:

- Chapter 8. Training, Education and Conferences

CITY OF AVALON CITY COUNCIL

MEETING DATE: July 15, 2014

AGENDA ITEM: 11

ORIGINATING DEP: Planning

CITY MANAGER: BH

PREPARED BY: Audra McDonald, Administrative Analyst

SUBJECT: Request by Catalina Island Resort Services to waive permitted construction hours per the Avalon Municipal Code for the duration of the Descanso Beach Club Project.

---

**RECOMMENDED ACTION(S):** Review and consider the request to waive permitted construction hours per the Avalon Municipal Code for the duration of the Descanso Beach Club Project.

**REPORT SUMMARY:** Mark Bradshaw, Project Manager for Catalina Resort Services submitted a written request to waive Avalon Municipal Code, Title 5-Chapter 13, Section 5-13.05.

*"It shall be unlawful for any person within a radius of five hundred (500') feet of any residential zone or of a hotel or motel, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects, or to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or any other construction-type device, or to cause to permit such construction operations, between the hours of 7:00 p.m. and 8:00 a.m., or at any time on a Sunday, except when such acts constitute emergency work as defined in subsection (b) of Section 5-13.02 of this chapter."*

And Avalon Municipal Code, Title 5 – Chapter 13, Section 5-13.07.1

*"It shall be unlawful for any person willfully, maliciously, intentionally or unnecessarily, to disturb the peace and quiet of another or of any neighborhood or family or religious congregation or other assembly by loud or unreasonable noise"*

The written request states if the waiver should be granted, only interior construction work will be performed from 6:00 a.m. to 8:00 a.m. A map has also been provided to indicate the sphere of impacted area around the project.

City staff understands the applicant's desire to finish the project quickly, and would like the City Council to consider the following as part of its decision:

- Descanso Harbor may be either partially or fully occupied by visitors and live-aboards that may be negatively impacted by the waiver.
- It is in the best interest of the City to apply the Municipal Code in a uniform manner.
- The waiver would be difficult to enforce.

**GOAL ALIGNMENT:** To be determined.

**FISCAL IMPACTS:** N/A

**CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:** N/A

**FOLLOW UP ACTION:** Notify Catalina Island Resort Services of actions taken on this matter.

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

**ATTACHMENTS:**

1. Letter requesting waiver
2. Sphere of impact map