

**SPECIAL AVALON CITY COUNCIL MEETING
TUESDAY, MARCH 31, 2015 – 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
410 AVALON CANYON ROAD, AVALON
A G E N D A**

In compliance with the Americans with Disability Act, if you need special assistance to participate in this meeting, please contact Denise Radde, City Clerk (310) 510-0220. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35.104 ADA Title II). All public records relating to an agenda item on this agenda are available for the public inspection at the time the records are distributed to all, or a majority of all, members of the City Council. Such records shall be available at City Hall located at 410 Avalon Canyon Rd.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE / INVOCATION

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

PRESENTATION

A presentation will be provided by Anheuser Busch, regarding their proposed Bud Light "Up For Whatever" event tentatively planned for the weekend of May 29-31, 2015.

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

1. Actions

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

Recommended Action

Approve actions from the March 17, 2015 City Council meeting.

2. Resolution in Support of Bud Light "Up For Whatever" Event

Recommended action is to adopt resolution showing City Council support of Bud Light's "Up for Whatever" Event on the weekend of May 29-31, 2015.

GENERAL BUSINESS

3. Consideration of Authorization for Additional Independent Third Party Fresh Water Sampling and Testing Within the City of Avalon and/or Greater Catalina Island

Following community fresh water concerns the City Council authorized the City Manager to procure the services of an independent third-party water sampling firm. Confluence Environmental was selected for the assignment, and obtained water samples and submitted them for testing from the Million Gallon Tank, and some surrounding test locations. The sampling conducted by Confluence Environmental mirrored the testing efforts which were already being conducted by Geosyntec, a firm contracted by SCE. At this time it is appropriate for the City Council to determine whether they would like to direct the City Manager to authorize Confluence Environmental (or some other third-party water sampling/testing firm) to conduct additional "consumer confidence panel" fresh water sampling and testing.

Recommended Action

Discuss and consider whether to authorize the City Manager to procure an additional third-party water sample and test of fresh water within the City of Avalon and/or greater Catalina Island.

NOTICE OF POSTING

I, Denise Radde, declare that the Special City Council Agenda for March 31, 2015 was posted on Friday, March 27, 2015, 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 and on the City website.



Denise A. Radde, City Clerk / Chief Administrative Officer

CITY OF AVALON CITY COUNCIL

MEETING DATE: March 31, 2015
ORIGINATING DEP: City Clerk
PREPARED BY: Denise Radde, City Clerk
SUBJECT: City Council Actions

AGENDA ITEM: 1
CITY MANAGER: BA

RECOMMENDED ACTION(S): Approve City Council Actions from the regular City Council meeting on March 17, 2015.

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, MARCH 17, 2015
ACTIONS**

CITY COUNCIL CALL TO ORDER 6:02 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.

PUBLIC HEARING 6:05-6:12 p.m.

1. Armineh Saint, a representative of Metro, described the purpose of the public hearing, which is to hear testimony regarding the City's allocation of Transportation Development Act (TDA) Article 8 funds and whether there are unmet transportation needs in Avalon. The California Transportation Development Act, enacted in 1972 (Senate Bill 325) provides the major source of state funds to support public transit services. Article 8 of the TDA requires that a proportional share of the sales tax revenue be allocated to those areas in Los Angeles County that do not have Metro bus service because they are located outside Metro's service area, as is the case with Catalina Island. These monies are determined by a formula based on population counts.

PRESENTATION

1. An update was given by Southern California Edison on Phase 2 Water Rationing.
2. Proclamations for "Donate Life California Month" and "Red Cross Awareness Month" were read.

CONSENT CALENDAR

There were five items on the Consent Calendar. Councilmember Olsen pulled Item 3 for discussion. Motion by Oley Olsen, seconded by Cinde Cassidy to approve item 1, 2, 4 and 5. (All Ayes)

1. Actions
Approved actions from the March 3, 2015 City Council/Successor Agency for the Avalon Community Improvement meeting and Housing Authority meeting.
2. Expenditures Submitted for Approval
 - Warrants in the amount of \$915,555.98
 - An Electric Fund Transfer in the amount of \$95,898.55
 - Two Payrolls in the amount of \$392,303.70Approved total expenditure amount of \$1,403,758.23.
4. Swim Float Purchase
Authorized the Harbor Master to purchase CanDock material to build and replace the swim float for \$8725.00 + shipping from Chico, California.

CITY COUNCIL ACTIONS
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5. Continuance of Interim Chief Financial Officer (CFO) Agreement
Authorized the City Manager to extend the agreement with Chris Woidzik for a term not to exceed four (4) months, or until the end of Fiscal Year 2014-15 on June 30, 2015, thereby allowing him to continue serving in the temporary capacity as the City's Interim Chief Financial Officer.

Pulled Item:

3. Adopt Ordinance of the City Council of the City of Avalon Amending Avalon Municipal Code Section 9-5.404 (HD) Uses by Conditional Use Permit and 9-5.504 HD-R-CH/Low Moderate Income Housing, Uses by Conditional Use Permit and Adding Article 3 to Chapter 16 of Title 9 of the Avalon Municipal Code to Establish and Regulate Single Room Occupancy Facilities
Amanda Cook Planning Director answered Council's questions regarding Inclusionary Housing requirement concerns pertaining to this ordinance. The City Attorney stated that the City's Inclusionary Housing Ordinance will be rewritten soon and brought to Council for their approval. Adopted Ordinance 1136-15 amending sections 9-5.404 and 9-5.504 of the Avalon Municipal Code and adding Article 3 to Chapter 16 of Title 9 of the Avalon Municipal Code to establish and regulate Single Room Occupancy Facilities. Motion by Oley Olsen, seconded by Cinde Cassidy. (4 Ayes- Olsen, Marshall, Cassidy and Sampson, 1 No- Hernandez)

GENERAL BUSINESS

6. Proposed Increase to Salt Water and Sewer Fees for FY 2015-2016 on the Property Tax Roll
After some discussion Oley Olsen made the motion to increase the saltwater fees by 35% and the sewer fees by 15%, seconded by Anni Marshall. (All Ayes) A public notice will be mailed out to property owners notifying them of a potential rate increase on their property related fees and that a Public Hearing will occur on Tuesday, May 19, 2015 at 6:00 p.m. in the Council Chambers. Property related fees must be raised by a four fifths vote of the City Council.

ADJOURN

Mayor Marshall adjourned the regular City Council meeting at 8:44 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 March 17, 2015 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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVALON SUPPORTING THE
ANHEUSER BUSCH BUD LIGHT "UP FOR WHATEVER" EVENT
PLANNED FOR THE WEEKEND OF MAY 29-31, 2015

WHEREAS, the City of Avalon was approached by Anheuser Busch to potentially host the Bud Light "Up For Whatever" event on the weekend of May 29-31, 2015; and

WHEREAS, the Bud Light "Up For Whatever" 2015 event would provide outstanding exposure to the City of Avalon and would generate a huge amount of interest in Catalina Island; and

WHEREAS, the Bud Light "Up For Whatever" 2015 event would be a significant positive impact to the Avalon business community and the local economy; and

WHEREAS, the City of Avalon and greater Catalina Island are uniquely qualified and equipped to host the Bud Light "Up For Whatever" 2015 event in an exemplary manner.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Avalon hereby enthusiastically supports the Anheuser Busch Bud Light "Up for Whatever" 2015 event scheduled for the weekend of May 29-31, 2015.

Passed, Approved and Adopted on the 31st day of March, 2015.

I, the undersigned, hereby that the foregoing Resolution was duly adopted by the City Council of the City of Avalon following a roll call vote:

Ayes:
Noes:
Absent:
Abstain:

Ann H. Marshall, Mayor

Denise A. Radde, City Clerk

CITY OF AVALON CITY COUNCIL

MEETING DATE: March 31, 2015

AGENDA ITEM: 3

ORIGINATING DEP: Administration

CITY MANAGER: RA

PREPARED BY: Ben Harvey, City Manager

SUBJECT: Consideration of Authorization for Additional Independent Third Party Fresh Water Sampling and Testing Within the City of Avalon and/or Greater Catalina Island

RECOMMENDED ACTION(S):

That the City Council discuss and consider whether to authorize the City Manager to procure an additional third-party water sample and test of fresh water within the City of Avalon and/or greater Catalina Island.

REPORT SUMMARY:

Following community concerns regarding the potential for traces of polychlorinated biphenyl (PCB) within fresh water from Southern California Edison's Million Gallon Tank water storage facility located near the community of Two Harbors, the Avalon City Council authorized the City Manager to procure the services of an independent third-party water sampling firm (and their contracted sample test laboratory). Confluence Environmental was selected for the assignment, and obtained water samples and submitted them for testing from the Million Gallon Tank, and some surrounding test locations. The sampling conducted by Confluence Environmental mirrored the testing efforts which were already being conducted by Geosyntec, a firm contracted by SCE. Geosyntec's test results had shown that none of the water sampled from the Million Gallon Tank facility and/or the surrounding area contained traces of PCBs. Confluence Environmental (the independent third-party firm hired by the City of Avalon) also found no traces of PCBs in their sampling and testing of the water from the same locations.

At the March 17, 2015 Avalon City Council meeting, the City Council directed the City Manager to obtain information from SCE as to the types of testing, locations and frequency for their "consumer confidence panel" testing of fresh water in Avalon (the "consumer confidence panel" of testing being those tests required by federal and state regulators with results released to the general public). The City Council further directed the City Manager to share this information provided by SCE with Confluence Environmental such that Confluence Environmental could determine if, in their independent third-party view, that the testing being conducted by SCE was adequate, and/or whether additional or different testing should be undertaken.

SCE provided the requested "consumer confidence panel" test information to the City, which was shared with Confluence Environmental. Confluence Environmental reviewed the testing

being conducted by SCE, and opined that SCE was following all regulatory requirements, and that no additional testing was merited. Confluence Environmental did observe that SCE conducts its own water testing, rather than having this work performed by an independent third-party firm. However, Confluence Environmental added that testing via internal resources was standard practice for most water providers within the State of California.

At this junction, it is now appropriate for the Avalon City Council to determine whether they would like to direct the City Manager to authorize Confluence Environmental (or some other third-party water sampling/testing firm) to conduct additional "consumer confidence panel" fresh water sampling and testing.

GOAL ALIGNMENT: Fresh Water Resources

FISCAL IMPACTS: To be determined; costs for water sampling and testing undertaken to date by Confluence Environmental have not yet been received by the City, and no estimate has yet been requested for an additional "consumer confidence panel" test. There is not a delegated fund available for these services within the Fiscal Year 14-15 adopted budget; these are unbudgeted expenses.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION:

The City would not obtain the results for a fresh water "consumer confidence panel" from an independent third-party water sampling and testing effort.

FOLLOW UP ACTION:

Direct the City Manager to obtain the services from Confluence Environmental, or other qualified, reputable independent third-party firm, for a "consumer confidence panel" fresh water sample and test. Should the City Council direct the City Manager to proceed in this manner, the City Manager would need to discuss this proposal with SCE in order to obtain requisite access and permission for the testing effort.

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

ATTACHMENTS: None.