AVALON CITY COUNCIL MEETING
TUESDAY, FEBRUARY 16, 2016- 5:00 PM
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

CLOSED SESSION

1. PUBLIC EMPLOYEE APPOINTMENT
   Title: City Manager

REGULAR CITY COUNCIL MEETING WILL START AT 6:00 P.M.

PLEDGE OF ALLEGIANCE / INVOCATION

ANNOUNCEMENTS / WRITTEN COMMUNICATIONS

PUBLIC HEARING

The Metropolitan Transit Authority (MTA) is required to present a public hearing on the community's unmet public transit needs in accordance with the Transportation Development Act (TDA) Article 8. TDA Article 8 funds are currently being used by the City of Avalon to fund Avalon's Consolidated Jitney Program which includes ART, DAR, and ACT.

Recommended Action

1) Open the Public Hearing and accept comments from the public.
2) Close the Public Hearing.

PRESENTATION

1. Update from Southern California Edison on Phase II Water Rationing.

2. Information from the Los Angeles Regional Interoperable Communications System (LA-RICS).

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 January 19, 2016, January 25, 2016 and February 2, 2016 meetings.

2. Expenditures Submitted for Approval

   - Warrants in the amount of $1,192,446.29
   - Electronic Fund Transfers in the amount of $206,151.97
   - Two Payrolls in the amount of $394,096.52

   Recommended Action

   Approve the total expenditure amount of $1,792,694.78.

3. Adopt the Leaves Policy (Policy P-2)

   Chapter 7 of the City's Personnel Rules and Regulations, Sections 1 through 9 entitled "Attendance and Leave Policies, Special leaves" covers various employee leave topics. Specifically, these sections address Administrative Leave, Family and Medical Leave (FMLA), the California Family Rights Act (CFRA), Pregnancy Disability (PDL), Jury Duty, Military Leave, and Bereavement Leave amongst other leave policies. The existing policies are meant to provide Federal and State guidelines for the lawful application of such protected leaves.

   Recommended Action

   Adopt the resolution that implements the City employee Leaves Policy (P-2).

4. Waterside Permit Application – Calm C's and Company

   Brenda Thomas has submitted a Waterside Project Application to offer boat hull cleaning, topside cleaning and occasional overnight stays on her vessel that she keeps moored in Avalon Harbor. Ms. Thomas proposes to operate 7 days a week, year round during daylight hours using a 14' Zodiac for hull and topside cleaning and will operate as needed for overnight stays on her 30' Tollycraft "Calm C's" secured to a mooring buoy in the Avalon area.

Recommended Action
Make the affirmative finding that conditions set forth in the Avalon Municipal Code have been met and grant the Waterside Project Application to Calm C's and Company, with the following conditions:

1. In accordance with the Best Management Practices for wash down activities in Avalon Bay, the wash down of boats in Avalon Bay will only be allowed at the pump out dock in a designated wash-down area using water that is supplied by the vessel's water maker, not the local fresh water provider. Prior to wash down of boat decks, dry cleaning of bird droppings and other waste will occur and be disposed of in a trash receptacle.
2. When Calm C's and Company has any overnight guests while in Avalon waters, those accommodations are to be subject to 12% Transient Occupancy Tax.

5. Amendment of Avalon Municipal Code Chapter 6-6 and Section 8-5.05 Relating to Public and Private Salt Water Systems
This ordinance was introduced and all further readings waived at the January 19, 2016 City Council meeting. Avalon owns and maintains a salt water distribution system which provides salt water to private salt water lines. The Municipal Code requires structures within the City that have toilets to be equipped with a separate salt water plumbing system piped to the toilets and connected to the City's salt water system through "private salt water lines." The terms "private salt water lines" and "City salt water system" are not defined in the Municipal Code, which has allowed some confusion as to ownership and maintenance responsibilities.
Recommended Action
Adopt the ordinance amending Title 6, Chapter 6 and Section 8-5.05 of the Avalon Municipal Code relating to public and private salt water systems.

6. Compensation and Benefits for Management, Exempt and Other Unrepresented Employees
The terms and conditions of employment for Management, Exempt Employees and Other Unrepresented Employees are governed by Resolution and in some instances by separate written contract for appointed officials. The City has been operating under a Resolution, which was approved on January 16, 2007 with no expiration date. This Resolution only provided for a 2007 pay increase. The California Code of Regulations governs special compensation and benefits and requires every City to maintain a current Resolution for its employee groups. In January 2016, the City was contacted as a result of CalPERS conducting an audit on a current retired annuitant. In order for CalPERS to determine the final compensation formula for the retired annuitant the City is required to send CalPERS the Resolution that governs compensation and benefits for Management and Unrepresented employees.

Recommended Action
Adopt the "Compensation and Benefits Resolution for Management, Exempt and Other Unrepresented Employees for the City of Avalon, covering the period for January 1, 2010 through December 31, 2016.

GENERAL BUSINESS

7. Request for Proposals for Shoreboat Services
At the January 19, 2016 City Council meeting, Council considered three potential options regarding shoreboat service in Avalon. Staff was directed to prepare a Request for Proposals for shoreboat services to determine if there is interest from qualified companies.
Recommended Action
- Review the draft Request for Proposals (RFP) for shoreboat services, and provide direction to Staff regarding the proposed term for the contract for shoreboat services, and the desired date for receipt of proposals.
- Direct Staff to release the RFP for the shoreboat services.

8. Item of Discussion- Options for E-Bus Parking
Discuss and provide direction to Staff.

CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: One City leased property – Casino Dock Cafe
Agency Negotiators: City Council, Interim City Manager Denise Radde and City Attorney Scott Campbell
Under Negotiation: Price and terms of payment

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Facility Operations Consultant

3. CONFERENCE WITH LABOR NEGOTIATIORS
Agency designated representatives: Interim City Manager Denise Radde, City Attorney Scott Campbell, and Finance Director Robert Mescher.
Employee organization: Management, Exempt and other Unrepresented Employees

NOTICE OF POSTING

I, Denise Radde, declare that the City Council Agenda February 16, 2016 was posted on Thursday, February 11, 2016, 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 / Interim City Manager

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 16, 2016 **AGENDA ITEM:** 1

ORIGINATING DEP: City Clerk **CITY MANAGER:** DR

PREPARED BY: Denise Radde, City Clerk

SUBJECT: City Council Actions

RECOMMENDED ACTION(S): Approve actions from the January 19, 2016, January 25, 2016 and February 2, 2016 City Council meetings.

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: Not aligned,

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.

AVALON CITY COUNCIL MEETING ALSO INCLUDED A MEETING OF THE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE AVALON COMMUNITY IMPROVEMENT AGENCY AND AVALON HOUSING AUTHORITY
TUESDAY, JANUARY 19, 2016
ACTIONS

CALL TO ORDER 6:03 p.m.

ROLL CALL - Mayor Anni Marshall, Mayor Pro Tem Oley Olsen, Councilmembers Cinde Cassidy, Richard Hernandez, and Joe Sampson. Also present Interim City Manager/City Clerk Denise Radde, City Attorney Scott Campbell, and Housing Authority Legal Counsel Elizabeth Hull.

***Items taken out of order.

GENERAL BUSINESS

10. Approve the City of Avalon and Los Angeles County MTA Audited Financial Statements for Fiscal Year 2014-2015
Received and approved the audited financial statements for the fiscal year ending June 30, 2015 and accompanying reports comprised of the City's financial audit, communication, and GANN limit testing, as well as an audited report issued by the Los Angeles County Metropolitan Transportation Authority. Motion by Anni Marshall, seconded by Oley Olsen. (All Ayes)

****The next two items in General Business was the "City of Avalon acting for itself and as the Successor Agency to the Avalon Community Improvement Agency"**

17. Approving an Agreement Between the Successor Agency and the City for Repayment of a loan from the City for unfunded Successor Agency Expenditures for the ROPS 15-16B
The Successor Agency to the Avalon Community Improvement Agency and the City Council of the City of Avalon adopted Resolution 16-01 and Resolution SA 16-02 approving the agreement authorizing the repayment of a loan from the City of Avalon for the ROPS 15-16B. Motion by Cinde Cassidy, seconded by Oley Olsen, (All Ayes)

16. Recognized Obligation Payment Schedule (ROPS) 16-17 and Successor Agency Administrative Budget for Fiscal Year 2016-17
Adopted Resolution 16-03 of the City of Avalon as Successor Agency to the Avalon Community Improvement Agency Approving a Recognized Obligation Payment Schedule 16-17 and Successor Agency Administrative Budget for Fiscal Year 2016-17. Motion by Oley Olsen, seconded by Richard Hernandez. (All Ayes)

******The next item in General Business is the "City of Avalon acting for itself and the Avalon Housing Authority".**

18. Item of Discussion- Down Payment Assistance Program
Legal Counsel Elizabeth Hull went over the current guidelines and restrictions. By consensus direction was given to Staff to revise the guidelines to include:
    - Increase from 90 days to 180 days the time for an applicant to find a home and close escrow on the home.
    - Increase from 45 days to 90 days the time for an applicant to complete the Housing Authority application and receive a prequalification letter from a traditional lender.
    - Eliminated the 5:1 ratio for assistance. The DPAP will require the applicant to provide 3.5% of the down payment from their own funds.
    - Increase the maximum Housing Authority contribution from $200,000 to $250,000.
    - Eliminate a table regarding rental rates that was unclear and created confusion for the applicants.

CONSENT CALENDAR

There were nine items on the Consent Calendar. Items 7 and 9 were pulled by Cinde Cassidy. Motion by Oley Olsen, seconded by Joe Sampson to approve Items 1-6 and 8. (All Ayes)

1. Actions
Approved actions from the December 1, 2015 and the December 15, 2015 regular City Council meeting.

2. Expenditures Submitted for Approval
    - Warrants in the amount of $877,567.36
    - Electric Fund Transfers in the amount of $55,045.26
    - Four Payrolls in the amount of $841,844.50

    Approved total expenditure amount of $1,774,457.12.

3. Adoption of a Resolution Accepting the Treasurer's Report for Fiscal Year 2015-2016 Second Quarter
Adopted Resolution 16-04 accepting the Treasurer's report for FY15-16 for the Second Quarter ending December 30, 2015.

4. Approval to Rescind the Full-Time Employee Hiring Freeze
Made the determination to rescind the full-time hiring freeze.

5. Request for Encroachment Permit at 119 Sumner Avenue for Outdoor Dining
Approved the Encroachment Permit for outdoor dining consisting of two tables and two chairs per table.

6. Authorize to Send a Letter of Support of the Los Angeles County's Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance
Approved sending a letter to the Los Angeles County Board of Supervisors in support of their drafting and adopting a Los Angeles County's Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance.

8. Adopt the Drug Free Workplace Act & Department of Transportation (DOT) Drug and Alcohol Testing Policy, Policy P-1, and Resolution
Adopted Resolution 16-05 adopting the new Policy to replace and update the City's current Drug and Alcohol Policy, which puts the City in compliance with the Federal Drug Free Workplace Act & Department of Transportation Drug and Alcohol Testing Policy.

Pulled Items:

7. Approve the Agreement with John Minch and Associates, Inc. (JMA) for On-Call Archaeological Consulting Services
Cinde Cassidy wanted clarification as to why the City needed this on-call archaeological consulting services and it was noted that this is a State requirement. Motion to approve agreement with John Minch and Associates, Inc. (JMA) to provide on-call archaeological consulting services by Cinde Cassidy, seconded by Joe Sampson. (All Ayes)

9. Amend Avalon Municipal Code Chapter 5-20 to Limit Cultivation of Medical Marijuana in the City
Many comments were received from the audience. After discussion a motion was made by Cinde Cassidy to eliminate Section 1definition "Qualified patient" and Section 5-20.07 (b) and introduce and waive all readings of the ordinance banning the cultivation of medical marijuana in the City of Avalon. Seconded by Oley Olsen. (4 Ayes- Marshall, Cassidy, Olsen and Sampson, 1 No- Hernandez) Councilmember Sampson stated he voted the wrong way and wanted to revote. The City Attorney clarified that a "yes" vote was for banning cultivation. New vote: (3 Ayes- Marshall, Cassidy and Olsen, 2 Noes- Hernandez and Sampson)

Break: 8:00- 8:09 p.m.

Adjourned to the Avalon Municipal Hospital Board of Trustees Meeting – 8:09 p.m. - 8:12 p.m.

GENERAL BUSINESS (continued)

11. Assessment of the Avalon Transit Procurement Response and Determination of the Next Steps
Comments were received from the audience. Council stated they did not want to see a lapse in service to the community. Motion by Richard Hernandez, seconded by Oley

Olsen to release the revised Request for Proposals for the Management and Operation of the Avalon Transit System and to direct Staff to work with Catalina Transportation to continue service in the interim. (All Ayes)

12. Request for Approval to Purchase Two (2) Low-Floor Minivan's from Creative Bus Sales for the City's Dial-a-Ride and Paratransit System
Authorizd Staff to acquire approval from MBTA/CalACT Cooperative Bid Program to purchase two (2) Braun Corporation-Entervan, Class D: Low Floor Minivans from Creative Bus Sales in an amount not-to-exceed $91,723.26. Motion by Joe Sampson, seconded by Oley Olsen. (All Ayes)

13. Shore Boat Service
Harbor Master Brian Bray reviewed facts and options presented in the Staff Report. Motion by Anni Marshall, seconded by Joe Sampson to authorize the Harbor Master to issue a Request for Proposal for shore boat services. Additionally, it was noted that the RFP should be broad in its scope to allow for creativity and that the RFP come back before the Council for their approval before going out. (All Ayes)

14. Review of the Waterside Permit and Encroachment Permit Conditions - David Lieberman/Catalina Snorkel & Scuba Adventures
City Council reviewed the applicant's compliance with the Conditions of Approval for the Waterside Permit Project application and Encroachment Permit. After discussion the consensus was to have the Applicant conform to the sign ordinance on the sides of the truck, which allows for a total of 8 square feet and to approve the Waterside and Encroachment Permit. Motion by Joe Sampson, seconded by Oley Olsen. (All Ayes)

15. Amendment of Avalon Municipal Code Chapter 6-6 and Section 8-5.05 Relating to Public and Private Salt Water Systems
Introduced and waived all readings of an ordinance amending Title 6, Chapter 6 and Section 8-5.05 of the Avalon Municipal Code relating to public and private salt water systems. Motion by Oley Olsen, seconded by Joe Sampson. (All Ayes)

CLOSED SESSION 10:00 p.m. – 10:54 p.m.

Following the appropriate announcement of the Closed Session items the City Council went into Closed Session to discuss the following:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: One City leased property – Casino Dock Cafe
Agency Negotiators: City Council, Interim City Manager Denise Radde and City Attorney Scott Campbell
Under Negotiation: Price and terms of payment

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
   Title: Interim City Manager

Following Closed Session the City Attorney reported that the City Council unanimously selected CPS HR Consulting firm to recruit for the City Manager position.

ADJOURN
Mayor Marshall adjourned the City Council meeting at 10:56 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 January 19, 2016 is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk / Interim City Manager

AVALON CITY COUNCIL MEETING ALSO INCLUDED A MEETING OF THE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE AVALON COMMUNITY IMPROVEMENT AGENCY
MONDAY, JANUARY 25, 2016
ACTIONS

CALL TO ORDER 9:05 a.m.

ROLL CALL - Mayor Anni Marshall, Mayor Pro Tem Oley Olsen, Councilmembers Cinde Cassidy, Richard Hernandez, and Joe Sampson. Also present Interim City Manager/City Clerk Denise Radde. City Attorney Scott Campbell was presented via a conference call.

******The first item on the Consent Calendar was the "City of Avalon acting for itself and as the Successor Agency to the Avalon Community Improvement Agency"**

CONSENT CALENDAR
Both items were pulled from the Consent Calendar for further discussion and comment.

1. Authorize a Contract with Jordahl Construction to Construct the Museum Stairs
   Public Works Director gave a description of the proposed project. Comments were heard from the audience. Motion by Joe Sampson, seconded by Oley Olsen to follow Staff recommendation and to look into the existing fence and determine whose it is and have it replaced. (All Ayes)
   A. City Council determined that the formal bidding for construction of the Museum Stairs would not provide an advantage to the City and that dispensing with formal bidding would serve the greatest public benefit.
   B. Aditionally, City Council authorized the City Manager to enter a contract with Jordahl Construction, in an amount not to exceed $125,000, to construct the Museum Stairs in accordance with approved plans and specifications and be subjected to the terms and conditions of Jordahl Construction's existing contract with the City.

2. Amendment of Avalon Municipal Code Chapter 5-20 to Limit Cultivation of Medical Marijuana in the City
   Many comments were received from the audience. After further discussion amongst City Council, Joe Sampson made the motion to reject this second reading and revise the ordinance to reflect what was in the original ordinance that was introduced at the December 15, 2015, (To allow for the cultivation of up to three (3) mature and six (6) immature plant and the possession of a maximum of eight (8) ounces of processed marijuana for personal use, provided the individual does not sell, distribute, donate, or provide marijuana to any other person or entity.) seconded by Richard Hernandez. (2 Ayes- Sampson and Hernandez, 3 Noes – Marshall, Olsen and Cassidy)

Motion to adopt ordinance amending the Municipal Code to limit cultivation of medical marijuana in the City, which bans all cultivation of medical marijuana within the City by Cinde Cassidy, seconded by Oley Olsen. (3 Ayes – Marshall, Olsen and Cassidy, 2 Noes – Sampson and Hernandez)

GENERAL BUSINESS- None

ADJOURN
Mayor Marshall adjourned the City Council meeting at 11:12 a.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting on January 25, 2016 is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk / Interim City Manager

AVALON CITY COUNCIL MEETING ALSO INCLUDED A MEETING OF THE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE AVALON COMMUNITY IMPROVEMENT AGENCY AND AVALON HOUSING AUTHORITY
TUESDAY, FEBRUARY 2, 2016
ACTIONS

CALL TO ORDER 6:04 p.m.

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

CONSENT CALENDAR
There were thirteen items on the Consent Calendar, one of which was the City of Avalon acting for itself and as the Successor Agency to the Avalon Community Improvement Agency. Items 1 and 4 were removed by the City Clerk and will come back at a later date. Councilmember Cassidy removed all Waterside Permits, Items 7-12 for individual discussion. Mayor Marshall removed Item 6 for comment. Oley Olsen made the motion to approve Items 2, 3, 5, and 13, seconded by Cinde Cassidy. (All Ayes)

2. AMEA MOU Side Letter Agreement #1
Approved the AMEA MOU Side Letter Agreement #1.

3. Extended Professional Services Agreement with AMMA Transit Planning
Authorized an increase to the Professional Services Agreement with AMMA Transit Planning, for an amount not-to-exceed $6,792.66, for continued technical assistance for the re-bid of the transit Request for Proposal process and an amount not-to-exceed $6,000.00 for assistance during the transition and start-up of the new transit contract and operation.

5. Request for Proposal - Cabrillo Mole Ferry Terminal Rehabilitation Project
Authorized Staff to issue a Request for Proposal for Architectural, Engineering, and Environmental Services for the Cabrillo Mole Ferry Terminal Rehabilitation Project.

****The next item on the Consent Calendar was the "City of Avalon acting for itself and as the Successor Agency to the Avalon Community Improvement Agency".**

13. Investment Policy Adoption
Adopted SA Resolution 16-06 adopting the Investment Policy of the City of Avalon and the City of Avalon acting as the Successor Agency to the Avalon Community Improvement Agency.

Pulled Items:

6. Swim Float Purchase
   Mayor Marshall inquired if there were any other options investigated. Harbor Master Brian Bray replied that he had reached out to the company to inquire about a slide or diving board and neither of these were recommended. Motion to authorize the Harbor Master to purchase material to build a second swim float to be installed at Middle Beach from CanDock West Coast LLC for $9,034.35 (plus shipping) by Oley Olsen, seconded by Joe Sampson. (All Ayes)

Councilmember Cassidy wanted to discuss the following in regards to all Waterside Permits and such a discussion was held:

- Impact on all floats- Right now there is no cap on the number of permits issued. The City should explore what the saturation point would be that would cause future permits to be limited.
- All existing Waterside Permits are reviewed and approved in December each year and any new Waterside Permits are reviewed and approved at the January meeting. Since there was only one meeting in January and it was full these new permits are being discussed at this meeting instead. A letter should be sent out to all permit holders informing them that enforcement of all conditions of their permits will be enforced, in particular the time limit of tying up at docks.
- Scheduling of float usage, policing and monitoring compliance of conditions of the Waterside Permits, establish a fine structure and reprimand for non-compliance.

From the presented list of Waterside Permits on the Consent Calendar Councilmember Cassidy made the motion to approve Items 9, 11 and 12, seconded by Oley Olsen. (All Ayes)

9. Waterside Permit Modification Application – Catalina Coastal Tours, LLC
   Made the affirmative finding that conditions set forth in the Avalon Municipal Code have been met and granted the Waterside Project Application modification of adding a third boat to Catalina Coastal Tours Waterside Permit and consolidating Mr. Gorelezenko's Diversity Charters Waterside Permit into his Catalina Coastal Tours Waterside Permit.

11. Waterside Project Application - NDMK Charters
    Made the affirmative findings that conditions set forth in the Avalon Municipal Code have been met and granted the Waterside Project Application to Adam Thoricht owner of NDMK Charters with the following conditions:
    1. All operations to load and unload charter passengers will take place on Cabrillo Mole floats except on cruise ship days when all loading and unloading will be from the floats on the Green Pier.
    2. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.

12. Waterside Project Application - Tour Catalina
Made the affirmative findings that conditions set forth in the Avalon Municipal Code have been met and granted the Waterside Project Application to Tour Catalina, with the following conditions:
1. All operations to load and unload fishing charter and coastal tour passengers will take place on Cabrillo Mole floats except on cruise ship days when all loading and unloading will be from the floats on the Green Pier.
2. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.

Items 7, 8, and 10 for further discussion:

7. Waterside Project Application - Action Fly Boarding
Safety issued were raised and addressed by the applicant. An additional condition was placed on their list of conditions. Applicant is to investigate whether a Fish and Game, Coastal or other Permits will be required and report back to the Harbor Master. Motion to approve the permit by Joe Sampson, seconded by Oley Olsen. (All Ayes)
Made the affirmative findings that conditions set forth in the Avalon Municipal Code have been met and granted the Waterside Project Application to Belinda Bain, owner of Action Fly Boarding, LLC with the following conditions:
1. Fly board rentals are to stay west of Hamilton Cove as to not interfere with the current mooring and anchorage area.
2. Applicant obtains a commercial store front to conduct ticket sales for their fly board tour business.
3. Customers use shoreboat for transportation to the Action Fly Board float location.
4. Applicant obtains any necessary permits from the Coast Guard and any other required regulatory permits regarding fly board operations.
5. Applicant obtains any necessary permits from the California State Lands Commission regarding anchoring their float outside of City waters.
6. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.
7. Pay 7% Use Fee under Section 10-2.402 of the Avalon Municipal Code.

8. Waterside Permit Application – Calm C's and Company
This item is being held over until the applicant can be present to answer any questions.

10. Waterside Permit Modification Application – Parasail Catalina
Councilmember Cassidy had some concerns with this permit relating to late usage fees, non-payment of fuel bills in the past, employee rudeness, and non-compliance of certain conditions in their permit (usage of the floats). She was not in favor of granting this third vessel and amending their Waterside Permit. This item is being held over until the applicant can be present to answer any questions.

GENERAL BUSINESS
******The next item in General Business is the "City of Avalon acting for itself and the Avalon Housing Authority".**

14. Amendment to the Down Payment Assistance Program (DPAP) Guidelines
Approved the revised Low and Moderate Income Housing Down Payment Assistance Program Guidelines.

15. Item of Discussion and Direction- Oversized Vehicles
After discussion to address oversized permit regulation concerns, the City Attorney was directed to come back with a revision to the vehicle code imposing limitations on sizes for oversized vehicles upon renewal.

16. Item of Discussion and Direction- Freight Lines
Council members Cassidy and Hernandez recused themselves due to potential conflicts of interest, income from the Santa Catalina Island Company, which would be directly involved in the current discussion of the Freight Lines. A few comments were received from the audience. After some discussion Council decided no further action was required on the City's part.

CLOSED SESSION 8:17 p.m. – 9:30 p.m.
Following the appropriate announcement of the Closed Session items the City Council went into Closed Session to discuss the following:

******It was noted that the second item in Closed Session is the "City of Avalon acting for itself and the Avalon Housing Authority".**

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to subdivision (d) (2) of Section 54956.9
Number of cases: Two

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 206 East Whittley
Agency Negotiators: City Council, Interim City Manager Denise Radde and City Attorney Scott Campbell
Negotiating Parties: Unknown
Under Negotiation: Price and terms of payment

Following Closed Session the City Attorney reported that there were no reportable actions.

ADJOURN
Mayor Marshall adjourned the City Council meeting at 9:30 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 February 2, 2016 is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk / Interim City Manager

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 16, 2016 **AGENDA ITEM:** 2

ORIGINATING DEP: Finance **CITY MANAGER:** DR

PREPARED BY: Robert Mescher, Finance Director

SUBJECT: Warrants

RECOMMENDED ACTION(S): Approve the total disbursements from January 11, 2016 through February 5, 2016 totaling $1,792,694.78.

REPORT SUMMARY: These disbursements from January 11, 2016 to February 5, 2016 are comprised of warrants totaling $1,192,446.29, two payrolls totaling $394,096.52, and five electronic funds transfers totaling $206,151.97.

US Bank Warrants #21707-21786 - $659,519.99 – January 15, 2016
US Bank Warrants #21787 - $25,000.00 – January 20, 2016
US Bank Warrants #21788 - $507,926.30 – January 29, 2016
Payroll - $200,858.35 – January 22, 2016
Payroll - $193,238.17 – February 5, 2016
EFT – CalPERS Retirement - $78,172.18 – January 11, 2016
EFT – CalPERS Retirement - $27,697.38 – January 11, 2016
EFT – State Board of Equalization - $481.00 – January 22, 2016
EFT – CalPERS Retirement - $68,237.75 – January 27, 2016
EFT – CalPERS Retirement - $31,563.66 – February 4, 2016

Expenses that have been reimbursed through payroll are included in this report as new supplemental information and will be included in subsequent warrant reports.

GOAL ALIGNMENT: Ongoing meeting of City obligations.

FISCAL IMPACTS: There are sufficient funds available, and the expenditures are included in the adopted 2015-2016 adopted 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

CITY OF AVALON
DISBURSEMENTS FOR MONTH OF JANUARY & FEBRUARY 2016
February 16, 2016

DESCRIPTION	AMOUNT	DATE
US BANK WARRANTS CK# 21707-21786	$ 659,519.99	1/15/2016
US BANK WARRANTS CK# 21787	25,000.00	1/20/2016
US BANK WARRANTS CK #21788-21888	507,926.30	1/29/2016
PAYROLL	200,858.35	1/22/2016
PAYROLL	193,238.17	2/5/2016
EFT - CALPERS RETIREMENT HEALTH	78,172.18	1/11/2016
EFT CALPERS RETIREMENT	27,697.38	1/11/2016
EFT - STATE BOARD OF EQUALIZATION	481.00	1/22/2016
EFT - CALPERS RETIREMENT	68,237.75	1/27/2016
EFT - CALPERS RETIREMENT	31,563.66	2/4/2016
TOTAL DISBURSEMENTS	**$ 1,792,694.78**	
EXPENSES REIMBURSED THROUGH PAYROLL AND INCLUDED IN THE ABOVE TOTAL	$ 2,143.35	

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 FEBRUARY 2016

FINANCE DIRECTOR - ROBERT MESCHER

APPROVED AND AUDITED
THIS 16TH DAY OF FEBRUARY 2016

AUDIT COMMITTEE - RICHARD HERNANDEZ

AUDIT COMMITTEE - CINDE CASSIDY

FY 16

AVALON CITY COUNCIL
MEETING OF FEBRUARY 16, 2016

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
21788-21797	01/29/16	0.00	VOID - PRINTER ERROR	VOID - PRINTER ERROR
21798	01/29/16	533.00	ALLIANT INSURANCE SERVICES	ADDT'L PREMIUM FEE
21799	01/29/16	7,990.55	AMMA TRANSIT PLANNING	CONTRACT SVC - ADMIN
21800	01/29/16	1,503.44	CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
21801	01/29/16	688.45	CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
21802	01/29/16	384.00	CDW GOVERNMENT	SUPPLIES - IT
21803	01/29/16	3,000.00	CITY FABRICK	SERVICE - FIT TRAIL
21804	01/29/16	949.70	CORPORATE WAREHOUSE SUP.	OFFICE SUPPLIES - ADMIN
21805	01/29/16	726.32	DELL MARKETING	SUPPLIES - IT
21806	01/29/16	4,610.90	ENVIRON STRATEGY CONSULTANTS	EMER. RPR WK - WWTP
21807	01/29/16	218.89	GRAINGER	SUPPLIES - FD
21808	01/29/16	1,099.90	INDUSTRIAL METAL SUPPLY CO	SUPPLIES - PUBLIC WKS
21809	01/29/16	1,788.91	MCMASTER-CARR	SUPPLIES - HARBOR
21810	01/29/16	295.29	MONARCH PRODUCTS, INC.	SUPPLIES - HARBOR
21811	01/29/16	78.39	NAPA AUTO PARTS	SUPPLIES - GARAGE
21812	01/29/16	3,950.00	OMB ELECTRICAL ENGINEERS	PROJECT PYMT - EBUS
21813	01/29/16	-	VOID - MULTI STUB CHECK	VOID - MULTI STUB CHECK
21814	01/29/16	1,436.98	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
21815	01/29/16	108.09	PORT SUPPLY	SUPPLIES - HARBOR
21816	01/29/16	2,684.00	POST, ROCKY	CONTRACT SVC - ADMIN
21817	01/29/16	5,214.02	SEAWAY CO. OF CATALINA	RESALE FUEL - FUEL DOCK
21818	01/29/16	3,112.00	ZAVIN'S UNIFORMS	UNIFORMS - HARBOR
21819	01/29/16	2,581.70	AT & T	COMMUNICATIONS - ALL DEPTS
21820	01/29/16	119,873.65	AVALON ENVIRONMENTAL	CONTRACT SVC - DEC 15
21821	01/29/16	336.00	BMI	YRLY SUBSRIPTION - REC
21822	01/29/16	788.08	BOUND TREE MEDICAL	SUPPLIES - FIRE
21823	01/29/16	175.23	CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
21824	01/29/16	30,702.00	CATALINA EXPRESS	2ND HLF 12/15 - SUBSIDY
21825	01/29/16	15,084.92	CATALINA TRANSPORTATION	CONTRACT SVC - JAN 2016
21826	01/29/16	1,361.73	CDW GOVERNMENT	SUPPLIES - IT
21827	01/29/16	264.00	DEWEY PEST CONTROL	SERVICE - ADMIN/HARBOR
21828	01/29/16	1,904.50	ENVIRON STRATEGY CONSULTANTS	EMER. RPR WK - WWTP
21829	01/29/16	49,950.00	GREAT WESTERN PARK & PLAY	CITY PARK EQUIPMENT
21830	01/29/16	67.50	ISLAND EXPRESS	FREIGHT - GARAGE
21831	01/29/16	2,210.00	LIEBERT CASSIDY WHITMORE	SERVICE - ADMIN
21832	01/29/16	214.58	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
21833	01/29/16	8,360.00	REGIONAL GOVERNMENT SERVICES	CONTRACT SVC - ADMIN
21834	01/29/16	2,235.00	ROSENOW SPEVACEK GROUP	SERVICE - HA
21835	01/29/16	631.62	SANTA CATALINA RESORT SVCS	UTILITIES - ADMIN
21836	01/29/16	163.35	WITMER PUBLIC SAFETY	SUPPLIES - FIRE
21837	01/29/16	525.06	B & H PHOTO	SUPPLIES - IT
21838	01/29/16	277.58	CATALINA BEVERAGE	SUPPLIES - ALL DEPTS
21839	01/29/16	2,701.55	CO. OF LA SHERIFF'S DEPT	SPECIAL OP. - OCT 2015
21840	01/29/16	150.40	CREATIVE SCREEN ART	SUPPLIES - ADMIN
21841	01/29/16	19,968.21	EDISON	UTILITIES - ALL DEPTS
21842	01/29/16	698.48	GRAINGER	SUPPLIES - FIRE
21843	01/29/16	570.51	IDEXX DISTRIBUTION	SUPPLIES - CDO
21844	01/29/16	50,368.62	JORDAHL CONSTRUCTION	EMER RPR WK - STORM DAM.
21845	01/29/16	238.59	MATTHEWS	SUPPIES - CEMETERY
21846	01/29/16	279.12	MCMASTER-CARR	SUPPLIES - HARBOR

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AVALON CITY COUNCIL
MEETING OF FEBRUARY 16, 2016

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
21847	01/29/16	378.93	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
21848	01/29/16	125.00	PINS ADVANTAGE, INC.	SERVICE - ADMIN
21849	01/29/16	733.31	QUILL CORP.	SUPPLIES - ALL DEPTS
21850	01/29/16	5,999.00	RACK IT TECHNOLOGY CORP.	SUPPLIES - A/V ROOM
21851	01/29/16	904.75	RICOH AMERICAS	COPIER LEASE - PLANNING
21852	01/29/16	10,356.00	SANTA CATALINA RESORT SVCS	FUEL DK RENT JAN-JUNE 15
21852	01/29/16	693.00	SANTA CATALINA RESORT SVCS	PARKING RENT - HARBOR
21853	01/29/16	375.22	SEAWAY CO. OF CATALINA	RESALE FUEL - FUEL DOCK
21854	01/29/16	2,191.35	SUNGARD PUBLIC SECTOR	SOFTWARE LEASE - FINANCE
21855	01/29/16	9,525.00	VEGA, EDMUNDO	CONTRACT SVC - FEB 2016
21856	01/29/16	847.27	VERIZON WIRELESS	COMMUNICATIONS - ALL DEPTS
21857	01/29/16	276.97	VWR INTERNATIONAL	SUPPLIES - CDO
21858	01/29/16	421.96	WITMER PUBLIC SAFETY	SUPPLIE - FIRE
21859	01/29/16	1,125.00	WITTMAN ENTERPRISES	SERVICE - DEC 2015
21860	01/29/16	3,448.30	BEYOND SOFTWARE SOLUTIONS	CONTRACT SVC - ADMIN
21861	01/29/16	760.00	CAL. BOATING SAFETY OFFICERS	YRLY DUES - HARBOR
21862	01/29/16	22,919.40	CATALINA EXPRESS	1ST HLF 1/16 - SUBSIDY
21863	01/29/16	87.72	CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
21864	01/29/16	325.00	CATALINA STEAM CLEANING	CONTRACT SVC - HARBOR
21865	01/29/16	19,657.23	CATALINA TRANSPORTATION	CONTRACT SVC - DEC 15
21866	01/29/16	203.18	CATALINA YAMAHA	SUPPLIES - GARAGE
21867	01/29/16	1,201.43	CDW GOVERNMENT	SUPPLIES - IT
21868	01/29/16	8,911.22	CO. OF LA SHERIFF'S DEPT	WATERFRONT PT - DEC 2015
21869	01/29/16	1,570.00	COMMUNICATIONS USA	SUPPLIES - FIRE
21870	01/29/16	3,214.49	EDISON	UTILITIES - ALL DEPTS
21871	01/29/16	2,893.31	ENVIRON STRATEGY CONSULTANTS	EMERG RPR WK - WWTP
21872	01/29/16	303.43	GRAINGER	SUPPLIES - FIRE
21873	01/29/16	502.00	HOEFS, STEVEN	REIMB COBRA PYMT - DEC 15
21874	01/29/16	7,047.10	JORDAHL CONSTRUCTION	SUPPLIES - STORM DAMAGE
21875	01/29/16	443.11	NAPA AUTO PARTS	SUPPLIES - GARAGE
21876	01/29/16	376.65	PEBBLY BEACH BUILDING SUPPLY	SUPPLIES - ALL DEPTS
21877	01/29/16	560.50	PORT SUPPLY	SUPPLIES - HARBOR
21878	01/29/16	284.49	QUILL CORP.	SUPPLIES - ALL DEPTS
21879	01/29/16	14,000.00	MICHAEL BAKER INTERNATIONAL	CONTRACT SVC - ADMIN
21880	01/29/16	7,012.85	RICHARD MAINTENANCE	SERVICE - FD
21881	01/29/16	1,214.14	SEAWAY CO. OF CATALINA	RESALE FUEL - FUEL DOCK
21882	01/29/16	9,856.50	SIRIA'S CLEANING SERVICE	CONTRACT SVC - ADMIN
21883	01/29/16	55.57	US BANK	CREDIT CARD CHGS - ADMIN
21884	01/29/16	37.56	CERVANTES, JOHN	OVERPYMT - CEMETERY
21885	01/29/16	4,590.00	CONSTRUCTORS PLUS	CONTRACT SVC - ADMIN
21886	01/29/16	5,400.00	CONSTRUCTORS PLUS	CONTRACT SVC - ADMIN
21887	01/29/16	3,807.72	HOTEL MAC RAE	REFUND OVERPYMT - TOT
21888	01/29/16	235.83	ULINE	SUPPLIES - PUBLIC WKS

$ 507,926.30

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AVALON CITY COUNCIL
MEETING OF FEBRUARY 16, 2016

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
21707	01/15/16	$ 67.70	AIR SOURCE INDUSTRIES	SUPPLIES - FIRE
21708	01/15/16	10,246.55	AMERICAN EXPRESS	CREDIT CARD CHGS - ALL DEPTS
21709	01/15/16	1,062.00	ANTONIO'S	SENIOR MEALS - DEC 2015
21710	01/15/16	90,744.86	ASSOCIATED PACIFIC CONTRACTORS	PROGRES PYMT - FUEL DOCK
21711	01/15/16	347.67	AT & T	COMMUNICATIONS - ALL DEPTS
21712	01/15/16	424.36	AT & T LONG DISTANCE	LONG DISTANCE - ALL DEPTS
21713	01/15/16	2,250.57	AT & T	COMMUNICATIONS - ALL DEPTS
21714	01/15/16	38.53	AT & T LONG DISTANCE	LONG DISTANCE - ALL DEPTS
21715	01/15/16	249.00	AT & T MOBILITY	COMMUNICATIONS - HARBOR
21716	01/15/16	1,687.78	AVALON MOORING & DIVING	SERVICE - HARBOR
21717	01/15/16	5,906.60	BEYOND SOFTWARE SOLUTIONS	CONTRACT SVC - ADMIN
21718	01/15/16	262.12	BOARD OF EQUALIZATION	QTRLY TAX REPORTING - FD
21719	01/15/16	565.59	BRIMAR INDUSTRIES	SUPPLIES - GARAGE
21720	01/15/16	300.00	CAHM & PC	YRLY DUES - HARBOR
21721	01/15/16	142.35	CANBY, CLAUDIA	SUPPLIES - FD
21722	01/15/16	294.42	CARMENITA TRUCK CENTER	SUPPLIES - GARAGE
21723	01/15/16	482.52	CATALINA BEVERAGE CO	SUPPLIES - ALL DEPTS
21724	01/15/16	2,152.50	CATALINA BOATYARD	STORAGE FEES - HARBOR
21725	01/15/16	1,946.78	CATALINA BROADBAND SOLUTIONS	SERVICE - JAN 2016
21726	01/15/16	38.30	CATALINA DISCOUNT & VARIETY	SUPPLIES - GARAGE
21727	01/15/16	28,488.60	CATALINA EXPRESS	1ST HLF 12/15 - SUBSIDY
21728	01/15/16	246.55	CATALINA FREIGHT LINE	FREIGHT - ALL DEPTS
21729	01/15/16	437.00	CATALINA CONSERVANCY	YRLY COMMERCIAL ROAD PERMIT
21730	01/15/16	31,046.67	CIMC	SALES TAX PASS THRU
21731	01/15/16	1,002.41	CATALINA ISLAND PLUMBING	SERVICE - CITY RESTROOMS
21732	01/15/16	505.00	CATALINA PEST CONTROL	SERVICE - HARBOR
21733	01/15/16	325.00	CATALINA STEAM CLEANING	CONTRACT SVC - HARBOR
21734	01/15/16	14,165.29	CDW GOVERNMENT	SUPPLIES - COUNCIL CHAMBERS
21735	01/15/16	226.57	CERTIFIED PHONE SOLUTIONS	SERVICE - ADMIN
21736	01/15/16	270.00	CHARLES ABBOTT ASSOCIATES	CONTRACT SVC - ADMIN
21737	01/15/16	2,267.08	CHET'S HARDWARE	SUPPLIES - ALL DEPTS
21738	01/15/16	114,383.88	CO. OF LA SHERIFF'S DEPT.	CONTRACT SVC - NOV 2015
21739	01/15/16	1,218.36	COMMUNICATIONS USA	SUPPLIES - FIRE
21740	01/15/16	2,313.69	CONNOLLY PACIFIC CO.	SUPPLIES - PUBLIC WKS
21741	01/15/16	19,500.00	DAVIS FARR, LLP	AUDIT SVCS - ADMIN/SA
21742	01/15/16	6,668.08	DELTA DENTAL	DENTAL - JAN 2016
21743	01/15/16	4,860.00	CONSTRUCTORS PLUS	CONTRACT SVC - ADMIN
21744	01/15/16	4,050.00	CONSTRUCTORS PLUS	CONTRACT SVC - ADMIN
21745	01/15/16	44.00	DEWEY PEST CONTROL	SERVICE - HARBOR
21746	01/15/16	26.47	DIGI-KEY	SUPPLIES - HARBOR
21747	01/15/16	4,303.39	EDISON	UTILITIES - ALL DEPTS
21748	01/15/16	83.62	EMS SAFETY SERVICES	SUPPLIES - FIRE
21749	01/15/16	118,337.72	ENVIRON STRATEGY CONSULTANTS	CONTRACT SVC/EMER RPR WK
21750	01/15/16	11,158.00	EZ LOADER ADJUSTABLE BOAT	TRAILER PURCHASE - HBR
21751	01/15/16	815.00	FINELINE CONSTRUCTION	SUPPLIES - STORM DAMAGE
21752	01/15/16	1,769.04	GCR TIRES	SUPPLIES - GARAGE
21753	01/15/16	2,194.31	ARIENS SPECIALTY BRANDS	SUPPLIES - PW/GARAGE
21754	01/15/16	864.04	GRAINGER	SUPPLIES - ALL DEPTS
21755	01/15/16	625.00	HAMILTON, KATHERINE	CONTRACT SVC - ADMIN
21756	01/15/16	20.00	HARRELL, SILVIA	REFUND - CITATION OVERPYMT

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AVALON CITY COUNCIL
MEETING OF FEBRUARY 16, 2016

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
21757	01/15/16	325.00	HELVETIC CONSULTING	CONTRACT SVC - PLANNING
21758	01/15/16	5,604.48	HOTEL METROPOLE	BAL DUE - LASD LODGING
21759	01/15/16	35,312.16	IDR ENVIRONMENTAL	HHW DISPOSAL - ALL DEPTS
21760	01/15/16	588.07	IMPERIAL SUPPLIES, LLC	SUPPLIES - PUBLIC WKS
21761	01/15/16	18.50	ISLAND EXPRESS	FREIGHT - GARAGE
21762	01/15/16	39,092.90	JORDAHL CONSTRUCTION	SUPPLIES - STORM DAMAGE
21763	01/15/16	325.64	JUDICIAL DATA SYSTEMS	PARKING ACTIVITY - NOV 2015
21764	01/15/16	606.00	KATIE'S KITCHEN	SENIOR MEALS - DEC 2015
21765	01/15/16	2,392.77	KINGSCOTE CHEMICALS	SUPPLIES - HARBOR
21766	01/15/16	458.70	LA COUNTY TREASURER	PERMIT FEES - FD
21767	01/15/16	1,682.23	MCMASTER-CARR	SUPPLIES - HARBOR
21768	01/15/16	476.30	MICROSOFT	BAL DUE - SUBSCRIPTION FEE
21769	01/15/16	2,613.30	MONTAGUE, STEVEN	MED. REIMB JULY-DEC 2015
21770	01/15/16	474.00	MR. NING'S	SENIOR MEALS - DEC 2015
21771	01/15/16	1,909.76	NAPA AUTO PARTS	SUPPLIES - GARAGE
21772	01/15/16	272.90	NEOPOST PRIORITY	SUPPLIES - ADMIN
21773	01/15/16	2,146.19	PORT SUPPLY	SUPPLIES - GARAGE
21774	01/15/16	64.13	PRAXAIR	SUPPLIES - GARAGE
21775	01/15/16	952.06	QUILL CORP.	SUPPLIES - ALL DEPTS
21776	01/15/16	33,558.75	MICHAEL BAKER INTERNATIONAL	CONTRACT SVCS - ADMN/PLN
21777	01/15/16	12,671.12	REGIONAL GOVERNMENT SVCS	CONTRACT SVCS - MOLE PROJ.
21778	01/15/16	6,491.20	RIPPETOE LAW, P.C.	LITIGATIONS FEES - ADMIN
21779	01/15/16	2,555.00	ROSENOW SPEVACEK GROUP	SERVICE - HA/SA
21780	01/15/16	9,384.26	SEAWAY COMPANY OF CATALINA	FUEL - ALL DEPTS
21781	01/15/16	520.00	SIRIA'S CLEANING SERVICE	SERVICE - JMF/TREMONT
21782	01/15/16	442.20	SUN LIFE INSURANCE CO.	LIFE INSURANCE - JAN 2016
21783	01/15/16	587.50	SUPERIOR COURT OF CALIF.	PARKING CITATIONS - NOV 2015
21784	01/15/16	28.50	UNDERGROUND SERVICE ALERT	SERVICE - PUBLIC WKS
21785	01/15/16	121.40	UNITED PARCEL SERVICE	FREIGHT - ALL DEPTS
21786	01/15/16	6,420.00	WANDA STONE	SERVICE - HARBOR
21787	01/20/16	25,000.00	BEN HARVEY	SETTLEMENT PAYMENT
		$ 684,519.99		

AVALON CITY COUNCIL
MEETING OF FEBRUARY 16, 2016

FY16

CHECK NUMBER	DATE ISSUED	AMOUNT	PAYEE	DESCRIPTION
17028	1/22/2016	29.00	Audra McDonald	Bank Fee
17056	1/22/2016	51.38	Jordan Monroe	Training Travel
17062	1/22/2016	461.52	Cinde MacGugan-Cassidy	Travel-Councilmember
17087	2/5/2016	129.14	Scott Montgomery	Clothing/Uniform Allowance
17098	2/5/2016	196.34	Ray Boyd	Clothing/Uniform Allowance
17100	2/5/2016	17.00	Brian Bray	Training Travel / General
17103	2/5/2016	36.18	Audra McDonald	Training Travel / General
17103	2/5/2016	43.14	Audra McDonald	Training Travel / General
17126	2/5/2016	110.00	Robert Mescher	Membership & Dues
17126	2/5/2016	1069.65	Robert Mescher	Training Travel / General

$2,143.35

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 19, 2016 **AGENDA ITEM:** 3

ORIGINATING DEP: Administration **CITY MANAGER:** DR

PREPARED BY: Tiffany Bose, Human Resources Advisor

SUBJECT: Adopt the Leaves Policy (Policy P-2) and Resolution

RECOMMENDED ACTION(S): Adopt the Resolution that implements the City employee Leaves Policy (P-2).

REPORT SUMMARY: Chapter 7 of the City's Personnel Rules and Regulations, Sections 1 through 9 entitled "Attendance and Leave Policies, Special leaves" covers various employee leave topics. Specifically, these sections address Administrative Leave, Family and Medical Leave (FMLA), the California Family Rights Act (CFRA), Pregnancy Disability (PDL), Jury Duty, Military Leave, and Bereavement Leave amongst other leave policies. The existing policies are meant to provide Federal and State guidelines for the lawful application of such protected leaves.

However, current Policies do not reflect changes that have occurred in recent years to Federal and State laws which expand employee's rights and broaden who under is covered under various statutes. The purpose of this updated policy is to ensure that all City departments will administer leave policies consistently. The Policy provides general leave provisions, eligibility and qualification requirements, notification and communication requirements during the leave, and guidelines to administer such designated leaves in an effort to ensure consistent application. With the changes in laws, the need to update our policy on employee leaves is imperative.

Examples of Policy Changes:

- FMLA - An employee may be given time off work in order to care for an immediate family member. Definition of immediate family member in the current policy includes the spouse, child or parent of the employee, if the immediate family member has a serious health condition. The updated policy expands the definition of a "Child" to mean biological, adopted, or foster child, a step child, a legal ward, or a child of a person standing in loco parentis (in place of parent) who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability.

- The updated policy clarifies an employee's right to intermittent leave under the FMLA, how part-time work schedules effect leaves of absence, how leaves of absence effect continued benefits coverage, and how the City should manage leaves of absences when both the employee and the employee's spouse work for the City.

- Notification requirements have been added to the current sections governing FMLA, CFRA, Qualifying Exigency for Military Family Leave, Pregnancy Disability Leaves, and other leaves.

- The status of insurance coverage during various protected leaves and the continued payment of insurance premiums under the Consolidated Omnibus Budget Reconciliation Act (COBRA) have been added.

- The Healthy Workplaces, Healthy Families Act of 2014, in effect on July 1, 2015, has been added, where employers must provide all employees, including part-time employees, with at least three (3) days of paid sick leave per year.

- Charts have been added to assist employees and managers with determining when accrued leave time (e.g. sick, vacation, holiday, compensatory time) may or may not be used and how overlapping leaves are tracked.

GOAL ALIGNMENT: City Policy.

FISCAL IMPACTS: None.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The City will be out of compliance with the various Federal and State laws. Further, the City may be subjected to Federal and State administrative complaint investigations, compliance and enforcement reviews, and lawsuits brought by employees whose rights have been violated (both civil and compensatory damages), for the City's failure to administer such protected leaves consistent with the requirements of each enforcement agency.

FOLLOW UP ACTION: The Leaves policy will be administered by the Human Resources Department and the Policy disseminated to all employees, and added to the City's intranet website. All supervisors and managers are to receive training on employee leaves.

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

ATTACHMENTS: Leaves Policy (Policy P-2) and resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF AVALON
ADOPTING THE LEAVES POLICY

WHEREAS, the City of Avalon, (the "City") has updated the City's existing Special Leaves Policy, which is currently part of the City's Personnel Rules and Regulations.

WHEREAS, the City Council now approves the Leaves Policy dated February 16, 2016, which is in compliance with Federal and State laws to protect the City and our employees. The Leaves Policy dated February 2, 2016 shall replace the existing Special Leaves Policy.

WHEREAS, the City Council authorizes the City Manager and his/her designee to take all necessary, lawful and appropriate actions to implement the actions specified in this Resolution.

WHEREAS, the City Clerk shall certify to the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager or his/her authorized designee is hereby authorized and directed to implement the required actions.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Avalon on this 16th day of February, 2016, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____
Ann H. Marshall, Mayor

ATTEST:

_____
Denise A. Radde, City Clerk

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 16, 2016 **AGENDA ITEM:** 4

ORIGINATING DEP: Harbor **CITY MANAGER:** DR

PREPARED BY: Brian Bray, Harbor Master

SUBJECT: Waterside Permit Application – Calm C's and Company

RECOMMENDED ACTION(S): City Council make the affirmative finding that conditions set forth in the Avalon Municipal Code have been met and grant the Waterside Project Application to Calm C's and Company, with the following conditions:

1. In accordance with the Best Management Practices for wash down activities in Avalon Bay, the wash down of boats in Avalon Bay will only be allowed at the pump out dock in a designated wash-down area using water that is supplied by the vessel's water maker, not the local fresh water provider. Prior to wash down of boat decks, dry cleaning of bird droppings and other waste will occur and be disposed of in a trash receptacle.

2. When Calm C's has any overnight guests while in Avalon waters, those accommodations be subject to 12% Transient Occupancy Tax.

REPORT SUMMARY: Brenda Thomas has submitted a Waterside Project Application to offer boat hull cleaning, topside cleaning and occasional overnight stays on her vessel that she keeps moored in Avalon Harbor.

Ms. Thomas proposes to operate 7 days a week, year round during daylight hours using a 14' Zodiac for hull and topside cleaning and will operate as needed for overnight stays on her 30' Tollycraft "Calm C's" secured to a mooring buoy in the Avalon area.

Section 10-2.416 of the Municipal Code provides that a waterside permit may only be granted where the City Council is able to make the following affirmative findings:

(1) The project will not result in a substantial alteration of the City's present or planned waterside uses of the Avalon Harbor.

(2) With regard to transportation and circulation, the project (i) will not generate substantial additional boat trips, including shoreboat trips, or other movement within Avalon Harbor; (ii) will not have a substantial negative impact upon existing mooring, docking, or other anchorage facilities; (iii) will not have a substantial impact on other modes and systems of transportation; (iv) will not result in substantial alterations of present patterns of circulation or movement of people and /or goods; (v) will not increase traffic hazards to swimmers, boaters, or other existing activities; and (vi) will not restrict or alter existing coastal access;

(3) The project will not have a substantial impact upon and will not result in a need for new or altered governmental services, including but not limited to fire, police, maintenance of facilities, and harbor department services

(4) The project will not result in the use of substantial amounts of fuel or other forms of energy or substantially increase the demand upon existing energy or require the development of new sources of energy;

(5) The project will not result in the need for new utility systems or a substantial alteration of existing sources or systems for power, natural gas, communications, water, sewage disposal or solid waste

(6) The project will not obstruct any scenic vista or view open to the public, and will not result in the creation of an aesthetically offensive site which is open to public view;

(7) The project will not result in a substantial negative impact upon the quality and quantity of existing recreational opportunities or result in alterations or restrictions to coastal access.

(8) The applicant is fit to be entrusted with the privileges of a permit, in that he has not engaged in prior violations of the City's harbor regulations, including the provisions of this article, has timely paid any harbor-related fees and has not presented checks returned for insufficient funds.

The Municipal Code also provides that the "City Council may deny the permit where the impacts listed in paragraphs (1) through (8) above are cumulatively significant, even though the individual impacts are limited. The City Council may approve a project where mitigation measures eliminating significant impacts are incorporated into the project, and the approval shall be conditioned upon the implementation of such mitigation measures. The failure to comply and maintain any mitigation measures shall be a basis for suspension or revocation of a waterside permit."

GOAL ALIGNMENT: Not Aligned.

FISCAL IMPACTS: Unknown, potential Harbor Use Fees

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: Visiting boaters will continue to clean the topsides of their own vessels

FOLLOW UP ACTION: Notify Calm C's and Company of the City Council's decision.

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

ATTACHMENTS:
Waterside Permit Application
Waterside Permit Standard List of Conditions

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 16, 2016 **AGENDA ITEM:** 5

ORIGINATING DEPT: Public Works **CITY MANAGER:** DR

PREPARED BY: City Attorney Scott Campbell

SUBJECT: Amendment of Avalon Municipal Code Chapter 6-6 and Section 8-5.05 relating to public and private salt water systems

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RECOMMENDED ACTION(S): Adopt an ordinance amending Title 6, Chapter 6 and Section 8-5.05 of the Avalon Municipal Code relating to public and private salt water systems

REPORT SUMMARY: This ordinance was introduced and all further readings waived at the January 19, 2016 City Council meeting.

Avalon owns and maintains a salt water distribution system which provides salt water to private salt water lines. The Municipal Code requires structures within the City that have toilets to be equipped with a separate salt water plumbing system piped to the toilets and connected to the City's salt water system through "private salt water lines." The terms "private salt water lines" and "City salt water system" are not defined in the Municipal Code, which has allowed some confusion as to ownership and maintenance responsibilities. The proposed ordinance adds definitions of these terms but does not change the private nature of the private salt water lines or incorporate them into the City salt water system. Consistent with the definition of "private sewer lateral," in Chapter 7, "Sewers," private salt water lines are those lines that connect a structure or structures to the City-owned distribution system, including the "wye" or saddle at the public supply line.

The proposed ordinance also clarifies the maintenance responsibilities for the private salt water lines and City salt water system consistent with the maintenance responsibilities in Chapter 7, "Sewers." Specifically, each property owner is required to inspect, maintain and repair the property owner's private salt water lines in such a manner as to prevent corrosion, clogging, or failure of the lines. Finally, the proposed ordinance authorizes the City Manager to establish a program for the effective administration of the salt water system in accordance with the Municipal Code.

GOAL ALIGNMENT: Infrastructure

FISCAL IMPACTS: No financial impact is anticipated for the adoption of the proposed Ordinance.

ATTACHMENTS: Proposed Ordinance

ORDINANCE NO. ___

AN ORDINANCE AMENDING CHAPTER 6-6 AND SECTION 8-5.05 OF THE AVALON MUNICIPAL CODE RELATING TO PUBLIC AND PRIVATE SALT WATER SYSTEMS

WHEREAS, the City of Avalon owns and maintains a salt water distribution system which provides salt water to private salt water lines;

WHEREAS, structures within the City that have toilets are required to be equipped with a separate salt water plumbing system piped to the toilets and connected to the City's salt water system; and

WHEREAS, the City wishes to clarify the ownership and maintenance responsibilities for the private salt water lines and City salt water system and provide the City Manager with authority to establish a program for the effective administration of the salt water system in accordance with the Municipal Code.

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

SECTION 1. Section 6-6.01 of the Avalon Municipal Code MC is hereby amended to add the following definitions in the appropriate alphabetical order, to be re-numbered as appropriate:

"City salt water system" shall mean the publicly owned property involved in the distribution of salt water within the city, including intake piping, pumps, reservoir, land, supply lines (main lines), fittings, and equipment related to such elements.

"Private salt water lines" shall mean the privately owned piping or line connecting a building, collection of buildings such as a common interest development, or other structure or structures to the City salt water system, and includes the service connection "wye" or saddle at the supply line.

SECTION 2. Section Sec. 6-6.09 of the Avalon Municipal Code is hereby amended to change the heading and add subdivisions (d) and (e) as follows:

Sec. 6-6.09 Salt Water Service: Installation and Maintenance Required.

(d) Property Owner's Obligation. Each property owner shall, at the property owner's expense, inspect, maintain in good working order, repair, rehabilitate and replace, as necessary, the property owner's private salt water lines in such a manner as to prevent corrosion, clogging, or failure of the lines.

(e) Private Salt Water Lines Not Part of City Salt Water System. The private salt water lines are the property of the property owner and are not part of the City salt water system. Nothing in this chapter shall be interpreted as changing the private nature of the private salt water lines or incorporating them into the City salt water system.

SECTION 3. Section 6-6.14 of the Avalon Municipal Code is hereby added as follows:

Sec. 6-6.14 Salt Water System Program

The City Manager may prepare and administratively adopt a salt water system program to provide administrative guidance on the implementation and enforcement of this chapter. The City Manager may update the salt water program administratively as needed to achieve the applicable performance standards for the City salt water system.

SECTION 4. Section 8-5.05 of the Avalon Municipal Code is hereby amended to change the heading and add subdivisions (d) and (e) as follows:

Sec. 8-5.05 Salt Water Service: Installation and Maintenance Required.

(d) Property Owner's Obligation. Each property owner shall, at the property owner's expense, inspect, maintain in good working order, repair, rehabilitate and replace, as necessary, the private salt water lines so that they do not become corroded, clogged, or inoperable.

(e) Private Salt Water Lines Not Part of City Salt Water System. The private salt water lines are the property of the property owner and are not part of the City salt water system. Nothing in this chapter shall be interpreted as changing the private nature of the private salt water lines or incorporating them into the City salt water system.

SECTION 5. Severability.

If any section, subsection, subdivision, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 7. Certification and Effective Date.

The City Clerk of the City of Avalon shall certify the passage and adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and/or posted in the manner required by law. This Ordinance shall take effect thirty (30) days after its adoption.

INTRODUCED at a regular meeting of the City Council of the City of Avalon on the 19th day of January, 2016 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Avalon on this _____ day of _____, 2016, by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____
Ann H. Marshall, Mayor

ATTEST:

_____

Denise A. Radde, City Clerk

APPROVED AS TO FORM:

_____

Scott Campbell, City Attorney
Best Best & Krieger, LLP

CITY OF AVALON CITY COUNCIL

MEETING DATE:	February 16, 2016	**AGENDA ITEM:**	6
ORIGINATING DEP:	Administration	**CITY MANAGER:**	DR
PREPARED BY:	Denise Radde, Interim City Manager		
SUBJECT:	Compensation and Benefits for Management, Exempt and Other Unrepresented Employees		

RECOMMENDED ACTION(S): Adopt the "Compensation and Benefits Resolution for Management, Exempt and Other Unrepresented Employees for the City of Avalon, covering the period for January 1, 2010 through December 31, 2016.

REPORT SUMMARY: The proposed resolution will not change existing compensation and benefits. Rather, it will formally document how Management, Exempt Employees and Other Unrepresented Employees have been compensated since January 1, 2010 in order to clearly document the method of employee compensation to outside agencies, especially to CalPERS.

The terms and conditions of employment for Management, Exempt Employees and Other Unrepresented Employees are governed by Resolution and in some instances by separate written contract for appointed officials (i.e. City Manager, Chief Administrative Officer).

The City has been operating under a Resolution, which was approved on January 16, 2007 with no expiration date. This Resolution only provided for a 2007 pay increase. The California Code of Regulations governs special compensation and benefits and requires every City to maintain a current Resolution for its employee groups.

CalPERS also requires Cities to comply with various Government Codes and Regulations in order to contract with them, and through this contract each agency agrees to be bound by the terms of the contract and the Public Employee's Retirement Law (PERL).

The purpose of this new Resolution is to meet these conditions upon adoption by the City Council.

In January 2016, the City was contacted as a result of CalPERS conducting an audit on a current retired annuitant. In order for CalPERS to determine the final compensation formula for the retired annuitant the City is required to send CalPERS the Resolution that governs compensation and benefits for Management and Unrepresented employees. Specifically, CalPERS wanted proof of a guaranteed benefit related to longevity pay and uniform allowance for the retired Fire Chief. Because no such Resolution currently exists, the City Council must adopt a Resolution covering this period of time or be liable to the retiree for the coverage of benefits that CalPERS may not otherwise cover as a result of no such Resolution being in existence.

A Resolution for compensation and benefits for Management, Exempt and Other Unrepresented Employees contains a written memorialization of the terms and conditions of employment and serves as the day-to-day tool for the administration of pay and benefits of employee groups while actively employed, as well as compensation in retirement and the calculation of retirement benefits. The previous Resolution contained only referenced pay increases and did not include many provisions and features that are now considered common features of municipal Resolutions for management and unrepresented employee groups. In short, the prior Resolution was outdated and was void of any record of compensation practices common to California municipalities. Therefore, the need to adopt this Resolution is immediate.

GOAL ALIGNMENT: Achieve a balanced City budget.

FISCAL IMPACTS: No new fiscal impacts since the City's retired annuitants are already an anticipated cost to the City.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The City will be non-compliant with various State Government Codes and the Public Employee's Retirement Law. If audited by CalPERS, a retired annuitant's compensation and retirement benefits will be negatively impacted and the City will find itself in litigation with its retirees. The City may also open ourselves to further CalPERS audits if this problem is not addressed.

FOLLOW UP ACTION: None.

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

ATTACHMENTS:
Proposed Resolution Establishing Compensation and Benefits for Management, Exempt and Other Unrepresented Employees, with Exhibit "A" Compensation Plan attached.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AVALON ESTABLISHING COMPENSATION AND BENEFITS FOR MANAGEMENT, EXEMPT AND OTHER UNREPRESENTED EMPLOYEES

WHEREAS, the City Council has determined that it is necessary to adopt a Resolution specifying provisions relating to compensation, hours, benefits, and other terms and conditions of employment, to be received by City of Avalon management, exempt employees and other unrepresented employees, who are not members of a recognized bargaining unit; and

WHEREAS, this Resolution supersedes Resolution No. 07-02, a Resolution affecting City of Avalon management, exempt employees and other unrepresented employees, who are not members of a recognized bargaining unit, adopted on January,16 2007, and all prior Resolutions governing the terms and conditions of employment;

WHEREAS, the Council wishes to clarify and modify the wages and benefits available to City of Avalon management, exempt employees and other unrepresented employees, who are not members of a recognized bargaining unit; and

WHEREAS, the City Clerk shall certify the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Avalon HEREBY DOES RESOLVE, DETERMINE AND ORDER, that Resolution No. XX-XX be amended as indicated below:

Section 1. That the schedule of compensation and benefits shown in Exhibit A shall apply for all City of Avalon employees classified as Avalon Management, exempt employees and other unrepresented employees with changes effective January 1, 2010.

Section 2. That Exhibit A shall reflect other changes pursuant to administrative policy and also provide language clarification.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Avalon on this 16th day of February, 2016, by the following vote:

_____

Ann H. Marshall, Mayor

ATTEST:

_____

Denise Radde, City Clerk

CITY OF AVALON CITY COUNCIL

MEETING DATE: February 16, 2016 **AGENDA ITEM:** 7

ORIGINATING DEP: Harbor **CITY MANAGER:** DR

PREPARED BY: Harbor Master Brian Bray

SUBJECT: Request for Proposals for Shoreboat Services

RECOMMENDED ACTION(S):

- Review the draft Request for Proposals (RFP) for shoreboat services, and provide direction to staff regarding the proposed term for the contract for shoreboat services, and regarding the desired date for receipt of proposals.
- Direct staff to release the RFP for the shoreboat services.

REPORT SUMMARY:

In light of the fact that Island Enterprises has no longer been providing shoreboat service at the desired hours due to revenue shortfall, on January 19, 2016 the City Council considered three potential options regarding shoreboat service in Avalon.

As a result of that meeting, the City Council directed staff to prepare a request for proposals for shoreboat services to determine if there is interest from qualified companies that have the requisite capacity to provide such service.

Pursuant to direction from City Council, staff has prepared a draft RFP for the City Council's review. The RFP includes the following proposal requirements:

Level of service:

Sunday through Thursday - (Weekdays)
January 1st through May 31st - 0800-2000*
June 1st through June 15th - 0700-2400
June 16th through September 30th - 0700-2400
October 1st through October 31st - 0700-2400
November 1st through December 31st - 0800-2000

Friday, Saturdays and Holidays & Special Events
January 1st through April 30th - 0800-2400
May 1st through October 31st - 0700-0200
November 1st through December 31st - 0800- 2400

* Time last shoreboat leaves the dock.

Bid Requirements:

The RFP provides the following bid requirements, among other requirements set forth in the RFP:

- The selected bidder must apply for and obtain a Certificate of Convenience and Necessity from the Public Utilities Commission as a condition of the contract award.

- The selected bidder shall maintain a place of business in Avalon.

- The selected bidder shall pay to the City, for the right to operate the shoreboat services, a harbor use fee of 7% of the successful bidder's gross revenue generated from such operations.

- The selected bidder shall provide certified passenger carrying vessels. Bidder must agree to provide the summer float infrastructure needed to operate from the end of the Pier.

The RFP includes a draft shoreboat services agreement, which may be further revised per City Attorney direction. Staff desires direction from the City Council regarding the proposed term for the agreement.

GOAL ALIGNMENT: Not aligned.

FISCAL IMPACTS: Unknown at this time.

CONSEQUENCES OF NOT FOLLOWING RECOMMENDED ACTION: The City of Avalon would not have shore boat service which is considered to be a vital necessity in the harbor.

FOLLOW UP ACTION: Staff to release RFP.

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

ATTACHMENTS: Draft RFP.