

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, OCTOBER 2, 2012**

CALL TO ORDER 5:31 p.m.

PLEDGE OF ALLIGIENCE / INVOCATION

ROLL CALL-Present: Mayor Kennedy, Mayor Pro Tem Michael Ponce, Councilmembers Hernandez, Morrow and Olsen. Also present: City Manager Steven Hoefs, Chief Executive Officer Charlie Wagner, Attorney Scott Campbell, and City Clerk Denise Radde.

WRITTEN COMMENTS-Two letter were received and filed with the City Clerk.

ORAL COMMUNICATIONS-Jennifer Lavelle Recreation Coordinator announced that there will be two upcoming community forums to discuss the City's Centennial Celebration. The upcoming meetings will take place on October 4, 2012 at 9 a.m. and October 10, 2012 at noon.

PRESENTATIONS-A very detailed report on the City of Avalon's Sewer Management and Bay Water Quality was presented to City Council. Mark Hill, John Harris and Dennis Jaich with RBF Consulting, Ryan Bonner of Environ Strategy, Shawn Haggerty of Best Best & Krieger, and Dr. Stanley Grant all spoke addressing each area they are involved with. The presentation covered where we have been, what we have done and where we are today. A discussion followed on the next steps and future requirements of the Cease and Desist Order. There are many items that need to be completed by June 2013 and the City's final deadline for complete compliance with the Cease and Desist Order is June of 2016. The City has to implement several strict laws before June 2016 regarding private laterals, Fats and Grease standards, and lastly water infiltrating into our storm water system.

BREAK 6:57 – 7:07 p.m.

CONSENT CALENDER

There were 4 items on the Consent Calendar. Item #5 pulled by Oley Olsen. Motion to approve items #2, #3, and #4 by Michael Ponce, seconded by Richard Hernandez. (All Ayes)

2. Approved actions from September 18, 2012 City Council Meeting.
3. Approved warrants in the amount of \$1,694,018.80, Payroll in the amount of \$191,520.01 and an Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$10,589.00 for a total expenditure amount of \$1,896, 127.81.
4. Approved warrants in the amount of \$4,506,952.96 and an Electric Fund Transfer for Series A&B Bond Principal and interest payment of \$1,542,783.64 for a total expenditure amount of \$6,049,736.60.

Pulled Item:

5. Approval of Professional Service Agreement to Hire Dennis Miura to Provide Financial Consulting Services.

Councilmember Olsen inquired where the money was coming from to pay the financial consultant. CEO Charlie Wagner addressed this stating that Dennis Miura will be paid out of the ACIA Administrative Fund and that the City would provide housing without monetary value since it is at our convenience and is not subjected to W2 issues. Motion to approve the

Professional Service Agreement to hire Dennis Miura as a financial consultant made by Oley Olsen, seconded by Robert Kennedy. (All Ayes).

GENERAL BUSINESS

6. Consideration of an Ordinance of the City Council of the City of Avalon, California, Amending Title 9, Chapter 5, Article 4, Section 9-5.404 of the Municipal Code to Allow Restaurants, Bars or Cafes as a Conditionally Permitted Use in Existing Hotels – A motion to introduce and waive all subsequent readings of an Ordinance of the City Council of the City of Avalon, California, Amending Title 9, Chapter 5, Article 4, Section 9-5.404 of the Municipal Code to Allow Restaurants, Bars or Cafes as a Conditionally Permitted Use in Existing Hotels in the multiple residential, high density zone was approved. Motion made by Michael Ponce, seconded by Ralph Morrow. (All Ayes)

7. Cancellation of Lease-Catalina Snorkel and Scuba

Mayor Kennedy recused himself due to a potential of an appearance of impropriety under the Conflict of Interest Code. City Council heard comments from the tenant. A motion to provide lessee with notice of 30 day termination of lease and advertise for a new tenant was approved. Motion made by Oley Olsen, seconded by Michael Ponce. (3 Ayes-Michael Ponce, Richard Hernandez and Oley Olsen, 1 No-Ralph Morrow, 1 Abstention-Robert Kennedy)

8. Capital Improvement Needs and Resources

City Manager Steven Hoefs went over all of the Capital Improvement projects needed within the City. The infrastructure improvements were be categorized into three areas, Harbor (rebuild fuel dock and repair Cabrillo Mole), Streets (renovation of Lower Terrace Road and other street improvements), and Sewer projects, all totaling \$3.8 million. Council agreed that Lower Terrace Road is priority #1 and agreed that Whittley and Marilla Avenue will receive a complete grind and overlay. Council identified certain monies that will help fund these projects. Council authorized Staff to work with Dennis Jaich, Consulting Engineer from RBF Inc., on a change order to be ratified at the next council meeting to immediately undertake the road repair work discussed due to the need to initiate the work due to having the contractor already mobilized and to take advantage of favorable weather conditions. Motion made by Michael Ponce, seconded by Oley Olsen. (All Ayes)

CITY MANAGER REPORT-City Manager Steven Hoefs got consensus to come back at the next City Council meeting with a contract for a Falconry program to help eradicate the seagull and pigeon problem. In 6-12 months there should be a dramatic decrease in both avian populations, which in turn should have a big impact on the Bay Water Quality.

CITY ATTORNEY REPORT- City Attorney Scott Campbell requested that BB&K be authorized to work with the citizens of Avalon to correspond with the DMV due to the recent removal of 11 vehicle license plates. BB&K would find out what the DMV's intentions are with this specific issue or if this is going to turn into a wider issue and they will send letters to the City's Federal Representatives and asking for their involvement. Cost estimate will be from \$2,000-\$3,000 going forward and this will be paid out of the City Council's Authorized Projects. Consensus was to allow it.

CHIEF ADMINISTRATIVE OFFICER-Charlie Wagner attended a mandatory bidder's meeting for the City's Trash Contract with Councilmember Olsen. Five firms attended, EDCO, Rainbow, CRR, Waste Management and Republic.

COUNCIL REPORTS-

- Councilmember Morrow applauded the first Annual Catalina Airshow & Festival.
- Councilmember Olsen announced that Avalon High School Football has a preseason record of 5-0. October 5, 2012 will be their first league game on the mainland against Rio Hondo. Game time starts at 3:15 pm.
- Councilmember Ponce has been in contact with Audra McDonald to find a better Trolley/Tram vehicle that would better serve our community. He asked who the Avalon Bowl belonged to and stated that there is trash all over the property and lastly, inquired if the City had an ordinance to prohibit sleeping on the beach/park.
- Councilmember Hernandez asked that the community pick up their trash at Three Palms and Buena Vista Point.
- Mayor Kennedy would like to send out a follow up letter to the Port of Los Angeles regarding the Waterfront Project and its financial impact on our residents.

CLOSED SESSION 8:28 – 8:45

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

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Pebbly Beach Road

Agency Negotiations: Steven Hoefs, City Manager and Scott Campbell, City Attorney

Negotiating Party: The Santa Catalina Island Company

Under Negotiation: Price and terms of payment

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

ADJOURNED by Mayor Kennedy at 8:46 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 October 2, 2012, is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk/Assistant City Manager

