

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, MARCH 20, 2012**

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLIGENCE / INVOCATION

ROLL CALL – Present: Mayor Kennedy, Mayor Pro-Tem Michael Ponce, and Councilmembers Morrow, Rikalo and Winslow. Also present: City Manager Steven Hoefs, Chief Administrative Officer Charlie Wagner and City Clerk Denise Radde. Excused Absence: City Attorney Scott Campbell, who appeared via telephone conference on Item 6 of the General Business.

PRESENTATION – None

City Manager Steven Hoefs discussed the fact that an issue with the Los Angeles County Sheriff's contract needing immediate action came to the attention of the City after the Agenda was posted and that a Closed Session concerning this item needed to be added to the agenda. City Manager Hoefs briefly discussed the facts of the item. Government Code Section 54954.2 requires a determination by two-thirds of the present members in order for the item to be placed on the agenda. Motion by Bob Kennedy, seconded by Michael Ponce to add the following Closed Session item: Public Employee Appointment, Title: Sheriff (All Ayes)

CONSENT CALENDAR

There were four items on the Consent Calendar. Item 1 was removed by Michael Ponce. Item 3 was pulled by Bob Kennedy for discussion. Motion to approve Items 2 and 4 by Michael Ponce, seconded by Tim Winslow. (All Ayes)

2. Approved a total expenditure amount of \$1,712,039.29 and an Electronic Fund Transfer for Fuel Dock Sales Tax \$2,685.00.
 - o Warrants in the amount of \$1,354,914.62.
 - o Payroll in the amount of \$357,124.67.
 - o Electronic Fund Transfer for Fuel Dock Sales Tax in the amount of \$2,685.00.

4. Approved City of Avalon Successor Agency to the ACIA expenditures in the amount of \$177,783.83.

Pulled Item:

3. Request to Amend Rincon Contract for General Plan – Approved amendments to the Rincon Contract by \$25,762 with the condition that 2/3 be paid by the Catalina Island Conservancy and the Santa Catalina Island Company. Motion by Michael Ponce, seconded by Sue Rikalo. (All Ayes)

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Adjourned to the Housing Authority of the City of Avalon Board of Commissioners Meeting – 7:24 p.m. – 7:26 p.m.

Adjourned to the Avalon Municipal Hospital Board of Trustees' Meeting – 7:26 – 7:29 p.m.

GENERAL BUSINESS

5. Ratify Prior Action to Purchase Joe Machado Field (JMF) Turf Maintenance Equipment - Jennifer Lavelle, Recreation Coordinator, gave a quick update on the status of JMF and the reason for the necessity of purchasing the equipment. Council made the finding and ratified approval granted by the City Manager to purchase three pieces of equipment needed for the proper maintenance of JMF. Motion by Michael Ponce, seconded by Sue Rikalo. (All Ayes)

6. Consideration of an Urgency and Regular Ordinance Establishing a Moratorium on the Issuance of Autoette/Golf Cart Permits to Owners of Mixed-Use Properties, Properties with Four or More Separate Dwelling Units, Residences of Rooms, Hotels, Motels, and Lodgings – The City Attorney Scott Campbell was present for this item via a telephone conference call. After much discussion and comments from the audience, the Council took the following actions.

The Council adopted both the Urgency and Regular Ordinances but then moved to reconsider and readopt the ordinances so that the City Council could waive reading of the ordinances. Motions to adopt, and reconsider by Michael Ponce, seconded by Tim Winslow (Ayes: Kennedy, Ponce, Rikalo and Winslow, Abstain: Morrow.)

Adopted and waived reading of an Urgency Ordinance 1112-12 establishing a moratorium on the issuance of autoette permits to owners of mixed-use properties, properties with four or more separate dwelling units, residences or rooms, hotels, motels and lodgings, pursuant to Government Code Section 36937 (b). Motion by Michael Ponce, seconded by Tim Winslow to: (4 Ayes-Kennedy, Ponce, Rikalo, and Winslow, 1 Abstain – Morrow.)

Introduced the Regular Ordinance and waived further reading of an ordinance establishing a moratorium on the issuance of autoette permits to owners of mixed-use properties, properties with four or more separate dwelling units, residences or rooms, hotels, motels and lodgings. Motion by Michael Ponce, seconded by Tim Winslow to: (4 Ayes-Kennedy, Ponce, Rikalo and Winslow, 1 Abstain – Morrow)

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CLOSED SESSION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9

Number of cases- two

1) In the Matter of Avalon K-12 School Site, 200 Falls Canyon Road, Avalon, CA 90704 I/SED: 11/12-003

2) Tiberio Lizza v. City of Avalon, et al, LASC Case No. BS 135644

3) PUBLIC EMPLOYMENT

Title: Sheriff

Following Closed Session the City Manger reported that there were no reportable actions and no other matters were discussed.

ADJOURN: Mayor Kennedy adjourned the City Council meeting a 9:27 p.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting of March 20, 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