

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, MAY 1, 2012**

CALL TO ORDER: Early start time of 5:33 p.m.

PLEDGE OF ALLIGENCE / INVOCATION

ROLL CALL – Present: Mayor Robert Kennedy, Mayor Pro-Tem Michael Ponce and Councilmembers Richard Hernandez, Oley Olsen and Ralph Morrow. Also present: City Manager Steven Hoefs, City Attorney Scott Campbell, Chief Administrative Officer Charlie Wagner, City Clerk Denise Radde and BB&K Attorney John Holloway.

City Manger Steven Hoefs reported that the new City of Avalon website is up and live streaming of the Council Meetings can be viewed.

CLOSED SESSION: There were three items on Closed Session:

1. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION
Subdivision (a) of Section 54956.9
Title: In the Matter of Avalon K-12 School Site, 200 Falls Canyon Road, Avalon,
CA 90704 I/SED: 11/12-003

2. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATORS
Properties: City leased property – Catalina Yacht Club

Agency negotiators: Steven Hoefs, City Manager, Charlie Wagner, Chief Administrative Officer, and Scott Campbell, City Attorney.

Negotiating parties, City and the Catalina Yacht Club
Negotiation: Price and terms of payment

3. Public Employee Performance evaluations
Title: City Manager / Fire Chief, Chief Administrative Officer and City Attorney

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

Immediately following Closed Session the regular City Council meeting took place.

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PRESENTATIONS

1. Kelly Parkins, Agronomic Consultant from Parkins and Associated LLC, gave a brief update on turf maintenance and current condition of the field at Joe Machado Filed.
2. Diane Stone was recognized as “Woman of the Year” from Senator Alan Lowenthal.

ORAL COMMUNICATIONS

A brief update from Mel Dinkel and Wayne Griffin on behalf of the Catalina Island Consortium regarding Edison’s proposed water rate increase. Recommendation from the Judge was to not allow for the rate increase. For more information refer to the Catalina Chamber of Commerce website, www.catalinachamber.com/water

CONSENT CALENDER

There were 6 Items on the Consent Calendar. Ralph Morrow pulled item #6. Motion made by Michael Ponce, seconded by Oley Olsen to approve items 1-5. (All Ayes)

1. Approved actions from the April 17, 2012 City Council Meeting.
2. Approved expenditures in the amount of \$1,414,648.26.
 - o Warrants in the amount of \$1,000,058.40
 - o Payroll in the amount of \$414,589.40
 - o Electronic Funds Transfer for the Fuel Dock Sales Tax in the amount of \$1,778.00
3. Renewal of General Services Agreement
Adopted Resolution 12-11 authorizing the City Manager to execute the General Services Agreement between the City of Avalon and Los Angeles County for a 5 year period beginning July 1, 2012 through June 30, 2017.
4. Catalina Express Free Birthday Trips-Waiver of Harbor Use Fee
Made a finding that a need existed for the approval of a fee waive by the City Manager and ratified approval of the waiver for not charging the wharfage fee for all persons who embark and debark the City of Avalon via the Catalina Express in conjunction with the Catalina Express’s promotional free birthday trip.

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5. Request for Extension-RBF Sewer Reconstruction

Authorized a six month extension on the contract with no increase in the overall contract amount to RBF.

Pulled Item:

Ralph Morrow pulled this item because he had voted against it before.

6. Extend Date-Increase in Cruise Ship Wharfage Fees

Authorized effective date of cruise ship wharfage fee increase to October 1, 2012. Motion by Oley Olsen, seconded by Michael Ponce (4 Ayes-Kennedy, Ponce, Hernandez, and Olsen. 1 No-Morrow)

GENERAL BUSINESS

7. Catalina Air Show

City Council listened to a presentation by organizer Dan Teckenoff regarding the Catalina Air Show and Festival. Mr. Teckenoff explained that the air show could cost around \$54,000 and asked if the City would be willing to donate \$20,000 to help offset the cost. He stated the Chamber was donating \$5,000 for promotional needs and \$7,000 as “seed” money, which would be paid back. Mayor Kennedy stated that he did not feel comfortable spending public funds on an event in which the money might not be recouped. After further discussion Council had a consensus that they would like to hear more information on the emergency plan and how it involved and affected the City and County personnel. Most importantly the aerobatic box would have to be pushed to 300 ft. so it would be outside of the City limits, otherwise the City would be responsible for filing permits with the proper entities. No action taken.

8. Salt Water and Solid Waste Fees for FY 2012-2013

Ralph Morrow stated at the beginning of this item that at the last Council meeting he had inadvertently voted yes on the item. He would like to rescind his vote, and vote no. The City Attorney stated this was unnecessary because if the ordinance did not pass tonight the point was moot. A 4/5 vote was needed to pass this ordinance because it involves raising fees pursuant to the Health and Safety Code. No action was taken for establishing saltwater service fees and solid waste fees. Staff will bring back at a later date for future discussion. No action taken.

Break 8:28 – 8:38 p.m.

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9. Amendment to Municipal Code Section Regulating Street Performers
City Attorney Scott Campbell explained the slight changes to the Municipal Code. Introduced and waived further readings of an ordinance of the City Council and the City of Avalon amending Title 4, Chapter 15 of the Municipal Code to revise regulations related to street performers. Motion made by Oley Olsen, seconded by Michael Ponce. (All Ayes)

CITY MANAGER REPORT-None

CHIEF ADMINISTRATIVE OFFICER REPORT-CAO Charlie Wagner gave a brief update regarding Bay Water Quality. Water testing by the County is conducted at 5 sites in Avalon Harbor starting the first week of April through October each year. So far, there has been 23 days of testing with only 4 failures. CAO Wagner stated the County Beach Report Card gave 3 of the sites 'A's for not being posted in a 30-day period.

CITY ATTORNEY REPORT -None

COUNCILMEMBER REPORT-

- Councilmember Olsen reminded citizens about the Residential Large Item pickup scheduled for May 2, 2012 on the eastside of town and then again on May 9, 2012 for the west side of town. Councilmember Olsen also stated for the record that he will not be in attendance for the next council meeting on May 15, 2012.
- Councilmember Morrow announced that Joe Machado Field will host the annual Old Boys' Rugby Tournament on Saturday May 5, 2012 from 8:00 am-dusk.
- Councilmember Ponce announced the Catalina Island Skateboard Classic is May 5-6, 2012.

MAYOR REPORT- None

Mayor Kennedy adjourned the City Council meeting at 8:52 p.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meetings of May 1, 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