

CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY MAY 15, 2012

CALL TO ORDER: 7:03 p.m.

PLEDGE OF ALLIGENCE / INVOCATION

ROLL CALL – Present: Mayor Robert Kennedy, Mayor Pro-Tem Michael Ponce, Councilmember’s Richard Hernandez and Ralph Morrow. Also present City Attorney Scott Campbell, Chief Administrative Officer Charlie Wagner and City Clerk Denise Radde.

Absent: Councilmember W.F. Olsen and City Manager Steven Hoefs.

PRESENTATION -- Harbor Master Brian Bray gave a demonstration on the new mooring assignment software that was approved by City Council in January 2012. Each harbor patrol boat is now equipped with a touch screen so that assigning moorings can be made directly from the harbor patrol boat.

Adjourned to the Avalon Municipal Hospital Board of Trustees’ Meeting – 7:16 – 7:31 p.m.

Oral and Written Communication - None

CONSENT CALENDAR

There were five items on the Consent Calendar. Mayor Kennedy pulled Item 3 for further discussion. Motion to approve items 1, 2, 4 and 5 made by Michael Ponce, seconded by Ralph Morrow. (4 Ayes – Kennedy, Hernandez, Morrow and Ponce. 1 Absent- Oley Olsen.)

1. Approved Actions of the May 1, 2012 City Council meeting.
2. Approved warrants in the amount of \$376,968.95 and payroll in the amount of \$190,130.46 for a total expenditure of \$567,099.41.
4. Adopted Resolution 12-12 appointing a representative to the Public Agency Risk Sharing Authority of California (PARSAC) Board of Directors. Finance Director Betty Jo Garcia was appointed as the representative and Assistant Fire Chief Mike Krug as the alternate representative.
5. Adopted Ordinance 1113-12 amending Title 4, Chapter 15 of the Municipal Code to revise regulations related to Street Performers.

Pulled Item

3. Approval of Lease Transfer- Island Express Helicopter, Inc.
Island Express had notified the City that stock in their business had been sold. They were requesting the transfer of the City lease to the new owner. Comments were heard from John Moore stating that he is under the impression that he does not need to pay the 1% transfer fee to the City since it was only a stock transfer sale. City Attorney Scott Campbell disagreed. Mr. Moore's attorney will confer with the City Attorney. No Action taken on this item, it will be held over and brought back at a later date.

GENERAL BUSINESS

6. Transportation Permit for William Sidebotham's Pedicab
Comments were heard from applicant William Sidebotham and Pedicab Catalina's owner Joe Sampson. City Attorney Scott Campbell reminded Council to focus on what the Municipal Code outlines regarding granting of a transportation permit. Mainly, does the Council believe that an additional pedicab is needed for visitors, will it impact traffic, health and safety. No motion to approve permit was made, the item died for lack of a motion and vote. Permit not granted.

CITY ATTORNEY REPORT

By the end of next week the City, as the Successor Agency to the Avalon Community Improvement Agency, should be receiving a report from the State on their audit review of our projects. BB&K is of opinion that the \$6 million in unsecured Housing money will most likely be taken by the State due to the \$16 billion debt.

MAYOR REPORT

Gran Fondo Bicycle Race Event was a success and had over 600 participants who filled the City's hotels and restaurants. The City looks forward to next year's event.

COUNCILMEMBER REPORT

Councilmember Ponce reported that in the last League of California's Cities LA Division's April newsletter, the Mayor of Monrovia, Marianne Lutz, who is a Water Quality Control Board member wrote an article commenting positively on the City's plans that have been implemented in the last two years to improve water quality in Avalon's Bay.

CLOSED SESSION 8:24-9:20 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 LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Subdivision (b), Section 54956.9
Number of cases - one

2. 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

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

ADJOURN: Mayor Kennedy adjourned the City Council meeting a 9:21 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 May 15, 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

