

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY DECEMBER 3, 2013**

CALL TO ORDER at 6:05 p.m.

PLEDGE OF ALLIGIENCE / INVOCATION

ROLL CALL-Present: Mayor Robert Kennedy, Mayor Pro Tem Michael Ponce, Councilmembers Richard Hernandez, Oley Olsen, and Ralph Morrow. Also present City Manager Ben Harvey, Chief Administrative Officer/City Clerk Denise Radde and City Attorney Scott Campbell.

ANNOUNCEMENT- City Manager stated that City Staff has recommended that Consent Calendar Item 11, Repeal the Annual Growth Policy, be pulled. City Staff has received many inquiries from the public and it recommends that it be put back on the agenda at a January 2014 City Council meeting with more detailed information.

CLOSED SESSION – 6:09 – 6:40 p.m.

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

1. Conference with Legal Counsel—Existing Litigation
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Hermosa Hotel v. City of Avalon: CV 13-02439 ABC

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: Case No. 11/12-003

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

ANNOUNCEMENTS

Councilmember Hernandez thanked Tony Zeiler for his street sweeping.

Councilmember Ponce announced that on Saturday, December 7, 2013 the Christmas tree pickup will begin at 9:00 a.m., the Ladies Christmas Brunch will be held at Tremont Hall at 10:00 a.m. and Shop at Home night will take place from 5:00 p.m. to 9:00 p.m.

Council member Olsen announced that the Annual Lions Club Raffle has begun and all proceeds will be going to the Thanksgiving and Christmas Food baskets that will be delivered in town.

PRESENTATION - Kristin Guerrero, Public Affairs Manager, League of California Cities, provided a presentation on the many resources that the League offers to municipalities. Ms. Guerrero encouraged Council to keep the City of Avalon connected with the League.

CITY COUNCIL ACTIONS
DECEMBER 3, 2013
PAGE 2

ORAL COMMUNICATION - Jennifer Monroe, Recreation Coordinator, announced that there will be free ballroom dance classes once a month taught by Rob and Carol Thomas. The first class is scheduled for Monday, December 16, 2013.

CONSENT CALENDAR - Harbor Master Brian Bray wanted Items #4 and #6 to exclude the South East Wall. Mayor Kennedy abstained from Item 7, due to a conflict of interest, business listed in the item was his. Motion to approve Items #1,2,3,4,5,6,8,9 made by Michael Ponce, seconded by Oley Olsen. (All Ayes)

1. Approved actions from the November 19, 2013 City Council meeting.
2. Approved an allocation to the Avalon Fire Department of \$36, 492.39 towards an electronic remote classroom system that the Los Angeles Area Fire Chiefs Association is funding and reimbursing in total.
3. Approved the Waterside Permit Application as presented and required Dive Catalina to abide by the standard list of conditions relating to Waterside Permit Applications.
4. A. Land –Based Operations: Approved the Waterside Permit Application as it relates to land based snorkeling and scuba activities as presented. Required Catalina Snorkeling Adventures: (1) to have no more than 10 people per certified guide while conducting snorkeling tours and only use the area between the lovers Cove stairs and Cabrillo Mole, staying clear of the glassbottom boats fairway, and (2) to abide by the standard list of conditions relating to Waterside Permit Applications.
B. Water Based Operations: Since this is a new applicant which does not currently hold a Waterside Permit and is only required to obtain a Waterside Permit to cover its land-based operations, required Catalina Snorkeling Adventures to submit an application for the boat snorkeling tours portion of its business which will be reviewed by the City Council after the Harbor Master conducts the yearly Waterside Permit review process in December.
5. Approved the Waterside Permit Application/Modification as presented, and required Descanso Beach Ocean Sports to abide by the standard list of conditions relating to Waterside Permit Applications.
6. Approved the Waterside Permit Application/Modification as presented, and required Snorkeling Catalina to abide by the standard list of conditions relating to Waterside Permit Applications.
8. Approved the renewal of all Waterside Permits on the attached list for the year 2014.
9. Approved the purchase of IT related servers and equipment according to the Avalon Municipal Code Section 3-4.105 and 3-4.106.

Pulled Item:

7. Waterside Permit Modifications – Catalina Scuba Luv
Approved the Waterside Permit Application/Modification as presented, and required Catalina Scuba Luv to abide by the standard list of conditions relating to Waterside Permit Applications. Motion made by Michael Ponce, seconded by Oley Olsen. (4 Ayes, 1 Abstention-Kennedy)

CITY COUNCIL ACTIONS
DECEMBER 3, 2013
PAGE 3

10. An Ordinance Amending Chapter 7 of Title 9 of the Avalon Municipal Code to expand the Definition of Temporary Signs and Establish Guidelines

Introduced and waived all readings of an ordinance amending Chapter 7 of Title 9 of the Avalon Municipal Code to expand the definition of, and establish guidelines for temporary signs. A typo was noted in the Ordinance's 2nd paragraph and will be corrected. Motion made by Michael Ponce, seconded by Oley Olsen. (All Ayes)

11. Repeal the Annual Growth Policy – This item was pulled and will come back at a later date.

12. Ordinance Amending the Municipal Code to Revise the Powers and Duties of the City Manager and Fire Chief

Introduced and waived all reading of an ordinance amending the City of Avalon's Municipal Code to revise the powers and duties of the City Manager and the Chief of the Fire Department. Motion made Ralph Morrow, seconded by Oley Olsen. (All Ayes)

13. Consideration of Award for Contract – Joe Machado Field (JMF) Concession Stand Project

Awarded the contract to Dave Thompson Construction for the Joe Machado Field Concession Stand project and authorized a Change Order to encompass the equipment in the Scope of Work. (Total not to exceed \$177,478.00) Councilmember Morrow encouraged all leagues that use JMF to fundraise and help reimburse the City as much as possible. Motion made by Ralph Morrow, seconded by Michael Ponce. (3 Ayes- Morrow, Hernandez and Ponce, 2 Noes-Kennedy and Olsen)

CITY MANAGER REPORT-City Manager Ben Harvey congratulated Finance Director Betty Jo Garcia on her 30 years of service with the City of Avalon.

CITY COUNCIL MEMBER REPORT-

- Councilmembers Michael Ponce and Oley Olsen attended the Contract Cities meeting and are lobbying that the Fall Conference to be held in Avalon.
- Council member Oley Olsen mentioned that the High School Football team lost in the Semi-Finals.
- Council member Ralph Morrow spoke about the recent trip he took with City Manager Ben Harvey at CR&R's facility and was very impressed at their operation.
- Mayor Kennedy requested that the community be vigilant in reporting illegal dumping. City Manager Ben Harvey stated that he will reach out to CR&R to look into having 1 Annual Large Item Pick-up and 2 scheduled pickups per household instead of the current 3 pickups per household.

Adjourned meeting at 7:35 p.m.

CITY COUNCIL ACTIONS
DECEMBER 3, 2013
PAGE 4

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting December 3, 2013, is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk/Chief Administrative Officer