

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, JANUARY 15, 2013**

CALL TO ORDER: 6:02 p.m.

PLEDGE OF ALLIGENCE / INVOCATION

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

CONSENT CALENDAR

There were eight items on the Consent Calendar. Mayor Kennedy pulled Item 6 to vote on separately due to a potential conflict of interest, owning a waterside business. Motion to approve items 1-5 and 7&8 by Michael Ponce, seconded by Richard Hernandez. (All Ayes)

1. Approved City Council Actions from the December 18, 2012 City Council Meeting.
2. Approved warrants in the amount of \$2,398,736.55, payroll in the amount of \$544,954.75 and an Electronic Fund Transfer for the Fuel Dock Sales Tax in the amount of \$1,572.00 for a total expenditure of \$2,945,263.30.
3. Granted a Waterside Project Application to John Durrah with the following conditions:
 1. The applicant produces a Certificate of Inspection showing he can carry more than six passengers for hire for both vessels and a Coast Guard operator's license.
 2. All dragon canoe tours stay outside and clear of the Avalon Harbor entrance.
 3. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.
 4. Pay 7% Use Fee under section 10-2.402 (c).
4. Granted a Waterside Project Application to Louie Lardas with the following conditions:
 1. The applicant obtains any permits necessary from the Los Angeles County Health Department pertaining to food delivery.

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2. Delivery goods will need to be loaded at a dinghy dock. If the applicant chooses to load elsewhere, they will be restricted to the shore side of Float 5 from June 15 to September 30. In the winter months vessels restricted to Float 5; during the summer can use all floats on the Pleasure Pier except Floats E, F & G on cruise ship days as shore boats have already been granted priority.
 3. Applicant abides by the Standard List of Conditions for Waterside Permit Holders.
 4. Pay 7% Use Fee under section 10-2.402(g).

 5. Approved transfer of Marathon ATM lease located at #10 Pleasure Pier to CORD Financial and authorized the City Manager to execute amendment to the lease upon payment of transfer fee as provided in lease.

 7. Retroactively approved actions of Chief Administrative Officer to authorize emergency repairs and or ASA repairs consistent with budget to sewer and salt water systems. Amended Sewer and Salt Water budgets to incorporate authorized work.

 8. Accepted and filed the Avalon Bay Bacteria Wasteload Allocation Compliance Plan (TMDL). The Cease and Desist Order required the City to develop a Compliance Plan for meeting the wasteload allocations (WLAs) and to submit the plan to the Regional Board for approval.
- Pulled Item:
6. Approved transfer of Catalina Divers Supply lease to C&N Lins, Inc. and Scuba Cat, Inc. and authorized the City Manager to execute an amendment to the existing lease between the City and Catalina Divers Supply upon payment of a transfer fee. Motion by Michael Ponce, seconded by Oley Olsen. (4 Ayes – Ponce, Olsen, Hernandez and Morrow, 1 Abstain – Kennedy)

GENERAL BUSINESS - None

CLOSED SESSION 6:22 – 8:01 p.m.

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

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1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: Lease for Catalina Freight Lines
Agency negotiator: Steven Hoefs, City Manager and Scott Campbell, City Attorney
Negotiating parties: Port of Los Angeles
Under negotiations: Price and terms of payment
2. **PUBLIC EMPLOYMENT**
Title: Successor position to the Chief Administrative Officer
3. **CONFERENCE WITH LABOR NEGOTIATORS**
Agency designated representatives: Steven Hoefs, City Manager and Scott Campbell, City Attorney
Unrepresented employee: Successor position to the Chief Administrative Officer

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

ADJOURN: Mayor Kennedy adjourned the City Council meeting a 8:14 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 January 15, 2013, 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