

**SPECIAL JOINT CITY COUNCIL/PLANNING COMMISSION ACTIONS and
CITY COUNCIL ACTIONS
TUESDAY, MARCH 19, 2013**

REGULAR CITY COUNCIL MEETING CALLED 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, and City Clerk Denise Radde.

PRESENTATION - None

CONSENT CALENDAR

There were seven items on the Consent Calendar City Clerk removed Item 1. Councilmember Morrow removed Items 5, 6 and 7 for comment. Motion to approve items 2-4 by Oley Olsen, seconded by Michael Ponce. (All Ayes)

2. Authorized the City Manager to enter into an agreement to retain the legal services of Meyers Fozi, LLP for the purpose of assisting with two discrete insurance coverage issues.

3. Authorized the City Manager to approve an additional Contact Amendment for Nyhart Epler to perform additional actuarial valuation work for the fiscal years ending on June 30, 2009 and June 30, 2012 in the amount of &1,500.

4. Authorized City Staff to retain TerraCosta Consulting Group to provide the geotechnical design services for the construction and installation of the rockfall and debris barriers along certain segments of Pebbly Beach Road and Casino Way in an amount not to exceed \$39,515.

Pulled Items for comment:

5. Councilmember Morrow inquired as to the condition of the Panga boat. Harbor Master Brian Bray replied that it was in very good condition.

Authorized the Harbor Master to purchase a pressure washing vacuum system necessary to clean floats, ramps and piers from Steele Eagle, in the amount of \$22,765.83 plus shipping.

6. Councilmember Morrow inquired if the fuel dock building facility would stay in place during the construction phase of the fuel dock pier. Harbor Master Brian Bray replied that in the temporary fix phase the building would stay in tact and open, but during the permanent fix and replacement the fuel dock building would be closed for major renovations and repairs both to the building and pier.

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Authorized a contract amendment with the Blue Water Design Group for engineering and design of the Avalon Fuel Dock Wharf and Dock Facilities in the amount of \$149,783.

7. Councilmember Morrow commented that Conrado Vega was indeed a good choice to sit on the Hospital Board.

Appointed Conrado Vega to serve the remaining term of a recently vacated position on the Board of Directors of the Avalon Medical Development Corporation. His term will expire June 30, 2013.

Motion to approve Items 5-7 by Ralph Morrow, seconded by Michael Ponce, (All Ayes)

GENERAL BUSINESS

8. Solid Waste Franchise and Lease Execution – Authorized the City Manager to execute the Franchise and Lease Agreement with CR&R for solid waste collection and facility management services. Motion by Ralph Morrow, seconded by Oley Olsen. (All Ayes)

Adjourned to the Special Joint City Council / Planning Commission Meeting

Present: Councilmembers Kennedy, Ponce, Hernandez, Olsen and Morrow.
Planning Commissioners Huart, Fertig, Lavelle, Martin and Herzog. Absent: Planning Commissioner Cassidy.

This was a required Public Hearing to provide opportunity for the public, City Council and Planning Commissioners to comment, review updates, make corrections before final approval of the General Plan, Local Coastal Plan and EIR at a future meeting.

Joe Powers from Rincon gave a detailed power point presentation outlining each section. The Public Hearing was opened and comments were received from the public.

Possible different zoning changes will be noticed for the next Planning Commission meeting on April 17, 2013.

Adjourned Joint Meeting at 7:27 p.m.

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Adjourned to the Special Housing Authority of the City of Avalon Board of Commissioners Meeting - 7:30 – 8:25 p.m.

Break 8:25 – 8:34 p.m.

Adjourned to the Avalon Municipal Hospital Board of Trustees' Meeting – 8:34 -8:37 p.m.

Reconvene the Regular City Council meeting:
General Business

9. Consideration of an Ordinance Amending Sections of the Avalon Municipal Code Regarding Autoette Permits for Dwelling Units and Hotels – City Attorney Scott Campbell discussed the ordinance. The Council decided to keep the ordinance as currently drafted, with owners of Hotels being able to apply for permits for dwelling units they do not reside in. Motion by Michael Ponce, seconded by Oley Olsen to introduce and waive all readings of an ordinance to amend the Avalon Municipal Code sections 4-4.1703(g)(1), 5-11.04, and 5-11.06 regarding autoette permits for dwelling units and hotels. (All Ayes)

10. Authorize Execution of Professional Services Agreement with RBF Consulting for Development of Water Quality Programs - In February 2013 the State Water Resources Control Board adopted a new Stormwater permit for small municipal separate storm sewer systems. The City has a deadline of July 1, 2013 to obtain coverage under the permit. Authorized the City Manager and City Attorney to execute a contract with RBF Consulting to develop water quality programs to comply with the new Phase II MS4 Permit, the Compliance Plan, TMDL and Cease and Desist Order. Motion by Oley Olsen, seconded by Michael Ponce. (All Ayes)

CLOSED SESSION 9:05 – 9:30 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- ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to Subdivision (d) of Section 54956.9
Unknown number of cases
2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Title: Public Employee Appointment - City Manager

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

ADJOURN: Mayor Kennedy adjourned the City Council meeting a 9:33 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 19, 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