

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, APRIL 2, 2013**

CALL TO ORDER: 6:05 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 Attorney Scott Campbell and City Clerk Denise Radde.

PRESENTATION – None

Pursuant to the Brown Act, Section 5495.42, one item needing immediate action came to the attention of the City after the Agenda was posted. A 4/5 vote was needed to place the item on the agenda. Motion by Bob Kennedy, seconded by Michael Ponce to add Item 10 on the Agenda, Purchasing of foam blocks for sporting events. (All Ayes)

CLOSED SESSION

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

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Interim Chief Financial Officer

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

CONSENT CALENDAR

There were four items on the Consent Calendar, motion to approve items 1-4 by Michael Ponce, seconded by Richard Hernandez. (All Ayes)

1. Approved City Council Actions from the March 5, 2013 and March 19, 2013 City Council Meetings.
2. Approved warrants in the amount of \$649,963.37, and payrolls in the amount of \$175,828.99 and \$185,033.23 for a total expenditure amount of \$1,010,825.59.
3. Adopted Ordinance 1117-13 amending sections 4-4.1703(g) (1), 5-11.03, 5-11.04, and 5-11.06 of the Avalon Municipal Code regarding autoette permits for dwelling units and hotels.
4. Approved a three year extension on the City's restroom cleaning contract with Siria's Cleaning Service and authorized the Mayor to execute the amendment document.

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GENERAL BUSINESS

5. Encroachment Permit for Grease Interceptor for Bluewater Grill at 306 Crescent

Approved Encroachment Permit for the Bluewater Grill with the following recommended conditions:

- 1) Size of the interceptor will be restricted to the size required by the California Plumbing Code based on the DFUs for the Bluewater Grill.
- 2) Interceptor must be installed in the paved street and not the sidewalk.
- 3) Interceptor must be manufactured with materials to withstand possible intrusion by salt water.
- 4) Applicant will be responsible for any cleanup and/or fines resulting from overflow or malfunction of the interceptor.
- 5) Applicant will compensate to City for the use of public property for the encroachment. The cost will be based upon the square foot the Applicant or its affiliates charge the City for use of its property near the Fuel Dock as set forth in lease for the Casino Fuel Dock. The City and Applicant or its affiliates will enter into a separate agreement concerning this payment.
- 6) Any portion of public property disturbed by the installation of the grease interceptor will be restored to as good a condition or better as existed prior to the installation of the grease interceptor.
- 7) The applicant shall execute a recordable covenant running with the land releasing the City from all claims in the event the City determines to widen or improve the public place where the encroachment is situated and agreeing to defend, indemnify and to hold the City harmless from all liability and damages and from all costs of suit, including attorneys fees, arising from the encroachment.
- 8) The applicant shall furnish a bond in an amount sufficient for the removal of the encroachment in the event the Applicant fails to comply with the conditions of the encroachment permit.

Motion made by Ralph Morrow, seconded by Oley Olsen. (All Ayes)

6. Appointment to Fill Unexpired Term of a Planning Commissioner

With the City Councils consensus Mayor Kennedy appointed Yoli Montano to fill the unexpired term of a Planning Commissioner. Her term will expire June 30, 2016. Motion made by Oley Olsen, seconded by Michael Ponce. (All Ayes)

7. Field of Dreams and Skate Park Renovation Options

Jennifer Lavelle, Recreation Coordinator, introduced this item. Comments were heard from members of the audience. Council directed Staff to come back with a list of resources the City has for improvements.

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8. Interactive Ticketing Machines at the Cabrillo Mole for Afishinados Inc.

Approved the concept from Afishinados Inc. to install and manage an Interactive Ticketing Machines for selling Afishinados Charters. Eventually the kiosks will be utilized in selling advertisement and tickets for five other non-competing Avalon businesses.

9. Proposed Salt Water and Solid Waste Fees for FY 2013-2014

Council provided direction to Staff on the percentage increase for sewer and salt water property related fees for the public notice that will go out in the mail. Consensus was 10% increase for sewer (which is \$1.03/month for residential) and 15% increase on salt water, (which is \$3.61/month for residential).

10. Purchasing of Foam Blocks for Sporting Events

Jennifer Lavelle, Recreation Coordinator, addressed the City Council on the idea of co-purchasing 450 foam blocks with Resources Distribution, Rivera Skateboards. It was proposed that the foam blocks could be used for various sporting events as well as community events and rented out to help recoup some of the initial investment. Council's main concern was the storage of the blocks. Direction was to move forward if Jennifer can solve the storage of the blocks.

CLOSED SESSION 8:50 – 10:25 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 LABOR NEGOTIATORS**

Agency Designated Representatives – City Council and Scott Campbell, City Attorney

Unrepresented Employee – City Manager

2. **PUBLIC EMPLOYMENT APPOINTMENT**

Title: City Manager

3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: All City leased properties

Agency Negotiators: City Council and Scott Campbell, City Attorney

Under Negotiation: Price and terms of payment

Following Closed Session the City Attorney reported that Denise Radde was unanimously appointed as the Interim City Manager.

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ADJOURN: Mayor Kennedy adjourned the City Council meeting a 10:34 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 April 2, 2013, is the official record of that Council Meeting and is on file and maintained in City Hall.

Denise A. Radde, City Clerk/Interim City Manager