

**CITY OF AVALON CITY COUNCIL MEETING
TUESDAY, OCTOBER 7, 2014
ACTIONS**

CALL TO ORDER 6:04 p.m.

PLEDGE OF ALLEGIANCE / INVOCATION

ROLL CALL - Mayor Anni Marshall, Mayor Pro Tem Oley Olsen, Councilmembers Cinde Cassidy, Richard Hernandez and Joe Sampson. Also present City Manager Ben Harvey, Chief Administrative Officer/City Clerk Denise Radde, and City Attorney Scott Campbell.

PRESENTATION – “Conflicts of Interest” presentation by City Attorney Scott Campbell.

CONSENT CALENDAR

There were nine items on the Consent Calendar. Mayor Marshall commented that she would like the City to look into placing an elevator at the Senior Housing units. Councilmember Sampson pulled Item 8 for further explanation. Motion by Oley Olsen to approve Items 1-7 and 9, seconded by Cinde Cassidy. (All Ayes)

1. Approved actions from the September 16, 2014 City Council meeting.
2. Expenditures Submitted for Approval
 - Warrants in the amount of \$492,740.60
 - One Electric Fund Transfer in the amount of \$46,782.34
 - Payroll in the amount of \$237,270.29Approved total expenditure amount of \$776,793.23.
3. Expenditures Submitted for Approval
 - Warrants in the amount of \$59,055.08Approved total expenditure amount of \$59,055.08.
4. Expenditures Submitted for Approval
 - Warrants in the amount of \$751,401.05
 - Two Electric Fund Transfer in the amount of \$117,341.64
 - Payroll in the amount of \$188,034.85Approved total expenditure amount of \$1,056,777.54.
5. Adopted Ordinance 1132-14 amending Avalon Municipal Code Sections 1-8.01 thru 1-8.07 regarding Reasonable Accommodations.
6. Approved Final Tract Map 72248 for 12 parcels at Hamilton Cove.
7. Authorized the City Manager to execute the Professional Services Agreement with Financial Credit Network Inc. to commence collection activities on past due amounts owed to the City.

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9. Adopted Resolution 14-27 in support of Proposition P, a ballot measure that will provide \$54 million a year for city and county parks, recreation facilities, open space and beaches.

Pulled Item:

8. Finance Director Chris Woidzik explained the Time Labor and Management Software. Authorized the City Manager to implement the Time and Labor Management Software module from Sentric Inc., the City's payroll processing company. Motion by Oley Olsen, seconded by Joe Sampson. (All Ayes)

GENERAL BUSINESS

10. Consideration of an appeal of Planning Commission action denying a Conditional Use Permit for Transient Rental at 344 Clarissa – Removed from the agenda.
11. Consideration of Proposed Extension of Transportation Permit for Steve Woolley, dba Avalon Tours By Steve, and Whether to Allow for Additional Guided Golf Cart Tour Transportation Permits – Councilmember Hernandez recused himself due to a potential conflict of interest, he works for a competing golf cart rental company.. Comments were heard from the audience and from the applicant. After discussion a motion was made by Oley Olsen to extend the Transportation Permit until a month after the completion of a transportation study. The same conditions of his current permit will apply. Seconded by Joe Sampson. (4 Ayes-Marshall, Olsen, Cassidy, and Sampson, 1 Abstain – Hernandez)
12. Consideration of a Water Conservation/Rationing Planning and Building Application Policy and Direction to Clarify Policy by Amendment to Municipal Code – Adopted the Water Conservation/Rationing Planning and Building Application Policy with the exclusion of number 3, "The applicant has certified that no connection to SCE's fresh water system is necessary because the applicant will supply all fresh water and that all discharge permits into the sewer system have been received prior to the commencement of construction." Motion by Oley Olsen, seconded by Richard Hernandez. (4 Ayes- Marshall, Olsen, Cassidy and Hernández, 1 No- Sampson)
13. Consideration of an Ordinance of the City Council of the City of Avalon Amending Avalon Municipal Code Sections 9-1.01 thru 9-1.04 and Adding Sections 9-1.05 and 9-1.06 Establishing an Alternate Planning Commissioner Position – After much discussion among the Council, Cinde Cassidy made the motion to introduce and waive all readings of an ordinance amending Avalon Municipal Code Sections 9-1.01 thru 9-1.04 and Adding Sections 9-1.05 and 9-1.06 establishing an alternate Planning Commissioner position as the ordinance was approved by the Planning Commission, seconded by Oley Olsen, (2 Ayes-Olsen and Cassidy, 3 Noes- Marshall, Hernandez and Sampson) Ordinance without term limits failed. City Council took a break and the City Attorney was instructed to redraft the ordinance so there could be an introduction and first reading.

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Break 8:40 p.m.-9:03 p.m.

After the break the City Attorney stated the amended ordinance would propose that the Chair could serve for 2 terms, with a 4 year maximum. The Vice Chair can become the Chairman, if they do not want the position then the current Chair could remain in position.

Motion by Joe Sampson to Introduce and waive all readings of an ordinance to amend Avalon Municipal Code Sections 9-1.01 thru 9-1.04 and add Sections 9-1.05 and 9-1.06 establishing an alternate Planning Commissioner as discussed with the conditions added and implement guidelines as stated by the City Attorney. Seconded by Richard Hernandez. (All Ayes)

14. An Ordinance of the City Council of the City of Avalon Amending Avalon Municipal Code Section 9-5.404 (HD) Uses by Conditional Use Permit and 9-5.504 HD-R-CH/Low Moderate Income Housing, Uses by Conditional Use Permit and Adding Article 3 to Chapter 16 of Title 9 of the Avalon Municipal Code to Establish and Regulate Single Room Occupancy Facilities – This item will go back to the Planning Commission to consider including Inclusionary Housing and then will return to City Council for consideration.
15. An Ordinance Adding a Chapter to the Avalon Municipal Code Relating to Administrative Citations and Penalties and Adding Enforcement Provisions to the Avalon Municipal Code (AMC) – Motion by Oley Olsen to introduce and waive all readings of an ordinance adding a new chapter to the Avalon Municipal Code implementing a system for imposition, enforcement, collection and administrative review of administrative fines for violations of the Avalon Municipal Code and providing for reimbursement of attorneys' fees and costs when the City incurs such expenses in Code Enforcement matters. Seconded by Cinde Cassidy. (All Ayes)
16. Social Media Use and Public Outreach Policy – Motion to adopt the Social Media Use and Public Outreach Policy by Cinde Cassidy, seconded by Joe Sampson. (All Ayes)

CLOSED SESSION 9:39 p.m.-10:55 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
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
One case.
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

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3. PUBLIC EMPLOYEE APPOINTMENT
Title: Human Resources Manager

Following Closed Session the City Attorney reported that the City Council unanimously appointed Tiffany Bose as the Human Resource Manager.

Mayor Marshall adjourned the City Council meeting at 10:59 p.m.

ADJOURN

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting on October 7, 2014, 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