

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, MARCH 4, 2014**

CALL TO ORDER at 6:03 p.m.

PLEDGE OF ALLEGIANCE / INVOCATION

Moment of Silence was held for Turp Hall.

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.

WRITTEN COMMUNICATION- A letter from Norbert Reyes regarding Agenda Item 12 was received and filed.

PRESENTATION- Cindi Alvitre, MLD, Traditional Council of Pimu- Ti'at Society, Kimberly Cuevas, Archaeologists, SCE, Desiree Martinez, Tribal Archaeologist and Gabriel Robles, Tribal Monitor, Cogstone gave a brief overview on the Native American findings during the Edison Vault replacement project, location on Lower Metropole.

Marvin Jackmon, Interim Region Manager of Local Public Affairs for Southern California Edison introduced Hilda Delgado the new Region Manager of Local Public Affairs for Southern California Edison, Catalina Island District. Mr. Jackmon made known that he will soon be updating Council on the current reservoir water level and the Stage II Water Rationing Process.

A proclamation was read announcing that March 2014 is being recognized as American Red Cross Awareness Month.

ORAL COMMUNICATIONS

Anni Marshall announced that ticket sales for the annual fund raiser for Catalina Kid Venture's St. Patrick's Day dinner have begun and will be held at The M Restaurant on March 17.

Jordan Monroe reminded the community that there is a variety show that airs at 6:00 pm on channel 3.

GENERAL BUSINESS-

8. Fiscal Year 11/12 Audit – A summary of the Fiscal Year 11/12 audit findings was delivered by Jennifer Farr from Mayer Hoffman, McCann PC, the City's Independent Auditor. This included revenue and expenses, General Fund

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summary and Internal Control recommendations. Approved and filed the FY 11/12 audited financial statements. Motion made by Oley Olsen, seconded by Michael Ponce. (All Ayes)

CLOSED SESSION – 6:45 – 7:45 p.m.

The City Attorney noted that Closed Session Item 1 was being removed. Following the appropriate announcement of the Closed Session items the City Council went into Closed Session to discuss the following:

2. PUBLIC EMPLOYEE EVALUATION
Title: City Manager
3. PUBLIC EMPLOYEE APPOINTMENT
Title: Public Safety Officer

Following Closed Session the City Attorney reported that the City Council acknowledged the issues raised in the Staff Report on Agenda Item 12, Resolution Eliminating the Assistant Fire Chief Position and Implementing the Corresponding Reduction in Force, and by unanimous vote the City Council directed the City Manager to work with the Fire Chief and Fire Union to address the issues raised in the agenda report and therefore Item 12 was removed from the agenda.

Comments were received from Fire Chief Steven Hoefs, Assistant Fire Chief Mike Krug, Avalon Firefighters Association President Michael Alegria, and members of the audience.

CONSENT CALENDAR-There were 6 items on the agenda. Item 1 was removed by the City Clerk. Motion to approve Items 2-6 by Oley Olsen, seconded by Ralph Morrow. (All Ayes)

2. Approved Warrants in the amount of \$1,045,597.29, Payroll in the amount of \$203,513.54 and an Electronic Fund Transfer to BOE for Fuel Sales Tax in the amount of \$3,980.00 for a total expenditure amount of \$1,253,090.83.

3. Adopted resolution declaring the sewage treatment plant's 2002 Dodge Ram 2500 3/4 ton pickup truck as surplus property and authorize the City Manager to dispose of it by selling the truck to the highest bidder or scrap yard.

4. Adopted resolution declaring obsolete Volvo engine and outdrive parts as surplus property and authorize the City Manager to dispose of them by selling the property to "Outdrive Exchange" who will give the City \$6,000 in parts

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credit to be used for the Harbor Departments current engines at a 20% discount off the Volvo retail price.

5. Adopt Ordinance amending Articles 1 and 2 of Chapter 2 of Title 6 of the Avalon Municipal Code regarding solid waste collection.

6. Adopt Ordinance repealing and reenacting several sections of Title 8 of the Avalon Municipal Code and adopted the State Building Standards Codes as modified.

GENERAL BUSINESS- (continued)

Adjourned to the Successor Agency of the Avalon Community Improvement Agency for Item 7.

7. Emergency Repairs to Crescent Avenue – Motion to allow Staff to continue making emergency repairs on the second half of Crescent Avenue, Phase 2 by Michael Ponce, seconded by Oley Olsen. (All Ayes)

9. Transportation Permit Application for Steve Woolley

Steve Woolley was granted a Transportation Permit to operate a tour business operated with a residential autoette permit for a six month trial basis. Motion made by Michael Ponce, seconded by Oley Olsen. (All Ayes)

10. Transportation Permit Amendment for “Bike Catalina”

Michael Ponce recused himself due to a potential conflict of interest, his place of employment with Brown’s Bikes. Comments were heard from a former City Councilmember, John Regalado, who helped author the transportation permit ordinance and recommended that Council change the code. After some discussion it was Council’s direction to change the code to state that the vehicle’s sole use is in the interior and not read that a business owner can not have a business in Avalon. This item will come back for an impact analysis.

11. Ordinance Amending Sections of the Municipal Code to Include a Definition of “Gross Receipts”

Council’s direction was for the Finance Director Betty Jo Garcia to confer with the City’s longtime auditors Brownell & Duffy and come up with some clarification on the definition of “Gross Receipts”. This item will come back at a later date.

Adjourned to Housing Authority of the City of Avalon – 9:16 – 9:25 p.m.

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CITY ATTORNEY REPORT-City Attorney Scott Campbell talked about the draft brochures regarding the potential hazard of rockfall on Pebbly Beach Road that will be available to visitors and locals before the summer season.

CLOSED SESSION- 9:34 – 10:07 p.m.

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

4. 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

5. 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 1/SED Case No. 11/12-003

Following Closed Session the City Attorney reported that there was no reportable action.

Adjourned meeting at 10:12 p.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting March 4, 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