

**CITY OF AVALON
CITY COUNCIL ACTIONS
TUESDAY, JUNE 17, 2014**

CALL TO ORDER at 6:02 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.

City Attorney Scott Campbell stated that 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 which was a statement by counsel for the Santa Catalina Island Company regarding potential litigation if the City Council adopted the urgency ordinance. A 4/5 vote was needed to place the item on the agenda. A Closed Session item was added, CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Initiation of litigation pursuant to paragraph (4) subdivision (d) of Section 54956.9, One Case: Motion by Oley Olsen to add this item, seconded by Cinde Cassidy. (4 Ayes- Olsen, Marshall, Cassidy and Hernandez, 1 No- Sampson)

PRESENTATIONS

1. Wayne Griffin, President and CEO of the Catalina Island Chamber of Commerce and David Creigh, Director of Cruise Development presented the results of the Chamber's Feasibility Study for a Cruise Ship Berthing Facility intended for the City of Avalon.
2. Plastic Bag Ban – Power point presentation was presented by City Attorney Scott Campbell outlining the current state legislation that is being proposed.
3. Captain Doug Fetteroll introduced his two newest sheriffs at the Avalon Station, Sergeant Loy Luna and Detective John Hatfield.

CONSENT CALENDAR

There were eleven items on the Consent Calendar: Item 1 was removed. Motion by Oley Olsen to approve Items 2-11, seconded by Cinde Cassidy. (All Ayes)

2. Expenditures Submitted for Approval
 - o Warrants in the amount of \$538,208.03
 - o Payroll in the amount of \$204,448.99
 - o Electric Fund Transfer in the amount of \$118,834.62

Approved total expenditure amount of \$861,491.64, with Councilmember Cassidy abstaining from approval of those warrants involving businesses in which she has an economic interest.

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3. Directed Staff to enter into an agreement with Environ Strategy Consultants, Inc. in order to purchase the items necessary for a new Salt Water Pump Control Panel, at the Catherine Salt Water Booster Station and made a finding that the purchase can be made more economically and efficiently without following the City's bidding procedures.
4. Directed Staff to enter into an agreement with Environ Strategy Consultants, Inc. in order to continue work on the "Supervisory Control And Data Acquisition" (SCADA) project, and purchase the items necessary and required for Phase 2 of this plan and determine that the public interest would be served if this agreement was executed as there would not be a competitive advantage in soliciting bids for this work.
5. Directed Staff to purchase six (6) SK Series Shredder Pumps for the Low Flow Diverters from the low bidder.
6. Authorized the City Manager to purchase new fuel pumps and a fuel management system for both gas and diesel distribution at the City Maintenance Yard from the low bidder, Source Fueling Equipment Solutions, in the amount of \$20,789.36.
7. Adopted Ordinance 1130-14 of The City of Avalon Adding a Definition of "Gross Receipts" to the Municipal Code and Determine that Adoption of the Ordinance is Categorically Exempt.
8. Directed Staff to review the City's Conflict of Interest Code and file of a Biennial Notice with the City Clerk regarding such review.
9. Approved the City of Avalon Civil Rights Title VI Plan and adopted Resolution 14-14 authorizing the implementation of the plan and its related policies.
10. Approved amendments to the Sewer System Management Plan (SSMP) and directed recertification of the SSMP into the California Integrated Water Quality System.
11. Authorized Staff to purchase three (3) Knife Gate Isolation Valves for the Pebbly Beach Pump Station.

Added item

CLOSED SESSION 7:07-7:17 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) subdivision (d) of Section 54956.9
One Case: Santa Catalina Island Company v. City of Avalon
No action was reported.

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GENERAL BUSINESS

12. Consideration of an Urgency Ordinance Regarding Water Conservation and Determination that Adoption of the Ordinance is Categorically Exempt
After much discussion and comments from the audience motion was made by Oley Olsen to table this proposed ordinance change, seconded by Joe Sampson. (All Ayes) Also Staff was directed to continue looking into forming a municipal water district and help move the permitting along with the interior well.

CLOSED SESSION 8:30-9:04 p.m.

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

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Subdivision (a) of Section 54956.9
Name of Case: Tiberio Lizza v. City of Avalon, et al, LASC Case No. BS 135644
3. CONFERENCE WITH LEGAL COUNSEL
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
Number of Cases: One

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

Mayor Marshall adjourned the meeting at 9:05 p.m.

I, Denise Radde, City Clerk of the City of Avalon, do hereby certify that the DVD videotape of the City Council Meeting June 17, 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