

**CITY OF AVALON CITY COUNCIL MEETING
TUESDAY, FEBRUARY 3, 2015
ACTIONS**

CITY COUNCIL CALL TO ORDER 6:00 p.m.

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 - Cancelled

CONSENT CALENDAR

There were eight items on the Consent Calendar. It was noted that there was a slight change in Item #1- Actions. Item #7 was removed and will come before City Council at a later date. It was noted that some of the non-renewals on Item 4 had been resolved. Oley Olsen pulled Item 6 and Joe Sampson pulled Item 5 and had a question on the wording in the resolution on Item #3. Motion to approve Items 1, 2, 3 (with revisions), 4, and 8 by Oley Olsen, seconded by Joe Sampson.

1. Actions
Approved actions from the December 16, 2014 and January 20, 2015 City Council meetings.
2. Area F Legacy Funds
Approved the disbursement of Area F Legacy Funds in the amount of \$53,031.00 to the City of Signal Hill.
3. 2015 Annual Growth Resolution
Adopted Resolution 15-07 adopting the Annual Growth Policy for the Year 2015, with revision to the wording in section (d) to include "...any construction must use non-potable water."
4. 2015 Waterside Permits
Renewed the recommended list of Waterside Permits for the year 2015, including Parasail Catalina, Descanso Beach Ocean Sports, and The Barge LLC.
8. Waterside Project Application ~ The Breakfast Boat
Made the affirmative findings that conditions set forth in the Avalon Municipal Code had been met and granted the Waterside Project Application to Erin and Gene Eubank for The Breakfast Boat with the recommended conditions.

Pulled Items:

5. Waterside Project Application ~ Seaplanes of Los Angeles
After some questions it was determined to hold this item over until the applicant can be present to answer questions.

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6. Waterside Project Application ~ Ghost Tours of Catalina, Inc.
City Council addressed several concerns they had on fuel storage, transportation to barge and State Lands Commission authorization. City Council made the affirmative findings that conditions set forth in the Avalon Municipal Code had been met and granted the Waterside Project Application to Ian and Patrick Alexander owners of Ghost Tours of Catalina, Inc. with the recommended conditions and with the stipulation that they get authorization from the State Lands Commissions, that the Fire Department give their approval on any fuel storage and they get any required permission from the shoreboat business. Motion by Cinde Cassidy, seconded by Joe Sampson. (All Ayes)

GENERAL BUSINESS

9. Waterside Project Application- Catalina Aqua Park
City Council heard a presentation from Joseph D'Albero on his proposed Waterside Project Application to install a modular Aqua Park inside the swim area near the Blue Water and Antonio's restaurants. After discussion it was determined that City Staff (Harbor and Recreation) and the applicant would work together and come back at the next meeting. Items Council mentioned, location options, amount of utilized space it required, if Coastal Commission permission is necessary, Harbor Use Fees, Lifeguards, after hours security, and admission charges. Councilmember Sampson requested that Mr. D'Albero come back and share a video or slides of the operation.
10. Vehicle Noise Ordinance Administrative Procedure Timeline Update
Consensus was to not noise test autoettes this year but to move to the next stage. This is enforcement of all noise violators and illegally operated vehicles that do not actively register their vehicles. The Avalon Sheriff's Department is on board to assist the City.

CLOSED SESSION 8:00 p.m. – 9:03 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 - Existing Litigation
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of Case: Hermosa Hotel v. City of Avalon: CV 13-02439 ABC
2. Conference with Real Property Negotiators
Property: Fuel Dock, #2 Casino Way, Avalon, CA
Cabrillo Mole, 300-302 Pebbly Beach Road, Avalon, CA
Agency Negotiators: Ben Harvey, City Manager and Scott Campbell, City Attorney
Negotiating parties: Catalina Express and Russ and Jenny Armstrong
Under negotiation: Price and Terms of payment

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

ADJOURN

Mayor Marshall adjourned the regular City Council 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 on February 3, 2015 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