

**CITY OF AVALON CITY COUNCIL
TUESDAY, DECEMBER 1, 2015
ACTIONS**

CITY COUNCIL CALL TO ORDER 5:05 p.m.

ROLL CALL - Mayor Anni Marshall, Mayor Pro Tem Oley Olsen, Councilmembers Cinde Cassidy, Richard Hernandez, and Joe Sampson. Also present Interim City Manager/City Clerk Denise Radde and City Attorney Scott Campbell. Outside counsel was also present during Item 3 of General Business.

CLOSED SESSION

1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to paragraph 2) of subdivision (d) of Section 54956.9: One case

GENERAL BUSINESS

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Attorney Mark Meyerhoff of Liebert, Whitmore and Cassidy explained the options for the appeal hearing requested by Amanda Cook. Many comments were received from the audience. Motion by Anni Marshall, seconded by Joe Sampson to have the City Council hear the appeal in a public forum and to streamline the process. (All Ayes)

Break: 6:53 -7:00 p.m.

CONSENT CALENDAR

There were six items on the Consent Calendar. Councilmember Sampson removed Items 2 and 6 for clarification.

1. Actions
Approved actions from the November 10, 2015 Special City Council meeting and the November 17, 2015 regular City Council meeting.
3. EZ-Loader Boat Trailer
Authorized the Harbor Master to purchase one 2016 Triple Axle Roller Trailer from EZ-Load Boat Trailer Company in the amount of \$12,158.00, making the finding that the purchase could not be made more economically or efficiently.
4. Maintenance Equipment Purchase
Authorized the Harbor Master to purchase the following maintenance equipment from Infexport in the amount of \$16,758.56.
(A) Miller Trailer Blazer 302 Air Pac \$10,762.00.
(B) Miller Spectrum 875 60A 208/230 1PH W/50' XT 60 Plasma Cutter \$2,402.00.
(C) Miller XR-D Control Push-Pull Wire Feeder \$ 2,255.43.
(D) Miller XR-30A W/ Quick Disconnect \$ 1,339.13.

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5. Avalon City Park Equipment and Surfacing Expenditure
Approved the expenditure for new play elements and surfacing, including shipping and installation, for Avalon City Park for a not to exceed \$50,000.00.

Pulled Items:

2. Authorization to Award "Interim K Rail Debris Barrier – Pebbly Beach & Casino Way"
Councilmember Sampson inquired of the Public Works Director if the fencing was damaged from a falling rock how would it be repaired. Dennis Jaich responded that the barriers come in panels and the damaged panel would be replaced. The City was ordering extra panels for this reason.
1. Authorized the award of a contract to the lowest responsive & responsible bidder, Jordahl Construction, Inc., for the "Interim K-Rail Debris Barrier – Pebbly Beach Road & Casino Way" Project.
 2. Authorized additional expenditures in the amount of 15% of the total contract price as a contingency for unforeseen and additional costs on the Project.
 3. Authorized the City Manager, or the designee, to approve change orders on the Project up to the contingency amount.
6. Consideration to Award Pebbly Beach Engineering and Cost Survey and Report RFP to ESG Engineering
Motion to allow City Staff to enter into a contract with ESG Engineering to conduct the Pebbly Beach Engineering Cost Survey and Report for a not to exceed amount of \$35,000.00 by Joe Sampson, seconded by Oley Olsen. (All Ayes)

GENERAL BUSINESS

7. Discussion Regarding Recreation versus Community Services Department
After discussion and comments, City Council directed the Interim City Manager to implement department structure changes and return to City Council for budget amendment if required.
- A. Move forward with a full time hire in the director position.
 - B. Get information from City Fabrick and RGS to conduct a Needs Assessment.
 - C. After the assessment is complete hire additional personnel for that department.
8. Item of Discussion- Avalon Medical Marijuana Regulations
City Attorney Scott Campbell explained why this item was before the Council. The City has multiple options for banning or regulating medical marijuana cultivation. If the City does wish to regulate cultivation it would need to do so by March 1, 2016 when State regulations would become controlling. It is a policy issue not a legal issue. Comments were received from the audience. Staff was directed to come back at the next meeting with an ordinance change that would allow medical marijuana cultivation, allowing three mature plants and six immature plants.

CLOSED SESSION 9:36 – 10:47 p.m.

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

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1. PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager
2. CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: City Council
Unrepresented Employees: Interim City Manager and City Manager
3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Interim City Manager
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: One City leased property – Casino Dock Cafe
Agency Negotiators: City Council, Interim City Manager Denise Radde and City
Attorney Scott Campbell
Under Negotiation: Price and terms of payment

Following Closed Session the City Attorney reported that the City will be contacting firms to discuss their proposals for recruitment of the City Manager.

ADJOURN

Mayor Marshall adjourned the City Council meeting at 10:48 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 December 1, 2015 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