

**AVALON CITY COUNCIL MEETING ALSO INCLUDED A MEETING OF THE
CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE
AVALON COMMUNITY IMPROVEMENT AGENCY AND
AVALON HOUSING AUTHORITY
TUESDAY, JANUARY 19, 2016
ACTIONS**

CALL TO ORDER 6:03 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, City Attorney Scott Campbell, and Housing Authority Legal Counsel Elizabeth Hull.

***Items taken out of order.

GENERAL BUSINESS

10. Approve the City of Avalon and Los Angeles County MTA Audited Financial Statements for Fiscal Year 2014-2015

Received and approved the audited financial statements for the fiscal year ending June 30, 2015 and accompanying reports comprised of the City's financial audit, communication, and GANN limit testing, as well as an audited report issued by the Los Angeles County Metropolitan Transportation Authority. Motion by Anni Marshall, seconded by Oley Olsen. (All Ayes)

****The next two items in General Business was the "City of Avalon acting for itself and as the Successor Agency to the Avalon Community Improvement Agency"

17. Approving an Agreement Between the Successor Agency and the City for Repayment of a loan from the City for unfunded Successor Agency Expenditures for the ROPS 15-16B

The Successor Agency to the Avalon Community Improvement Agency and the City Council of the City of Avalon adopted Resolution 16-01 and Resolution SA 16-02 approving the agreement authorizing the repayment of a loan from the City of Avalon for the ROPS 15-16B. Motion by Cinde Cassidy, seconded by Oley Olsen, (All Ayes)

16. Recognized Obligation Payment Schedule (ROPS) 16-17 and Successor Agency Administrative Budget for Fiscal Year 2016-17

Adopted Resolution 16-03 of the City of Avalon as Successor Agency to the Avalon Community Improvement Agency Approving a Recognized Obligation Payment Schedule 16-17 and Successor Agency Administrative Budget for Fiscal Year 2016-17. Motion by Oley Olsen, seconded by Richard Hernandez. (All Ayes)

CITY COUNCIL ACTIONS
JANUARY 19, 2016
PAGE 2

******The next item in General Business is the “City of Avalon acting for itself and the Avalon Housing Authority”.**

18. Item of Discussion- Down Payment Assistance Program

Legal Counsel Elizabeth Hull went over the current guidelines and restrictions. By consensus direction was given to Staff to revise the guidelines to include:

- Increase from 90 days to 180 days the time for an applicant to find a home and close escrow on the home.
- Increase from 45 days to 90 days the time for an applicant to complete the Housing Authority application and receive a prequalification letter from a traditional lender.
- Eliminated the 5:1 ratio for assistance. The DPAP will require the applicant to provide 3.5% of the down payment from their own funds.
- Increase the maximum Housing Authority contribution from \$200,000 to \$250,000.
- Eliminate a table regarding rental rates that was unclear and created confusion for the applicants.

CONSENT CALENDAR

There were nine items on the Consent Calendar. Items 7 and 9 were pulled by Cinde Cassidy. Motion by Oley Olsen, seconded by Joe Sampson to approve Items 1-6 and 8. (All Ayes)

1. Actions

Approved actions from the December 1, 2015 and the December 15, 2015 regular City Council meeting.

2. Expenditures Submitted for Approval

- Warrants in the amount of \$877,567.36
- Electric Fund Transfers in the amount of \$55,045.26
- Four Payrolls in the amount of \$841,844.50

Approved total expenditure amount of \$1,774,457.12.

3. Adoption of a Resolution Accepting the Treasurer’s Report for Fiscal Year 2015-2016 Second Quarter

Adopted Resolution 16-04 accepting the Treasurer’s report for FY15-16 for the Second Quarter ending December 30, 2015.

4. Approval to Rescind the Full-Time Employee Hiring Freeze

Made the determination to rescind the full-time hiring freeze.

5. Request for Encroachment Permit at 119 Sumner Avenue for Outdoor Dining

Approved the Encroachment Permit for outdoor dining consisting of two tables and two chairs per table.

CITY COUNCIL ACTIONS
JANUARY 19, 2016
PAGE 3

6. Authorize to Send a Letter of Support of the Los Angeles County's Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance
Approved sending a letter to the Los Angeles County Board of Supervisors in support of their drafting and adopting a Los Angeles County's Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance.
8. Adopt the Drug Free Workplace Act & Department of Transportation (DOT) Drug and Alcohol Testing Policy, Policy P-1, and Resolution
Adopted Resolution 16-05 adopting the new Policy to replace and update the City's current Drug and Alcohol Policy, which puts the City in compliance with the Federal Drug Free Workplace Act & Department of Transportation Drug and Alcohol Testing Policy.

Pulled Items:

7. Approve the Agreement with John Minch and Associates, Inc. (JMA) for On-Call Archaeological Consulting Services
Cinde Cassidy wanted clarification as to why the City needed this on-call archaeological consulting services and it was noted that this is a State requirement. Motion to approve agreement with John Minch and Associates, Inc. (JMA) to provide on-call archaeological consulting services by Cinde Cassidy, seconded by Joe Sampson. (All Ayes)
9. Amend Avalon Municipal Code Chapter 5-20 to Limit Cultivation of Medical Marijuana in the City
Many comments were received from the audience. After discussion a motion was made by Cinde Cassidy to eliminate Section 1 definition "Qualified patient" and Section 5-20.07 (b) and introduce and waive all readings of the ordinance banning the cultivation of medical marijuana in the City of Avalon. Seconded by Oley Olsen. (4 Ayes- Marshall, Cassidy, Olsen and Sampson, 1 No- Hernandez) Councilmember Sampson stated he voted the wrong way and wanted to revote. The City Attorney clarified that a "yes" vote was for banning cultivation. New vote: (3 Ayes- Marshall, Cassidy and Olsen, 2 Noes- Hernandez and Sampson)

Break: 8:00- 8:09 p.m.

Adjourned to the Avalon Municipal Hospital Board of Trustees Meeting – 8:09 p.m. - 8:12 p.m.

GENERAL BUSINESS (continued)

11. Assessment of the Avalon Transit Procurement Response and Determination of the Next Steps
Comments were received from the audience. Council stated they did not want to see a lapse in service to the community. Motion by Richard Hernandez, seconded by Oley

CITY COUNCIL ACTIONS
JANUARY 19, 2016
PAGE 4

Olsen to release the revised Request for Proposals for the Management and Operation of the Avalon Transit System and to direct Staff to work with Catalina Transportation to continue service in the interim. (All Ayes)

12. Request for Approval to Purchase Two (2) Low-Floor Minivan's from Creative Bus Sales for the City's Dial-a-Ride and Paratransit System
Authorizd Staff to acquire approval from MBTA/CalACT Cooperative Bid Program to purchase two (2) Braun Corporation-Entervan, Class D: Low Floor Minivans from Creative Bus Sales in an amount not-to-exceed \$91,723.26. Motion by Joe Sampson, seconded by Oley Olsen. (All Ayes)
13. Shore Boat Service
Harbor Master Brian Bray reviewed facts and options presented in the Staff Report. Motion by Anni Marshall, seconded by Joe Sampson to authorize the Harbor Master to issue a Request for Proposal for shore boat services. Additionally, it was noted that the RFP should be broad in its scope to allow for creativity and that the RFP come back before the Council for their approval before going out. (All Ayes)
14. Review of the Waterside Permit and Encroachment Permit Conditions - David Lieberman/Catalina Snorkel & Scuba Adventures
City Council reviewed the applicant's compliance with the Conditions of Approval for the Waterside Permit Project application and Encroachment Permit. After discussion the consensus was to have the Applicant conform to the sign ordinance on the sides of the truck, which allows for a total of 8 square feet and to approve the Waterside and Encroachment Permit. Motion by Joe Sampson, seconded by Oley Olsen. (All Ayes)
15. Amendment of Avalon Municipal Code Chapter 6-6 and Section 8-5.05 Relating to Public and Private Salt Water Systems
Introduced and waived all readings of an ordinance amending Title 6, Chapter 6 and Section 8-5.05 of the Avalon Municipal Code relating to public and private salt water systems. Motion by Oley Olsen, seconded by Joe Sampson. (All Ayes)

CLOSED SESSION 10:00 p.m. – 10:54 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 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

CITY COUNCIL ACTIONS
JANUARY 19, 2016
PAGE 5

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Interim City Manager

Following Closed Session the City Attorney reported that the City Council unanimously selected CPS HR Consulting firm to recruit for the City Manager position.

ADJOURN

Mayor Marshall adjourned the City Council meeting at 10:56 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 January 19, 2016 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