CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

AGENDA

REGULAR DEL REY OAKS CITY COUNCIL MEETING
TUESDAY, JANUARY 27, 2009 AT 7:00 P.M.
CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. **7:00 P.M. – ROLL CALL**

2. **PUBLIC COMMENT:**
Anyone wishing to address the Council or Agency on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered by the Council. *There will be a time limit of not more than three minutes for each speaker. No action will be taken by the Council on matters brought up under this item and all comments will be referred to staff.*

3. **CONSENT AGENDA:** ***Action Item***
   A. **MINUTES:**
      1. December 18, 2008, Joint Redevelopment Agency and City Council Meeting
      2. January 14, 2009, Regular Planning Commission Meeting
   B. **MONTHLY REPORT:**
      1. Claims, December 2008
      2. Financial, December 2008
      3. Fire Department Response Report, December 2008
      4. Police Activity Report, December 2008
   C. **MISCELLANEOUS**
      1. 2009 Regional Agencies Boards and Committees Representatives Appointment List

4. **OLD BUSINESS:** None

5. **NEW BUSINESS:** ***Action Items***
   A. Request from Monterey Peninsula Airport District to Request County Tax Collector to Reverse Erroneously Assessed Special Tax on District Parcel on Del Rey Gardens Drive.
   B. Resolution 09-01, A Resolution of the City of Del Rey Oaks To Tax Defer Member Paid Contributions

C. Resolution 09-02, A Resolution of the City of Del Rey Oaks for Employer Paid Member Contributions

D. Joint Powers Agreement between Monterey Salinas Transit and the City of Del Rey Oaks

6. **STAFF REPORTS:**

A. City Manager Report

7. **MAYOR AND COUNCIL REPORTS:**

Reports from Mayor, Council and Staff concerning standing committees and board meetings attended and staff information reports on City matters.

8. **CORRESPONDENCE:** ***Information Only***

A. Monterey Regional Waste Management District Highlights of the December 19, 2008 Board Meeting

B. Monterey Salinas Transit Highlights for January 12, 2009 Board Meeting

C. Community Human Services Highlights of Regular Board Meeting January 15, 2009

9. **CLOSED SESSION:**

As permitted by Government Code Section 54956 et. seq. the Council may adjourned to a Closed Session to consider specific matters dealing with certain litigation, personnel, or labor/real property negotiations.

A. Conference with Legal Counsel – Anticipated Litigation

1) Significant exposure to litigation pursuant to subdivision (b) of Section 54965.9: 2 case

B. Conference with Real Property Negotiator

1) Property: 360 Acres of Former Fort Ord
Negotiating Party: Federal Development Partners
Under Negotiation: Price and Terms of Payment

10. **SET NEXT MEETING DATE:** Establish **Tuesday, February 26, 2009, 7:00 P.M.** as the date and time of the Council's next regular meeting,

11. **ADJOURNMENT**

Information distributed to the Council at the meeting becomes part of the public record. A copy of written material, pictures, etc. must be provided to the secretary for this purpose.
All enclosures and materials regarding these agenda items are available for public review at the Del Rey Oaks City Hall, 650 Canyon Del Rey Road, Del Rey Oaks.

THE JOINT DEL REY OAKS CITY COUNCIL AND DEL REY OAKS REDEVELOPMENT AGENCY MEETING CONVENED AT 7:00 P.M. ON TUESDAY, DECEMBER 16, 2008 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Council Members/Agency Members Clark, Edelen and Mayor/Agency Chair Russell
Absent: Council Members/Agency Members Allion and Cecilio
Also present: Assistant City Attorney/Assistant Agency Attorney Buchert, City Manager/Agency Secretary Evans and Deputy City Clerk/Agency Clerk Carvalho

Meeting came to order at 7:00 p.m. and roll call was taken.

PUBLIC COMMENT:
Kathi Smith: Complimented Citizen's Action Group Christmas Party it was wonderful.

DEL REY OAKS REDEVELOPMENT AGENCY MEETING ITEMS

NEW BUSINESS:

The Redevelopment Agency considered **ITEM 3.A.** Redevelopment Agency Resolution 2008-01, A resolution Authorizing Investment of Monies in the Local Agency Investment Fund:
Agency Secretary Evans: This is updating a resolution last updated approximately 10 years ago.
PUBLIC COMMENT:
Kathi Smith: When reading the California code 16429.1 isn't this putting money the hands of the state?
Agency Secretary Evans: This is in a very secure fund that is held completely separate from all other money in the state and is highly protected.
Assistant Agency Attorney Buchert: This is a very conservative fund and protected from any use other then what it is specified for.

Motion to approve:	***Agency Member Clark***
Motion Second:	***Agency Member Edelen***
Public Comment:	***No further comments***
Motion Passed:	***3-0***

7:05 p.m. – Adjourned RDA meeting

DEL REY OAKS CITY COUNCIL MEETING ITEMS

CONSENT AGENDA:

City Manager Evans: Noted that the $2000 given to the City by the Citizens Action Group for the monument signs is currently under miscellaneous revenue and will be moved to a special category that has yet to be created so that it will show up on the financial reports.

Motion to approve:	***Council Member Edelen***
Motion Second:	***Council Member Clark***
Public Comment:	***None***
Motion Passed:	***3-0***

OLD BUSINESS: None

NEW BUSINESS:

The Council considered **ITEM 7.A.**, Resolution 2008-20, A Resolution Authorizing Investment of Monies in the Local Agency Investment Fund

City Manager Evans: This is a duplication of the resolution at the top for the RDA but we have to have a separate resolution for the City.

Motion to approve:	***Council Member Clark***
Motion Second:	***Council Member Edelen***
Public Comment:	***None***
Motion Passed:	***3-0***

The Council did not consider **ITEM 7.B.** Consider Calling for Public Hearing Authorizing Rate Increase of 2.43% in Disposal Fees for Waste Management.

Assistant City Attorney Buchert: This item was to set a hearing date for the fee increase proposed by Waste Management. WM was to do a public notice and give written notice to all residents 90 days in advance; the written noticing was not done. They will be sending the notices out and then we can set hearing date ninety days later.

Mayor Russell: Removed item from consideration to be brought back at a future date yet to be determined.

STAFF REPOTS:

City Manager Evans: Announced that we have an extensive mold problem in City Hall with extensive structural damage which will cost the city $5000 in a

deductible and the rest will be covered by our insurance. He stated that we may have to have meetings in old town hall at some point. The Acorn is at the printers and should be out before Christmas. Prop 1B application was filed. Don Chapin has got the contract and we are waiting for the window to do the work. The employee policy manual is still in the works. We are in the throws of modernizing the payroll system to simplify it. He stated that he will be calling a budget and finance committee meeting coming up hopefully in January. He stated he was notified by the League of California Cities letting him know that our State deficit is now at 41 billion dollars. He stated that the next Planning Commission meeting will be on January 14th and City Council will be on January 27, 2009.

MAYOR/COUNCIL REPORTS:

Council Member Clark: At the MST meeting, they passed the budget without raising the fares. The deficit this year will be 2 million and 4 million by 2010. It will affect Del Rey Oaks by eventually eliminating the Dart but may be running a regular route through DRO. The Christmas party was great they had over 100 people and it was a really fun. She reminded everyone that there is still a food drive on.

Council Member Edelen: TAMC meeting topic of discussion non-passing of Prop Z the half cent sales tax they got 62% and they needed 66%. This caused a lot of money to not come into the county which trickles down to all the cities and MST. Christmas party was a huge success but Santa's sleigh broke down and DRO's finest came to the rescue and brought Santa in with lights and sirens.

Mayor Russell: FORA escorted Bill Monning around the base. Seaside Sanitation District plans to file an application with LAFCO to expand their sphere of influence which would affect DRO in the estates because they are still on septic systems. He stated that he will be going up to San Francisco with the MRWPCA to discuss MRWPCA's role in the REPOG program.

7:23 p.m. - Council meeting adjourned to closed session

7:29 p.m. - Closed Session came to order

7:42 p.m. - Reconvened in Open Session and Assistant City Attorney Buchert reported that the Council had considered one case of significant exposure to litigation; information was received from and direction was given to the City Attorney. No other action was taken. No other items were considered.

7:43 p.m. – Council Meeting adjourned to the next regular City Council Meeting to be held on **Tuesday, January 27, 2009 at 7:00 p.m.**

Approved:

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Signature

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Date Approved

DRAFT

REGULAR MONTHLY MEETING DEL REY OAKS PLANNING COMMISSION WEDNESDAY, JANUARY 14, 2009 AT 7:00 P.M. CHARLIE BENSON MEMORIAL HALL

Present: **Commissioner Thayer, Clarke, Zuccaro, Hayworth, Weir, Lucido and Chairman Jaksha**
Absent: **None**
Also Present: **Assistant City Attorney Buchert and Assistant Deputy City Clerk Minami**

CONSENT AGENDA:
Motion by Commissioner Hayworth to approve:
December 10, 2008 Regular Planning Commission Minutes
Seconded by Commissioner Zuccaro
No public comment was received
Motion passed 7-0

PUBLIC COMMENT: None

BUILDING REPORT: Accepted
Chairman Jaksha: Old flagging is still up at 47 Los Encinos.
Assistant Deputy City Clerk Minami: Will call the owner of the property.

NEW BUSINESS:
The Commission considered **Item 5.A.** Saber Construction Group, Inc., ARC #08-14/VAR #08-04, 49 Work Ave, APN #012-492-031. Requesting Architectural Review and Variance to add a 265 sq. ft. master bedroom suite and a 573 sq. ft. garage to an existing 1343 sq. ft. single family residence, totaling 2181 sq. ft. The garage addition will go into existing setback by 3 ft.
Commissioner Lucido stepped down from dais and left chamber, he is employed by the company that did the site survey for project.
Mr. Kamasz, of Saber Construction: Asks if the Commission has any questions.
Commissioner Thayer: Front elevation is different in drawings, and why is garage door 12 foot high. What type of vehicle will be parked in the garage?
Mr. Kamasz: Trailer that is on top of a truck. In 1957 the garage was converted to living space.
Commissioner Weir: Is it a single car and an R.V.? Why such a wide opening?

PUBLIC COMMENT:
Manny Ezurra of 45 Work Ave.: Shows pictures of the netting outline of project, as seen from all of the bedroom windows of their home. Very concerned about the size, not a

typical garage. Very close to their home, and it will cut out any sunlight to the bedroom windows.
Elizabeth Tilly of 1036 Portola Dr.: Reads letter from her husband Cosimo Tilly, explaining why they don't want to have this project be approve the way it is designed, letter states: too high, blocks any view, and looks out of place in the neighborhood.
Assistant Deputy City Clerk Minami: Takes the letter into record.

Mr. Kamasz: No other option, applicant needs height and width.
Commissioner Zuccaro: Looks like a fire station, not in scale with the house and the neighborhood.
Commissioner Weir: How big is the door?
Mr. Kamasz: 12'x12'. Applicants have looked for R.V. Storage and can't find anything.
Commissioner Clarke: Did you consider digging in and building an underground garage?
Mr. Kamasz: Yes, but it is very expensive and not within the budget.
Commissioner Clarke: The slope looks different on the garage than the house.
Mr. Kamasz: No, it matches the house.
Commissioner Thayer: Doesn't have a problem with the width, but has a problem with the height. No other home in the city has anything like this. Can't endorse this project. Wants the brick facing to match the front.
Commissioner Weir: Are there any spots available in Del Rey Oaks?
Assistant Deputy City Clerk: Right now, there is a waiting list, but the applicant is not on the list.
Commissioner Weir: What are the findings?
Assistant City Attorney Buchert: There isn't any hardship on the land, the commission has to focus on the topographical factors. The house already has two non-conforming setbacks. Doesn't see evidence of exceptional circumstances for a variance and can't recommend approval of variance.
Commissioner Hayworth: How many other cars do they have?
Mr. Kamasz: One Chevy Tahoe.
Chairman Jaksha: Doesn't see a problem with the property in the back, but really is concerned about the side view. Wants to make everyone happy, but can't.
Mr. Kamasz: They can explore possibilities for a flat roof and not as high.
Chairman Jaksha: Doesn't qualify for a variance.
Assistant City Attorney Buchert: Suggests some options.
Mr. Kamasz: There is no other option for the garage to go.
Manny Ezcurra, 45 Work Ave: Not only the height, but the length is almost 18 feet longer than most garages.
Chairman Jaksha: Consider the owner, neighbors and the contractor get together and go over options.
Commissioner Weir: The first requirement needs to be met. The fact that the house doesn't have a garage puts it at odds with other homes in the neighborhood.
Chairman Jaksha: What do you think Mr. Buchert?
Assistant City Attorney Buchert: Here to advise, not vote.

Commissioner Thayer: Both neighbors have problems with this abnormally high design. Applicant is at the mercy of the work that has been done over 50 years ago. The garage door will look more like a commercial door, in a residential neighbor.
Commissioner Zuccaro: Agrees with Commissioner Thayer and thinks applicant should go back to the drawing board.

Motion by Commissioner Zuccaro to carry over Item 5.A., ARC# 08-14/VAR#08-04, for redesign and review, seconded by Commissioner Clarke.
No further public comment was received.
Motion passed 6-0

OLD BUSINESS:

Consider and provide direction to staff regarding amendments to the Zoning Ordinance relating to Lot Coverage and Site Assessment.
Assistant City Attorney Buchert: Read Staff report on review of zoning ordinance is not written in stone, reason for this meeting is to look at wording and go from there. Explains timeline and what will happen next.
Commissioner Lucido: Likes the rewording on the Site Assessment. The three feet has been changed to one foot, within the setback.
Chairman Jaksha: Thought it was three feet, which is it. Wants to vote for one or three feet.
Commissioner Weir: Excuses herself, needs to leave meeting and go home. Really likes all of the changes, will control variances.
Commissioner Weir left chambers.
Commissioner Thayer: Likes the one foot within setback.
Commissioner Clarke: 80% of the homes in Del Rey Oaks are an average of 6,000 square feet, so one foot within set back is fine. Thinks it should be three feet.
Commissioner Hayworth: Three feet is what the Ad Hoc committee came up with and we approved, likes the three feet.
Commissioner Zuccaro: Wants to keep the three feet within setback.
Commissioner Lucido: Agrees
Assistant City Attorney Buchert: Will change it back to the three feet.
Commissioner Clarke: Can the flagging removal time line be added to the wording.
Assistant City Attorney Buchert: Not possible because of the appeal period, and the time and money to take down and then put the flagging back up if needed.
Commissioner Clarke: Points out typo's in the Zoning Code
Assistant City Attorney Buchert: Made notes on the changes, thanked the Commission
Commissioner Zuccaro: Wants to limit the amount of accessory buildings
Commissioner Clarke: Asks if 10% of lot width will still work for everyone.
All Commissioners agreed that 10% of lot width should remain the same
All Commissioners like everything

Assistant City Attorney Buchert: Revisions will be shown in yellow for the next time, then comments will be collected and then it will go to the City Council.
At the February meeting the Commission will review the Resolution of Intention to amend the zoning ordinance.
At the March meeting the Commission will actually vote on it as an action item.
Then it will go to the City Council for final approval.

ANNOUNCEMENTS/COMMENTS:
None

8:45 P.M. – Meeting Adjourned

NEXT REGULAR MEETING: Wednesday, February 11, 2009 at 7:00 P.M.

Approved

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CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
	12/16/2008	FIRST NATIONAL BANK	NSF check 10365	1000 · GEN...		
			NSF check 10365	30129 · FEE...		(52.00)
TOTAL						(52.00)
	12/19/2008	FIRST NATIONAL BANK	NSF check 3012	1000 · GEN...		
			NSF check 3012	30129 · FEE...		(26.00)
TOTAL						(26.00)
	12/23/2008	FIRST NATIONAL BANK	NSF check 3024	1000 · GEN...		
			NSF check 3024	30129 · FEE...		(26.00)
TOTAL						(26.00)
EFT	12/10/2008	PAYCHEX	PAYROLL Processing INVOICE 10/30-11/24/08	1000 · GEN...		
			Service Charge	20100 · PA...	GF:160 NO...	(340.81)
TOTAL						(340.81)
EFT	12/23/2008	PAYCHEX	PAYROLL Processing INVOICE 11/25-12/23/08	1000 · GEN...		
			Service Charge	20100 · PA...	GF:160 NO...	(247.06)
TOTAL						(247.06)
3010	12/15/2008	Kimberly Carvahlo		1000 · GEN...		
			Carvahlo DD - W/C	2290 · PAY...		(469.37)
TOTAL						(469.37)
3011	12/15/2008	Kimberly Carvahlo		1000 · GEN...		
			Carvahlo DD	2290 · PAY...		(1,428.05)
TOTAL						(1,428.05)
3012	12/15/2008	Dewey Evans		1000 · GEN...		
			Evans	2290 · PAY...	GF:090 AD...	(7,400.00)
TOTAL						(7,400.00)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
3013	**12/15/2008**	**KAREN L. MINAMI**		**1000 · GEN...**		
			Minami DD	2290 · PAY...	GF:090 AD...	(1,705.74)
TOTAL						(1,705.74)
3014	**12/15/2008**	**Christopher L. Bourquin**		**1000 · GEN...**		
			Bourqiun DD	2290 · PAY...		(2,091.39)
TOTAL						(2,091.39)
3015	**12/15/2008**	**Ronald Langford**		**1000 · GEN...**		
			Langford DD	2290 · PAY...		(3,830.01)
TOTAL						(3,830.01)
3016	**12/15/2008**	**David M Olmos**		**1000 · GEN...**		
			Olmos DD	2290 · PAY...		(2,396.99)
TOTAL						(2,396.99)
3017	**12/15/2008**	**Ralph E Topps**		**1000 · GEN...**		
			Topps DD	2290 · PAY...		(2,921.11)
TOTAL						(2,921.11)
3018	**12/15/2008**	**Russell V Van Zanten**		**1000 · GEN...**		
			Van Zanten DD	2290 · PAY...		(2,503.54)
TOTAL						(2,503.54)
3019	**12/15/2008**	**Mario A Villarreal**		**1000 · GEN...**		
			Villarreal DD	2290 · PAY...		(3,295.87)
TOTAL						(3,295.87)
3020	**12/15/2008**	**Joseph nmn Johnson**		**1000 · GEN...**		
			Johnson DD	2290 · PAY...		(2,261.29)
TOTAL						(2,261.29)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
3021	**12/15/2008**	**Terry L. Serrano - PW**		**1000 · GEN...**		
			Serrano DD	2290 · PAY...		(1,629.36)
TOTAL						(1,629.36)
3022	**12/15/2008**	**Del Valle, Jaime C.**		**1000 · GEN...**		
			Reserve Del Valle	2290 · PAY...		(74.93)
TOTAL						(74.93)
3023	**12/15/2008**	**HENRY J. MUSE**		**1000 · GEN...**		
			Reserve Muse DD	2290 · PAY...	GF:172 POL...	(863.97)
TOTAL						(863.97)
3024	**12/15/2008**	**Salopek**		**1000 · GEN...**		
			Reserve Salopek	2290 · PAY...	GF:172 POL...	(553.46)
TOTAL						(553.46)
3025	**12/15/2008**	**YOUNG, MATTHEW**		**1000 · GEN...**		
			Reserve Young DD	2290 · PAY...	GF:172 POL...	(854.15)
TOTAL						(854.15)
10405	**12/4/2008**	**CO-POWER**	**NOV 08, DELTA DENTAL PREMIUM**	**1000 · GEN...**		
	11/25/2008		BOURQUIN DEC 08	10013 · DE...	GF:172 POL...	(109.76)
			CARVALHO (85%)	10013 · DE...	GF:090 AD...	(93.29)
			CARVALHO (15%)	10013 · DE...	GF:090 AD...	(16.46)
			JOHNSON (60%)	10013 · DE...	GF:411 PAR...	(65.85)
			JOHNSON (40%)	10013 · DE...	GF:311 PUB...	(43.91)
			LANGFORD	10013 · DE...	GF:172 POL...	(171.04)
			MINAMI (85%)	10013 · DE...	GF:090 AD...	(145.38)
			MINAMI (15%)	10013 · DE...	GF:090 AD...	(25.65)
			OLMOS	10013 · DE...	GF:172 POL...	(57.46)
			SERRANO (60%)	10013 · DE...	GF:311 PUB...	(65.85)
			SERRANO (40%)	10013 · DE...	GF:411 PAR...	(43.93)
			TOPPS	10013 · DE...	GF:172 POL...	(171.04)
			VAN ZANTEN	10013 · DE...	GF:172 POL...	(171.04)
			VILLARREAL	10013 · DE...	GF:172 POL...	(171.04)
			EDELEN	10013 · DE...	GF:090 AD...	(171.04)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
			RUSSELL	10013 · DE...	GF:090 AD...	(109.76)
			CECILIO	10013 · DE...	GF:090 AD...	(171.04)
			ALLION	10013 · DE...	GF:090 AD...	(109.76)
			CLARK	10013 · DE...	GF:090 AD...	(109.76)
TOTAL						(2,023.06)
10406	**12/4/2008**	**P.E.R.S.-HEALTH**	**EMPL CODE 1276**	**1000 · GEN...**		
	11/15/2008		BOURQUIN DEC 08	10014 · HE...	GF:172 POL...	(1,003.18)
			CARVALHO 85%	10014 · HE...	GF:090 AD...	(426.35)
			CARVALHO 15%	10014 · HE...	GF:090 AD...	(75.24)
			JOHNSON 40%	10014 · HE...	GF:411 PAR...	(401.27)
			JOHNSON 60%	10014 · HE...	GF:311 PUB...	(601.91)
			LANGFORD	10014 · HE...	GF:172 POL...	(1,304.13)
			MINAMI 85%	10014 · HE...	GF:090 AD...	(1,108.51)
			MINAMI 15%	10014 · HE...	GF:090 AD...	(195.62)
			OLMOS	10014 · HE...	GF:172 POL...	(501.59)
			SERRANO 60%	10014 · HE...	GF:411 PAR...	(601.91)
			SERRANO 40%	10014 · HE...	GF:311 PUB...	(401.27)
			TOPPS	10014 · HE...	GF:172 POL...	(1,304.13)
			VAN ZANTEN	10014 · HE...	GF:172 POL...	(1,254.45)
			VILLARREAL	10014 · HE...	GF:172 POL...	(1,304.13)
			FEE	10014 · HE...	GF:172 POL...	(38.10)
			FEE	10014 · HE...	GF:090 AD...	(38.09)
			FEE	10014 · HE...	GF:311 PUB...	(38.09)
TOTAL						(10,597.97)
10407	**12/4/2008**	**PERS**	**11 2008 2**	**1000 · GEN...**		
	11/25/2008		70002 11/16/08-11/30/08	2235 · PER...		(347.95)
			75001 11/16/08-11/30/08	2235 · PER...		(1,405.64)
			85% Kim Carvalho	10011 · PERS	GF:090 AD...	(98.13)
			15% Kim Carvalho	10011 · PERS	GF:090 AD...	(17.32)
			85% Karen Minami	10011 · PERS	GF:090 AD...	(130.55)
			15% Karen Minami	10011 · PERS	GF:090 AD...	(23.04)
			60% PW	10011 · PERS	GF:311 PUB...	(184.31)
			40% PW	10011 · PERS	GF:411 PAR...	(122.87)
			PD	10011 · PERS	GF:172 POL...	(4,293.01)
TOTAL						(6,622.82)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
10408	**12/4/2008**	**VSP**		**1000 · GEN...**		
	11/20/2008		Chris Bourquin Dec. 08	10015 · VIS...	GF:172 POL...	(13.23)
			Kim Carvalho 85%	10015 · VIS...	GF:090 AD...	(11.24)
			Kim Carvalho 15%	10015 · VIS...	GF:090 AD...	(1.99)
			Joe Johnson 60%	10015 · VIS...	GF:311 PUB...	(7.93)
			Joe Johnson 40%	10015 · VIS...	GF:411 PAR...	(5.30)
			Ron Langford	10015 · VIS...	GF:172 POL...	(23.72)
			Karen Minami 85%	10015 · VIS...	GF:090 AD...	(20.16)
			Karen Minami 15%	10015 · VIS...	GF:090 AD...	(3.56)
			Ralph Topps	10015 · VIS...	GF:172 POL...	(23.72)
			Russ Vanzanten	10015 · VIS...	GF:172 POL...	(23.72)
			Mario Villareal	10015 · VIS...	GF:172 POL...	(23.72)
			Dave Olmos	10015 · VIS...	GF:172 POL...	(9.12)
			Terry Serrano 60%	10015 · VIS...	GF:411 PAR...	(7.93)
			Terry Serrano 40%	10015 · VIS...	GF:311 PUB...	(5.30)
TOTAL						(180.64)
10409	**12/23/2008**	**AFLAC**		**1000 · GEN...**		
	11/11/2008		CARVALHO (100% EMPLOYEE PAID)	2275 · AFL...	GF:900 RE...	(65.00)
			MINAMI "	2275 · AFL...	GF:900 RE...	(30.80)
			JOHNSON "	2275 · AFL...	GF:900 RE...	(69.50)
			SERRANO "	2275 · AFL...	GF:900 RE...	(32.30)
TOTAL						(197.60)
10410	**12/23/2008**	**AT&T**		**1000 · GEN...**		
	11/25/2008		PHONE	20140 · TE...	GF:172 POL...	(226.41)
			PHONE	20140 · TE...	GF:090 AD...	(60.37)
			PHONE	20140 · TE...	GF:150 GO...	(15.10)
TOTAL						(301.88)
10411	**12/23/2008**	**CALIFORNIA-AMERICAN WATER**	**OCT 08**	**1000 · GEN...**		
	10/27/2008		69 Carlton Dr	20132 · UTI...	GF:411 PAR...	(118.60)
			Quendale Dr/Loch	20132 · UTI...	GF:411 PAR...	(14.44)
			Portola Dr/Setter	20132 · UTI...	GF:411 PAR...	(14.44)
			650 Canyon Del Rey	20132 · UTI...	GF:150 GO...	(62.03)
			Del Rey Garden Dr.	20132 · UTI...	GF:411 PAR...	(14.44)
			Hydrants 25	20132 · UTI...	GF:411 PAR...	(31.41)
			Angelus Way	20132 · UTI...	GF:411 PAR...	(49.06)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
			Los Encinos Dr	20132 · UTI...	GF:411 PAR...	(14.44)
			Via Verde/Los Encinos	20132 · UTI...	GF:411 PAR...	(36.10)
TOTAL						(354.96)
10412	**12/23/2008**	**CERTIFION CORPORATION D.B.A. E...**	**INVOICE #17195**	**1000 · GEN...**		
	12/1/2008		POLICE ONLINE SERVICE-NOVEMBER 08	20161 · SPE...	GF:172 POL...	(79.00)
TOTAL						(79.00)
10413	**12/23/2008**	**CITY OF SEASIDE**	**invoice 01-1187**	**1000 · GEN...**		
	12/5/2008		Street Sweeping Aug, Sept, Oct, and Nov 2008	20126 · ST...	GF:311 PUB...	(4,426.12)
TOTAL						(4,426.12)
10414	**12/23/2008**	**COUNTY OF MONTEREY**		**1000 · GEN...**		
	11/19/2008		3 mobile computers system maintenance	30181 · AU...	GF:172 POL...	(66.00)
TOTAL						(66.00)
10415	**12/23/2008**	**FEDEX**		**1000 · GEN...**		
	11/7/2008		SHIPPING-CAL CARD PAPER WORK	20160 · OF...	GF:090 AD...	(23.48)
	11/13/2008		SHIPPING-POLICE	20160 · OF...	GF:172 POL...	(6.48)
	11/21/2008		SHIPPING-FEDERAL	1600 · DUE...	GF:090 AD...	(97.30)
TOTAL						(127.26)
10416	**12/23/2008**	**FIRST AMERICAN REAL ESTATE S...**		**1000 · GEN...**		
	11/1/2008		METRO SCAN- ADDRESS SERVICE	20160 · OF...	GF:172 POL...	(52.08)
			" "	20160 · OF...	GF:090 AD...	(52.09)
	11/30/2008		METRO SCAN- ADDRESS SERVICE-NOVEMBER	20160 · OF...	GF:172 POL...	(52.08)
			" " "	20160 · OF...	GF:090 AD...	(52.09)
TOTAL						(208.34)
10417	**12/23/2008**	**FIRST CHOICE SERVICES**		**1000 · GEN...**		
	11/6/2008		COFFEE AND SUPPLIES	20160 · OF...	GF:090 AD...	(38.46)
			COFFEE AND SUPPLIES	20160 · OF...	GF:172 POL...	(38.47)
TOTAL						(76.93)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
10418	**12/23/2008**	**GRANITEROCK #26438**	**CUST. 20120**	**1000 · GEN...**		
	12/20/2008		GRANITE PATCH	20122 · RE...	GF:301 PUB...	(447.41)
TOTAL						(447.41)
10419	**12/23/2008**	**I.M.P.A.C.GOVERNM'T SER**	**c/h 4246040013887858**	**1000 · GEN...**		
	11/19/2008		POLICE ID CARDS	20176 · PRI...	GF:172 POL...	(122.58)
			INTOXIMETERS	20161 · SPE...	GF:172 POL...	(306.76)
			BLADE FOR SHINDAIWA/WORK THAT WAS DONE, SOUTH B...	20121 · MA...	GF:311 PUB...	(33.49)
			DOG PARK SUPPLIES	20121 · MA...	GF:411 PAR...	(43.65)
TOTAL						(506.48)
10420	**12/23/2008**	**JAMES DE CHALK**		**1000 · GEN...**		
	10/22/2008		OCT. BILLING	30126 · JA...	GF:150 GO...	(375.00)
	11/25/2008		NOV BILLING	30126 · JA...	GF:150 GO...	(300.00)
TOTAL						(675.00)
10421	**12/23/2008**	**M&S BUILDING SUPPLY, INC.**		**1000 · GEN...**		
	11/25/2008		FURNANCE FILTERS	20121 · MA...	GF:150 GO...	(23.65)
			TARPS	20121 · MA...	GF:150 GO...	(21.54)
			CEMENT	20121 · MA...	GF:311 PUB...	(33.18)
TOTAL						(78.37)
10422	**12/23/2008**	**MONTEREY COUNTY SHERIFF**	**INV. 598**	**1000 · GEN...**		
	11/19/2008		ACJIS 1st quarter 7/1-9/30/08	30184 · ACJ...	GF:172 POL...	(258.40)
TOTAL						(258.40)
10423	**12/23/2008**	**NEXTEL COMMUNICATION**		**1000 · GEN...**		
	11/15/2008		NEXTEL RADIO- CLK	20140 · TE...	GF:090 AD...	(27.53)
			NEXTEL RADIO PW	20140 · TE...	GF:301 PUB...	(105.68)
			NEXTEL RADIO PD	20140 · TE...	GF:172 POL...	(284.77)
			NEXTEL RADIO MAYOR	20170 · TR...	GF:090 AD...	(24.53)
TOTAL						(442.51)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
10424	**12/23/2008**	**PERS**	**12 2008 1**	**1000 · GEN...**		
	12/12/2008		70002 12/1/08-12/15/08	2235 · PER...		(326.84)
			75001 12/1/08-12/15/08	2235 · PER...		(1,408.05)
			85% Kim Carvalho	10011 · PERS	GF:090 AD...	(148.59)
			15% Kim Carvalho	10011 · PERS	GF:090 AD...	(26.22)
			85% Karen Minami	10011 · PERS	GF:090 AD...	(130.55)
			15% Karen Minami	10011 · PERS	GF:090 AD...	(23.04)
			60% PW	10011 · PERS	GF:311 PUB...	(184.31)
			40% PW	10011 · PERS	GF:411 PAR...	(122.87)
			PD	10011 · PERS	GF:172 POL...	(4,032.55)
TOTAL						(6,403.02)
10425	**12/23/2008**	**PG&E**		**1000 · GEN...**		
	10/22/2008		equipment building	20131 · UTI...	GF:150 GO...	(165.16)
			city hall	20131 · UTI...	GF:150 GO...	(15.24)
			city hall	20131 · UTI...	GF:150 GO...	(449.00)
			street lighting	30230 · ST...	GF:301 PUB...	(1,266.90)
			street lighting	30230 · ST...	GF:301 PUB...	(87.76)
			city hall	20131 · UTI...	GF:150 GO...	(7.84)
			city hall	20131 · UTI...	GF:150 GO...	(40.68)
	11/24/2008		equipment building	20131 · UTI...	GF:150 GO...	(108.37)
			city hall	20131 · UTI...	GF:150 GO...	(53.04)
			city hall	20131 · UTI...	GF:150 GO...	(470.76)
			street lighting	30230 · ST...	GF:301 PUB...	(1,275.05)
			street lighting	30230 · ST...	GF:301 PUB...	(88.26)
			city hall	20131 · UTI...	GF:150 GO...	(8.38)
			city hall	20131 · UTI...	GF:150 GO...	(41.91)
TOTAL						(4,078.35)
10426	**12/23/2008**	**PITNEY BOWES PURCHASE POWER**	**POSTAGE**	**1000 · GEN...**		
	10/21/2008		BALANCE OF SEPT POSTAGE	20168 · PO...	GF:090 AD...	(55.47)
TOTAL						(55.47)
10427	**12/23/2008**	**RED SHIFT INTERNET SERV**	**INTERNET NOV 08**	**1000 · GEN...**		
	11/3/2008		INTERNET	20140 · TE...	GF:090 AD...	(65.85)
			INTERNET	20140 · TE...	GF:172 POL...	(65.85)
TOTAL						(131.70)

CITY OF DEL REY OAKS
Check Detail
December 2008

Num	Date	Name	Memo	Account	Class	Paid Amount
10428	**12/23/2008**	**SBC**		**1000 · GEN...**		
	10/29/2008		PHONE PD	20140 · TE...	GF:172 POL...	(189.82)
			PHONE PW	20140 · TE...	GF:311 PUB...	(12.66)
			PHONE CLERKS	20140 · TE...	GF:090 AD...	(50.62)
	11/5/2008		PHONE PD	20140 · TE...	GF:172 POL...	(289.94)
			PHONE PW	20140 · TE...	GF:311 PUB...	(40.48)
			PHONE CLERKS	20140 · TE...	GF:090 AD...	(126.95)
TOTAL						(710.47)
10429	**12/23/2008**	**THE HERALD**		**1000 · GEN...**		
	10/31/2008		IMPACT FEE NOTICE	20173 · LE...	GF:090 AD...	(604.26)
TOTAL						(604.26)
10430	**12/23/2008**	**WELLINGTON, ROBERT R.**		**1000 · GEN...**		
INV 1...	9/23/2008		TAX AND FINANCE MATTERS AUG. 2008	30119 · CO...	GF:120 LEG...	(72.00)
INV. ...	9/23/2008		LAND USE MATTERS AUG. 2008	30119 · CO...	GF:120 LEG...	(171.00)
INV 1...	9/23/2008		PERSONNEL MATTERS AUG 2008	30119 · CO...	GF:120 LEG...	(1,557.00)
INV 1...	9/23/2008		RETAINER FEE SEPT. 2008	30120 · CO...	GF:120 LEG...	(910.00)
TOTAL						(2,710.00)

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

	Jul - Dec 08	Budget	$ Over Budget	% of Budget	YTD Budget	Annual Budget
Revenues						
3100 · PROPERTY TAXES						
3105 · P/T-SECURED	204,353.18	204,390.00	(36.82)	99.98%	204,390.00	378,500.00
3107 · P/T-UNITARY TAX	2,803.42	5,000.00	(2,196.58)	56.07%	5,000.00	5,500.00
3108 · PRIOR UNITARY TAX	24.92					
3110 · P/T-UNSECURED	16,039.34	14,400.00	1,639.34	111.38%	14,400.00	15,000.00
3120 · P/T-SB813	7,142.08	9,180.00	(2,037.92)	77.8%	9,180.00	18,000.00
3130 · P/T-PRIOR SECURED	15,440.02	7,961.00	7,479.02	193.95%	7,961.00	20,000.00
3132 · PRIOR UNSECURED	34.19					
3135 · PROPERTY TAX - VLF	64,480.50	130,000.00	(65,519.50)	49.6%	130,000.00	130,000.00
3140 · P/T-INT/PENAL	502.73	250.00	252.73	201.09%	250.00	2,500.00
3145 · P/T - ADMINISTRATIVE FEE						
Total 3100 · PROPERTY TAXES	310,820.38	371,181.00	(60,360.62)	83.74%	371,181.00	569,500.00
3200 · OTHER TAXES						
3202 · MANDATED COSTS	5,000.00	2,000.00	3,000.00	250.0%	2,000.00	2,000.00
3205 · SALES TAX	152,028.79	132,000.00	20,028.79	115.17%	132,000.00	264,000.00
3206 · SALES TAX IN LIEU - 3-FLIP	41,995.67	34,350.00	7,645.67	122.26%	34,350.00	68,700.00
3208 · Sales Tax - Add On	230,830.89	204,999.98	25,830.91	112.6%	204,999.98	410,000.00
3209 · COP MONIES	50,000.00	50,000.00		100.0%	50,000.00	100,000.00
3210 · PROPERTY TRANSFER TAX	3,696.55	7,750.00	(4,053.45)	47.7%	7,750.00	10,000.00
3220 · GAS FRANCHISES						5,500.00
3225 · ELECTRIC FRANCHISES						13,500.00
3235 · GARBAGE FRANCHISES	21,994.08	13,750.00	8,244.08	159.96%	13,750.00	27,500.00
3240 · CABLE TV FRANCHISES	11,782.51	4,625.00	7,157.51	254.76%	4,625.00	18,500.00
Total 3200 · OTHER TAXES	517,328.49	449,474.98	67,853.51	115.1%	449,474.98	919,700.00
3300 · LICENSES & PERMITS						
3301 · BUSINESS LICENSES	102,448.54	104,000.00	(1,551.46)	98.51%	104,000.00	110,000.00
3305 · BUILDING PERMITS	7,452.03	2,226.00	5,226.03	334.77%	2,226.00	14,000.00
3310 · PLAN CHECK FEES	3,839.05	5,658.67	(1,819.62)	67.84%	5,658.67	7,500.00
3315 · STREET OPENING PERMITS FEES	300.00	450.00	(150.00)	66.67%	450.00	1,000.00
3325 · PLUMBING PERMITS	560.00	338.05	221.95	165.66%	338.05	800.00
3330 · ELECTRICAL PERMITS	320.00	192.00	128.00	166.67%	192.00	300.00

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

3340 · ENVIRON ASSESS FEES/PERMIT						6,000.00
3342 · DEVELOPER PYMT FEES/PERMITS						2,500.00
3345 · OTHER LICENSES/PERMITS	126.40	77.83	48.57	162.41%	77.83	500.00
Total 3300 · LICENSES & PERMITS	115,046.02	112,942.55	2,103.47	101.86%	112,942.55	142,600.00
3400 · FINES & FORFEITURES						
3401 · VEHICLE CODE FINES	8,842.51	6,500.02	2,342.49	136.04%	6,500.02	13,000.00
3415 · OTHER COURT FINES	407.59	356.75	50.84	114.25%	356.75	1,000.00
3400 · FINES & FORFEITURES - Other	85.26					
Total 3400 · FINES & FORFEITURES	9,335.36	6,856.77	2,478.59	136.15%	6,856.77	14,000.00
3501 · INTEREST EARNED	344.93	6,000.00	(5,655.07)	5.75%	6,000.00	12,000.00
3600 · OTHER AGENCY REVENUE						
3602 · MOTOR VEHICLE IN LIEU	1,487.03	2,250.00	(762.97)	66.09%	2,250.00	4,500.00
3603 · OFF HIGHWAY		1,250.02	(1,250.02)		1,250.02	2,500.00
3604 · HOPTR	351.07	300.00	51.07	117.02%	300.00	2,000.00
3605 · VEHICLE LICENSE COLLECTION	982.95	1,200.00	(217.05)	81.91%	1,200.00	1,200.00
3620 · PROP 172	5,627.88	4,938.76	689.12	113.95%	4,938.76	9,500.00
3624 · POST REIMBURSE		500.00	(500.00)		500.00	500.00
3648 · GRANTS		100.00	(100.00)		100.00	100.00
3655 · POLICE GRANTS OTHER AGENCIES	1,000.00	1,000.00		100.0%	1,000.00	1,000.00
Total 3600 · OTHER AGENCY REVENUE	9,448.93	11,538.78	(2,089.85)	81.89%	11,538.78	21,300.00
3700 · CURRENT SERVICES						
3703 · USE PERMITS	2,330.00	1,749.98	580.02	133.14%	1,749.98	3,500.00
3704 · MAPS/PUBLICATIONS		200.00	(200.00)		200.00	500.00
3706 · RENTAL INCOME	4,800.00	4,800.00		100.0%	4,800.00	9,600.00
3707 · POLICE REPORTS	511.00	478.00	33.00	106.9%	478.00	900.00
3709 · PROPERTY INSPECTIONS	934.73	750.00	184.73	124.63%	750.00	1,200.00
3710 · POLICE SERVICES	12,848.00	1,960.00	10,888.00	655.51%	1,960.00	4,900.00
3711 · PUBLIC EVENTS	10,782.42	71,005.00	(60,222.58)	15.19%	71,005.00	90,000.00
3712 · MISCELLANEOUS SERVICES	990.86	1,506.81	(515.95)	65.76%	1,506.81	15,000.00
3715 · PD DONATIONS		100.00	(100.00)		100.00	100.00
3716 · ELECTIONS	25.00					
3717 · SCRIP TAXI SVC FOR SENIORS	40.00					
Total 3700 · CURRENT SERVICES	33,262.01	82,549.79	(49,287.78)	40.29%	82,549.79	125,700.00

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

3800 · PARKS/RECREATION						
3801 · PARK RENTAL	900.00	2,000.02	(1,100.02)	45.0%	2,000.02	4,000.00
3802 · RV RENTAL PARKS	10,420.00	8,945.00	1,475.00	116.49%	8,945.00	22,000.00
3851 · SEWER IMPACT	8,265.88					
3800 · PARKS/RECREATION - Other	950.00	999.98	(49.98)	95.0%	999.98	2,000.00
Total 3800 · PARKS/RECREATION	20,535.88	11,945.00	8,590.88	171.92%	11,945.00	28,000.00
3900 · OTHER						
3610 · GAS TAX 2107	9,431.73	8,021.41	1,410.32	117.58%	8,021.41	14,000.00
3612 · GAS TAX 2106	6,512.35	3,031.54	3,480.81	214.82%	3,031.54	7,500.00
3614 · GAS TAX 2107.5	1,000.00	500.02	499.98	199.99%	500.02	1,000.00
3616 · GAS TAX 2105	6,955.09	3,528.37	3,426.72	197.12%	3,528.37	8,500.00
3625 · 2000 PARK BOND GRANT						4,979.00
3627 · 2002 Parks Resources Bond Act						99,655.00
3708 · CDBG LOAN REPAYMENTS	52,653.04					
3720 · Portola/Carlton (Prop 1B) CIP						400,000.00
3730 · Portola/Work Walkway (MPRPD)		12,500.00	(12,500.00)		12,500.00	12,500.00
3740 · Stream Blockage (State)						100,000.00
3750 · Portola/Work Street (TAMC)						220,000.00
3760 · City Monument Sign Proceeds	2,000.00					
Total 3900 · OTHER	78,552.21	27,581.34	50,970.87	284.8%	27,581.34	868,134.00
391 · -REIMBURSEMENTS						
3911 · REIMBURSEMENTS - TELEPHONE	56.58					
Total 391 · -REIMBURSEMENTS	56.58					
Total Revenues	1,094,730.79	1,080,070.21	14,660.58	101.36%	1,080,070.21	2,700,934.00
Expense						
10000 · S/B						
10009 · OVERTIME	34,278.64	41,349.72	(7,071.08)	82.9%	41,349.72	58,000.00
10010 · SALARIES	365,082.85	333,601.50	31,481.35	109.44%	333,601.50	667,203.00
100101 · COUNCIL MEMBER STIPEND	3,000.00	3,000.00	0.00	100.0%	3,000.00	6,000.00
100102 · CITY MANAGER SALARY	40,815.00	45,000.00	(4,185.00)	90.7%	45,000.00	90,000.00
100103 · RESERVES SALARY	30,045.56	26,499.98	3,545.58	113.38%	26,499.98	53,000.00

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

10011 · PERS	95,159.18	53,168.95	41,990.23	178.98%	53,168.95	140,000.00
10012 · MEDICARE	5,772.10	5,582.21	189.89	103.4%	5,582.21	11,000.00
10013 · DENTAL EXPENSE	12,258.83	11,804.72	454.11	103.85%	11,804.72	22,500.00
10014 · HEALTH INS	63,336.43	55,750.88	7,585.55	113.61%	55,750.88	125,000.00
10015 · VISION INS	1,264.48	882.61	381.87	143.27%	882.61	2,000.00
10016 · WORKERS COMP	66,935.61	65,998.00	937.61	101.42%	65,998.00	65,998.00
10018 · WELLNESS PROGRAM	5,000.00	5,000.00		100.0%	5,000.00	5,000.00
10120 · UNIFORM ALLOWANCE	1,250.00	3,500.00	(2,250.00)	35.71%	3,500.00	7,000.00
10125 · EMPLOYEE SERVICE AWARD						50.00
10130 · EDUCATIONAL INCENTIVE	1,350.00	1,425.00	(75.00)	94.74%	1,425.00	2,850.00
Total 10000 · S/B	725,548.68	652,563.57	72,985.11	111.18%	652,563.57	1,255,601.00
20100 · PAYROLL EXPENSE	2,096.12	2,499.98	(403.86)	83.85%	2,499.98	5,000.00
20119 · BANK SERVICE CHARGES		1,500.00	(1,500.00)		1,500.00	3,000.00
20120 · -SUPPLIES						
20121 · MATERIALS/SUPPLY	9,052.29	11,032.53	(1,980.24)	82.05%	11,032.53	15,000.00
20123 · AMMUNITION	7,701.65	5,288.08	2,413.57	145.64%	5,288.08	10,000.00
20124 · STREET MATERIAL PW/STR	414.63					
20160 · OFFICE SUPPLIES	8,351.92	7,500.00	851.92	111.36%	7,500.00	15,000.00
20161 · SPECIAL SUPPLY POLICE	4,223.40	5,000.02	(776.62)	84.47%	5,000.02	10,000.00
Total 20120 · -SUPPLIES	29,743.89	28,820.63	923.26	103.2%	28,820.63	50,000.00
20122 · REPAIR/MAINTENANCE	6,390.72	3,431.03	2,959.69	186.26%	3,431.03	8,000.00
20126 · STREET SWEEPING	6,605.48	6,538.14	67.34	101.03%	6,538.14	13,076.16
20127 · GABILAN CREW	930.51	1,500.00	(569.49)	62.03%	1,500.00	3,000.00
20130 · OTHER EXPENSE	571.18					
20131 · UTILITIES/PGE	3,712.92	3,186.36	526.56	116.53%	3,186.36	7,000.00
20132 · UTILITIES/WATER	2,204.00	3,500.02	(1,296.02)	62.97%	3,500.02	7,000.00
20140 · TELEPHONE / INTERNET	8,622.95	5,184.56	3,438.39	166.32%	5,184.56	10,000.00
20145 · WEBSITE DESIGN & MAINTENANCE	837.50	500.02	337.48	167.49%	500.02	1,000.00
20163 · BACKGROUND-TESTING	191.53	340.00	(148.47)	56.33%	340.00	700.00
20168 · POSTAGE / SHIPPING	1,673.74	2,499.98	(826.24)	66.95%	2,499.98	5,000.00
20170 · TRAVEL/CONFERENCE	2,526.60	875.77	1,650.83	288.5%	875.77	2,000.00
20171 · MEMBER/DUES/CONTRIBUTIONS	18,257.70	23,956.94	(5,699.24)	76.21%	23,956.94	25,000.00
20172 · AD/PROMOTION CITY CNCL	750.00	750.00		100.0%	750.00	1,500.00
20173 · LEGAL ADVERT NON-DEPT	906.39					1,000.00

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

20174 · BOOK/PERIODICAL						75.00
20175 · MEETING CITY CNCL	2,425.50	2,499.98	(74.48)	97.02%	2,499.98	5,000.00
20176 · PRINTING / PUBLICATIONS						
201761 · PERSONNEL MANUAL	3,825.00					
20176 · PRINTING / PUBLICATIONS - Other	1,631.86	2,499.98	(868.12)	65.28%	2,499.98	5,000.00
Total 20176 · PRINTING / PUBLICATIONS	5,456.86	2,499.98	2,956.88	218.28%	2,499.98	5,000.00
20177 · PROF DEVELOP CITY CLRK		999.98	(999.98)		999.98	2,000.00
20178 · TRAINING POLICE						3,000.00
20181 · OTHER PERMITS PW/ENGNR	3,600.00	2,500.00	1,100.00	144.0%	2,500.00	2,500.00
30041 · PUBLIC OFF BOND NON-DT	105.00					
30043 · FIRE INS NON-DEPT		20,000.00	(20,000.00)		20,000.00	20,000.00
30044 · LIABILITY/PROP NON-DPT	1,520.25					
30113 · CONTRACTUAL AUDIT	3,353.38	18,750.00	(15,396.62)	17.89%	18,750.00	20,000.00
30114 · CONTRACTUAL - ACCOUNTING	300.00					
30115 · DATA PROCESSING	1,012.50					
30116 · CONTRACTUAL SVCS PLANNING / ENG	21,501.45	15,000.00	6,501.45	143.34%	15,000.00	20,000.00
30119 · CONTRACTUAL SVCS - LEGAL	16,131.00	6,000.00	10,131.00	268.85%	6,000.00	12,000.00
30120 · CONTRL RETAINER LEGAL	3,640.00	5,499.98	(1,859.98)	66.18%	5,499.98	11,000.00
30126 · JANITORIAL FUND	2,025.00	2,000.02	24.98	101.25%	2,000.02	4,000.00
30127 · RADIO DISPATCH POLICE	18,937.00	22,865.27	(3,928.27)	82.82%	22,865.27	22,865.27
30129 · FEES NON-DT	272.91					4,500.00
30164 · ELECTIONS		75.00	(75.00)		75.00	75.00
30165 · COMM HUM SERV NON-DEPT	3,057.00					
30170 · AUTO OPERATION						
30181 · AUTO OPS - SUPPLIES / EQUIP	6,250.75	2,499.98	3,750.77	250.03%	2,499.98	5,000.00
30182 · AUTO OPS - FUEL	12,602.72	9,999.98	2,602.74	126.03%	9,999.98	20,000.00
30190 · AUTO REPAIR/MAINTENANCE	17,242.08	12,500.02	4,742.06	137.94%	12,500.02	25,000.00
30170 · AUTO OPERATION - Other	1,862.41					
Total 30170 · AUTO OPERATION	37,957.96	24,999.98	12,957.98	151.83%	24,999.98	50,000.00
30183 · FUND JAIL & PRISONER	520.00					
30184 · ACJIS SYSTEM POLICE	728.79	649.99	78.80	112.12%	649.99	1,300.00
30186 · FIRE CONTRACT	75,239.58	100,000.02	(24,760.44)	75.24%	100,000.02	200,000.04
30187 · ANIMAL REGULATION FIRE	1,284.00	1,196.48	87.52	107.32%	1,196.48	2,393.00
30219 · S.M.I.P.	154.73	500.00	(345.27)	30.95%	500.00	500.00

CITY OF DEL REY OAKS
PROFIT LOSS BUDGET VS. ACTUAL
JULY 1, 2008 - DECEMBER 31.2008

30230 · STREET LIGHTING	8,064.07	8,950.62	(886.55)	90.1%	8,950.62	18,000.00
30231 · STORM WATER PROJECT - PHASE 1		1,400.00	(1,400.00)		1,400.00	1,400.00
30611 · FT ORD RELATED EXPENSE	879.44					
50400 · CAPITAL OUTLAY						
50410 · ADMINISTRATION COMPUTERS	9,987.49	10,000.00	(12.51)	99.88%	10,000.00	10,000.00
50420 · MONUMENT SIGN						24,000.00
50430 · PORTOLA / CARLTON (PROP 1B)						400,000.00
50440 · PORTOLA / WORK WALKWAY (MPRPD)		25,000.00	(25,000.00)		25,000.00	25,000.00
50450 · 2000 PARKS BOND ACT						4,979.00
50460 · 2002 PARKS RESOURCES BOND ACT						99,655.00
50470 · STREAM BLOCKAGE (STATE GRANT)						100,000.00
50480 · PORTOLA / WORK STREET (TAMC)						220,000.00
Total 50400 · CAPITAL OUTLAY	9,987.49	35,000.00	(25,012.51)	28.54%	35,000.00	883,634.00
60000 · INTEREST EXPENSE - ND	239.07					
60001 · PRINCIPAL PAYMENTS	7,861.02	13,281.72	(5,420.70)	59.19%	13,281.72	13,281.72
66900 · Reconciliation Discrepancies	(0.87)					
Total Expense	1,037,823.04	1,022,316.02	15,507.02	101.52%	1,022,316.02	2,700,401.19
Net Revenues	**56,907.75**	**57,754.19**	**(846.44)**	**98.53%**	**57,754.19**	**532.81**

FIRE DEPARTMENT
1635 Broadway Avenue
Seaside, CA 93955

Telephone (831) 899-6790
FAX (831) 899-6261
TDD (831) 899-6207

January 2, 2009

Chief Langford
Del Rey Oaks City Hall
650 Canyon Del Rey
Del Rey Oaks, CA 93940

Dear Chief Langford:

Enclosed is a copy of the response reports for the Seaside Fire Department response to Del Rey Oaks for the period of December 1, 2008 thru December 31, 2008.

The City of Del Rey Oaks is being billed for the following incident numbers:

Incident #
08-0002199
08-0002240
08-0002249
08-0002266
08-0002318

There are five calls for the month of December. If you have any questions, please contact me.

Sincerely,

Kathryn Pernet

Kathryn Pernet
Sr. Administrative Assistant

CC: File

Seaside Fire

Incident List by Alarm Date/Time

Alarm Date Between {12/01/2008} And {12/31/2008}
and District = "029"

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
X 08-0002199-000	12/01/2008	15:13:00	1027 PORTOLA DR /Del Rey	321 EMS call, excluding vehicle
08-0002232-000	12/08/2008	22:17:00	2 OSIO WAY /Del Rey Oaks,	611 Dispatched & cancelled en ro
08-0002233-000	12/09/2008	10:37:00	936 PORTOLA DR /Del Rey O	6111 Cancelled upon arrival, no
X 08-0002240-000	12/10/2008	12:23:00	CANYON DEL REY BLVD & GEN	322 Motor vehicle accident with
X 08-0002249-000	12/11/2008	21:36:00	10 CARLTON DR /Del Rey Oa	321 EMS call, excluding vehicle
X 08-0002266-000	12/14/2008	19:20:00	1058 ROSITA RD	445 Arcing, shorted electrical e
X 08-0002318-000	12/26/2008	13:46:00	241 QUAIL RUN CT /Del Rey	445 Arcing, shorted electrical e
08-0002356-000	12/31/2008	12:22:00	815 CANYON DEL REY BLVD /	611 Dispatched & cancelled en ro

Total Incident Count 8

5 calls

DEL REY OAKS POLICE DEPARTMENT
REPORT TO CITY COUNCIL
JANUARY 22, 2009

STATISTICAL INFORMATION:

	DEC 08	YEAR END 08	YEAR END 07
Arrests: (Felony / Misd)	00	38	44
Crime Reports Filed	12	227	238
Traffic Citations Issued	25	368	357
Parking Citations Issued	00	03	08
Burglaries (Residential, Commericial, Veh.)	01	11	10
Grand & Petty Thefts	01	14	15
Fire & Medical Emergencies	SEE SFD REPORT		
Assaults / Disturbances / DV	00	06	06
Towed & Stored Vehicles	03	71	73
Alarms	00	00	00
DUI Enforcement	00	10	10
Traffic Accidents	05	32	31
Municipal Code Citations Issued	00	00	01
Warrants Served	01	03	10

R.J. Langford
Chief of Police

CITY OF DEL REY OAKS

2009

REGIONAL AGENCIES BOARDS & COMMITTEES REPRESENTATIVES

APPOINTMENT LIST

Approved at the January 27, 2008 Regular City Council Meeting

REGIONAL AGENCIES BOARDS & COMMITTEES	*PRINCIPAL*	*ALTERNATE*
Association Monterey Bay Area Government (AMBAG) Nick Papadakis, Executive Director 445 Reservation Road, Suite G, Marina 883-3750 or info@ambag.org / web site: www.ambag.org *Meeting: 2nd Wednesday of each month at 7:00 p.m.*	Allion	Cecilio
City Selection (Mayors) *Meeting: 1st Friday of each month at 11:30 a.m.*	Russell	None
Community Human Services (CHS) Jennifer Ring 1001 Elm Avenue, Seaside 899-4134 or info@chservices.org *Meeting: 3rd Thursday of each month at 10:00 a.m.*	Cecilio	None
Del Rey Oaks Budget Committee	Edelen/Allion/Evans	
Fort Ord Reuse Authority (FORA) Michael Houlemard, Executive Director 100 12th Street, Bldg. 2880, Marina 883-3672 / web site: www.fora.org *Meeting: 2nd Friday of each month at 4:00 p.m.*	Russell	Edelen

REGIONAL AGENCIES BOARDS & COMMITTEES	*PRINCIPAL*	*ALTERNATE*
Monterey Bay Area Insurance Fund (MBAIF) Kent Rice, Risk Manager 438-0267 / web site: www.mbaif.com *Meeting: 1st Monday of each month at 9:30 a.m.*	Evans	Cecilio
Monterey Peninsula Water Management District (MPWMD) Darby Fuerst, General Manager 5 Harris Court, Bldg. G, Monterey 658-5600 / web site: www.mpwmd.dst.ca.us/mpwmd.htm *Meeting: 3rd Monday of each month at 7:00 p.m.*	Russell (PAC) Dadiw (TAC)	Edelen (PAC) Neill (TAC)
Monterey Regional Waste Management District (MRWMD) William Merry, General Manager P.O. Box 1670, Marina 384-5313 / web site: www.mrwmd.org *Meeting: 3rd Friday of each month at 9:30 a.m.*	Russell	None
Monterey Regional Water Pollution Control Agency (MRWPCA) Keith Israel, General Manager 5 Harris Court, Bldg. D, Monterey 372-3367 / web site: www.mrwpca.org *Meeting: Last Monday of each month at 7:00 p.m.*	Russell	Edelen
Monterey-Salinas Transit (MST) Carl Sedoryk, General Manager One Ryan Ranch Road, Monterey 899-2558 / web site: www.mst.org *Meeting: 2nd Monday of each month at 10:00 a.m.*	Clark	Russell
Seaside County Sanitation District Ray Corpuz 899-6230 *Meeting: 2nd Tuesday of each month at 9:30 a.m.*	Russell	Clark

REGIONAL AGENCIES BOARDS & COMMITTEES	*PRINCIPAL*	*ALTERNATE*
Transportation Agency for Monterey County (TAMC) Debbie Hale, Executive Director 55-B Plaza Circle, Salinas 775-0903 / web site: www.tamcmonterey.org *Meeting: 4th Wednesday of each month at 9:00 a.m.*	Edelen	Russell
Northern Salinas Valley Mosquito Abatement District Peter Ghormley, Manager-Zoologist 342 Airport Blvd Salinas, CA 373-2483 / No website *Meeting: 1st Tuesday of each month at 12:30 p.m.*	Cecilio	None
Seaside Groundwater Basin Watermaster Dewey D. Evans, Chief Executive Officer 2600 Garden Road, Suite 228 Monterey CA 93940 641-0113 / No website *Meeting: 1st Wednesday of each month at 2:00 p.m.*	Russell	Edelen

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NOV 19 2008

LAW OFFICES OF

DAVID A. WILLOUGHBY

2100 GARDEN ROAD, SUITE A-210
MONTEREY, CALIFORNIA 93940

FACSIMILE (831) 655-3676

TELEPHONE (831) 655-5707

November 14, 2008

ROBERT R. WELLINGTON
857 CASS ST STE D
MONTEREY CA 93940-2919

Re: Assessment Numbers 012-601-023-000 for Years 2004, 2005, 2006 on Monterey Peninsula Airport District Property Located on Del Rey Gardens Drive in Del Rey Oaks

Dear Rob:

As you may recall, my office represents the Monterey Peninsula Airport District ("MPAD"). One of MPAD's land holdings is an undeveloped and vacant .55 acre parcel of land situated within the city limits of one of your clients, the City of Del Rey Oaks. The Monterey County Tax Collector's office has listed MPAD as delinquent in the payment of assessments on this property for tax years 2004, 2005 and 2006. The most recent delinquent tax notice received by MPAD indicated that the total amount of taxes, penalties, costs, redemption interest and fees now amounts to $17,025.53.

After having done some investigation and research I have been able to verify that the assessments were made pursuant to a Special Public Safety Tax enacted by the City of Del Rey Oaks in March 2004. I am sure that you're familiar with the ordinance (I assume that you wrote it). Preliminarily, I note that even if the tax properly applied to MPAD's property (and it seems clear that it does not), then as an undeveloped parcel of under one acre in size, the amount of the assessments in 2004, 2006 and 2006 should have not exceeded $120.00; $126.00 and $132.00 respectively (rather than the $3,557.00; $3,808.00 and $4,073.80 which were assessed). In other words, the subject property has been taxed as if it was developed commercial property rather than the raw land that it is

(and as a result the tax bill is over 30 times larger than it should have been, even if the property was subject to this tax). It is obvious from even a cursory drive-by that the subject parcel is not and never has been developed.

More fundamentally, because the property is owned by a public agency, it is not subject to the public safety tax in the first place. Del Rey Oaks Ordinance No. 260 in adding section 3.32.010 to the Del Rey Oaks Municipal Code recites that the authority for the adoption of the special public safety tax includes sections 53670 through 53980 of the California Government Code. Government Code section 53978(a) provides in relevant part that "the local agency which fixes such a special tax shall not ... impose such tax upon a federal or state governmental agency or another local agency." I also direct your attention to Del Rey Oaks Municipal Code section 3.32.100, which states that the public safety tax imposed by Ordinance No. 260 "... shall not apply to any parcel of property that is exempt pursuant to any provision of the Constitution or any paramount law." For those reasons, no tax at all should have been levied against MPAD's property.

My client would like to get this matter resolved swiftly, at a minimum of expense, and without contention, if possible. I'm optimistic that your client will also recognize the advantages of cooperating in getting this situation addressed and fixed before it becomes a dispute. MPAD requests that the City of Del Rey Oaks instruct the Monterey County Tax Collector's office to reverse all assessments, levies, charges, fees, costs, interest and penalties associated with the erroneous tax bills for MPAD's property. The Tax Collector's office has assured me that upon its receipt of such instruction from the city, the Tax Collector's records can promptly be corrected. That approach seems to me to be the one that will get everyone to the right end-result with the least delay or expense.

Of course, if you have a different take on things, I'd be happy to discuss the matter with you. In any event, please let me know how your client intends to proceed with regard to MPAD's request. I'll be looking forward to hearing from you.

Very truly yours,

David A. Willoughby

DAW:jgc

wellington 11-14-08.wpd

mTaxNotice

8/ 6/2008
8:53:39AM

MONTEREY COU. / 2008 - 2009 DELINQUENT TAX NOTICE
LOUIS G. SOLTON, Treasurer-Tax Collector
P.O. Box 891, Salinas, CA 93902, (831) 755-5057
DELINQUENT SECURED TAX ROLL FOR FISCAL YEAR JULY 1, 2008 THROUGH JUNE 30, 2009

PROPERTY INFORMATION		IMPORTANT MESSAGES
ASMT NUMBER: 012-601-023-000	TAX RATE AREA: 009-005	Prior year delinquent taxes exist on this property
FEE NUMBER: 012-601-023-000	ACRES:	Default #DEF050001226, default date 06/30/2005
LOCATION: DEL REY GARDENS DR		
LIEN DATE OWNER: MONTEREY PENINSULA AIRPORT DISTRICT		

MONTEREY PENINSULA AIRPORT DISTRICT
200 FRED KANE DR STE 200
MONTEREY CA 93940

Pay Taxes by Credit Card or E-Check
1-800-491-8003 or www.co.monterey.ca.us/taxcollector

DEFAULT NUMBER / DATE	ASMT NUMBERS	ROLL YEAR	TAXES	PENALTIES	COST	TOTAL
DEF050001226 06/30/2005	012-601-023-000	2004	3,557.00	355.70	20.00	3,932.70
	012-601-023-000	2005	3,808.00	380.80	20.00	4,208.80
	012-601-023-000	2006	4,073.60	407.36	20.00	4,500.96

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MONTEREY PENINSULA AIRPORT DIST

DELINQUENT TAX NOTICE

TOTALS			11,438.60	1,143.86	60.00	12,642.46

SUMMARY OF CHARGES		LESS SUMMARY OF CREDITS	BALANCE	
Total taxes, penalties & cost	12,642.46	Prior pymt plan pymts	FULL PAYMENT MUST BE MADE BY 8/31/2008	
Redemption interest/penalties	4,358.07	Curr pymt plan pymts		
Redemption fee	15.00			
Other fees			Full payment	17,025.53
Total charges	17,025.53	Total credits		

PAY BY 08/31/2008 TO AVOID ADDITIONAL PENALTIES.

MONTEREY COUNTY DELINQUENT SECURED PROPERTY TAXES - FULL PAYMENT STUB

ASMT NUMBER: 012-601-023-000 2004
FEE NUMBER: 012-601-023-000
LOCATION: DEL REY GARDENS DR
CURRENT OWNER: MONTEREY PENINSULA AIRPORT DISTRICT
200 FRED KANE DR STE 200
MONTEREY CA 93940

MAKE CHECK PAYABLE TO:
Monterey County Tax Collector
P.O. Box 891
Salinas, CA 93902-0891

2008 – 2009 **Full Payment**

THERE ARE DELINQUENT TAXES AGAINST YOUR PROPERTY. THE BELOW SCHEDULE SHOWS THE AMOUNT DUE ACCORDING TO THE MONTH IN WHICH PAYMENT IS RECEIVED BY THE TAX COLLECTOR'S OFFICE.

IF PAID BY 8/31/2008 $17,025.53

JULY	16,853.95	NOV	17,540.27	MAR	18,226.59
AUG	17,025.53	DEC	17,711.85	APR	18,398.17
SEPT	17,197.11	JAN	17,883.43	MAY	18,569.75
OCT	17,368.69	FEB	18,055.01	JUNE	18,741.33

MONTEREY COUNTY DELINQUENT SECURED PROPERTY TAXES - PAYMENT PLAN STUB

ASMT NUMBER: 012-601-023-000 2004
FEE NUMBER: 012-601-023-000
LOCATION: DEL REY GARDENS DR
CURRENT OWNER: MONTEREY PENINSULA AIRPORT DISTRICT
200 FRED KANE DR STE 200
MONTEREY CA 93940

MAKE CHECK PAYABLE TO:
Monterey County Tax Collector
P.O. Box 891
Salinas, CA 93902-0891

2008 – 2009 **Payment Plan**

IF PAID BY 8/31/2008 $3,481.11

MEMORANDUM

To: Mayor and City Council

From: Deputy City Clerk Carvalho

Date: January 22, 2009

Subject: Tax Defer Member Paid Contributions

DESCRIPTION

Per the Internal Revenue Service (IRS) all CalPERS participants must have on file with the IRS and CalPERS resolutions as follows:

- Resolution 09-01, A Resolution of the City of Del Rey Oaks To Tax Defer Member Paid Contributions. (IRS provisions of section 414(h)(2) of the Internal Revenue Code)
- Resolution 09-02, A Resolution of the City of Del Rey Oaks for Employer Paid Member Contributions. (CalPERS implementation of Government Code Section 20691)

RECOMMENDATION

Recommend approval of Resolutions 09-01 and 09-02 in accordance with IRS and CalPERS requirements.

RESOLUTION NO. 2009-01

A RESOLUTION OF THE CITY OF DEL REY OAKS TO TAX DEFER MEMBER PAID CONTRIBUTIONS

-oOo-

WHEREAS, the City of Del Rey Oaks has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution regarding section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provision of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

WHEREAS, the City of Del Rey Oaks has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED:

I. That the City of Del Rey Oaks will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees' Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.

II. That the contributions made by the City of Del Rey Oaks to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the City of Del Rey Oaks in lieu of contributions by the employees who are members of the Public Employees' Retirement System.

III. That employees shall not have the option of choosing to receive the contribution amounts directly instead of having them paid by the City of Del Rey Oaks to the Public Employees' Retirement System.

IV. That the City of Del Rey Oaks shall pay the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

V. That the amount of the contributions designated as employee contributions and paid by the City of Del Rey Oaks to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code Section 20000, et seq.).

WELLINGTON
LAW OFFICES
857 Cass Street
Suite D
Monterey, CA
93940
Telephone:
(831) 373-8733

VI. That the contributions designated as employee contributions made by The City of Del Rey Oaks to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

PASSED AND ADOPTED, by the City Council of the City of Del Rey Oaks in Monterey County, State of California on January 27, 2009.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Joseph P. Russell, Mayor

ATTEST:

_____
Dewey D. Evans, City Clerk

WELLINGTON
LAW OFFICES
857 Cass Street
Suite D
Monterey, CA
93940
Telephone:
(831) 373-8733

RESOLUTION NO. 2009-02

A RESOLUTION OF THE CITY OF DEL REY OAKS FOR EMPLOYER PAID MEMBER CONTRIBUTIONS

-oOo-

WHEREAS, the City Council of the City of Del Rey Oaks has the authority to implement Government Code Section 20691; and

WHEREAS, the City Council of the City of Del Rey Oaks has a written labor policy or agreement which specifically provides for the normal member contributions or be paid by the employer; and

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City Council of the City of Del Rey Oaks of a Resolution to commence said Employer Paid Member Contributions (EPMC); and

WHEREAS, the City Council of the City of Del Rey Oaks has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees.
- This benefit shall consist of employees paying two percent (2%) and the City of Del Rey Oaks paying five percent (5%) of the normal member contributions as EPMC.
- The effective date of this Resolution shall be September 23, 2008.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Rey Oaks elects to pay EPMC, as set forth above.

PASSED AND ADOPTED, by the City Council of the City of Del Rey Oaks in Monterey County, State of California on January 27, 2009.

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Joseph P. Russell, Mayor

ATTEST:

_____
Dewey D. Evans, City Clerk

WELLINGTON
LAW OFFICES
857 Cass Street
Suite D
Monterey, CA
93940
Telephone:
(831) 373-8733

Member Services Division
P.O. Box 942704
Sacramento, CA 94229-2704
Telecommunications Device for the Deaf - (916) 795-3240
888 CalPERS (or **888**-225-7377)

December 23, 2008

RECEIVED
JAN 08 2009
DEL REY OAKS
CITY CLERK

1276
City of Del Rey Oaks
Personnel/ Human Resources
650 CANYON DEL REY ROAD
DEL REY OAKS, CA 93940

EL000514

TO: ALL STATE AGENCIES, COUNTY OFFICES OF EDUCATION, AND CONTRACTING PUBLIC AGENCY EMPLOYERS

SUBJECT: 2008 CalPERS ANNUAL MEMBER STATEMENTS & EMPLOYER REPORTS

New in 2008

- Members with an invalid address on CalPERS records will not receive a printed statement.
- As a result of this year's processing errors, CalPERS has decided these undeliverable member statements will no longer be forwarded to employers for distribution. This ensures employers will not receive statements for members who do not work for them.
- If the members wish to receive a printed statement, they must update their mailing address through you, as their current employer, or via online by using my|CalPERS.
- Members with a valid address in CalPERS records will receive a printed statement unless they have previously selected the "opt out" option via my|CalPERS and no longer wish to receive their printed statement.
- Members are encouraged to "go green" and consider selecting the "opt out" feature of no longer receiving printed statements through the mail.
- All members may view and print their statement online at **my.calpers.ca.gov.**

Processing Errors and Corrections

- Due to technical difficulties, CalPERS is experiencing some processing errors that have impacted a limited number of the 2008 CalPERS Annual Member Statements (AMS) and some of the 2008 Employer Reports.
- Some members may have incorrect information regarding their current employer, their employment status, and/or their eligibility for certain retirement benefits.
- CalPERS is notifying the affected members to assure them that their CalPERS retirement account is accurate and that the service credit and contribution amounts included in their 2008 AMS is also accurate.
- The affected members will be receiving a corrected 2008 AMS in the near future. Also, a corrected AMS will be available to them online.
- At the same time, the Employer Reports are being corrected and will be made available via the Automated Communications Exchange System (ACES).
- CalPERS apologizes for any inconvenience these processing errors may have caused you and your employees and is working diligently on preparing corrected AMS as soon as possible.

Please send a copy of your "pick-up" authorization documentation to:

CalPERS
Employer Services Division
Compensation Review Unit
P.O. Box 942709
Sacramento CA 94229-2709

If you have any questions, please call our Employer Contact Center at **888 CalPERS** or (**888** 225-7377).

Marion Montez, Section Manager
Compensation & Employer Review Units

P.O. Box 942709
Sacramento, CA 94229-2709
888 CalPERS (or 888-225-7377)
Telecommunications Device for the Deaf
No Voice (916) 795-3240
www.calpers.ca.gov

Date: October 2008
Reference No.:
Circular Letter No.: 200-049-03
Distribution: VI, XII, XV
Special:

Circular Letter

TO: **PUBLIC AGENCIES, COUNTY SUPERINTENDENT OF SCHOOLS, SCHOOL DISTRICTS**

SUBJECT: **EMPLOYER "PICK-UP" - REVENUE RULING 2006-43 DECEMBER 31, 2008 DEADLINE FOR ACTION**

ATTENTION: **FINANCE DIRECTORS, HUMAN RESOURCE DIRECTORS**

This Circular Letter is being sent to advise employers of Revenue Ruling 2006-43 concerning the pick-up of employee contributions to California Public Employees Retirement System (CalPERS), and of actions that an employer may be required to take before December 31, 2008 to ensure compliance with pick-up requirements.

BACKGROUND AND PURPOSE

Internal Revenue Code (IRC) Section 414(h)(2) allows public agencies and school employers to designate required employee contributions as being "picked-up" by the employer and treated as employer contributions for tax purposes. The effect of a pick-up is to defer tax on employee contribution amounts until the member retires and receives retirement benefits, or separates from employment and takes a refund of contributions. Absent the 414(h)(2) provision applicable to governmental plans employee contributions to a defined benefit pension plan qualified under Section 401(a) would automatically be after-tax contributions (e.g. taxable income to the employee at the time the contribution was made).

Since the early 1980s, CalPERS has taken steps to ensure that contracting agency and school employers have adopted and submitted to CalPERS appropriate written evidence of pick-ups prior to reporting tax-deferred member contributions to CalPERS. This Circular Letter is being sent as a reminder of the federal tax reporting requirements, to encourage each contracting agency and school employer who reports tax-deferred member contributions to review their documents and, if necessary, adopt conforming documentation prior to the deadline set by Revenue Ruling 2006-43. To view the ruling, visit CalPERS online.

REVENUE RULING 2006-43

Revenue Ruling 2006-43 provides, in general, that an employee contribution ill not be treated as "picked-up" under IRC 414(h)(2) unless:

> (1) The employer specifies that the contributions, although designated a s employee contributions, are being paid by the employer (this action mu t be memorialized in writing), and
>
> (2) The employer does not permit participating employees to opt out of ne pick-up or to receive the contributed amounts directly instead of having them paid by the employer to the plan.

Revenue Ruling 2006-43 allows employers who do not have written evidence of a pick-up, but their actions show that they intended to establish and carry out a pick- up, to be treated as meeting the requirements of 414(h)(2) for past pre-tax contributions if the employer takes formal action in writing prior to December 31, 2008 with respe t to future picked-up contributions. If formal action is not taken prior to December 1, 2008, only contributions taken after the written documentation is in place may be tre ted as picked-up.

WRITTEN DOCUMENTATION

Many of you offer a pick-up of employee contributions under a resolution appr ved by the IRS in a private letter ruling issued to CalPERS on December 6, 1985, (PL R 8609084). If your agency has adopted the approved resolution to implement 4 14(h)(2) pick-ups, you may continue to rely on that ruling and need not adopt a new re olution. This approved form, which is Sample E---Resolution for Employer Pick-up car be viewed at CalPERS online. If you have not previously sent a copy of the reso ition to us, or if you did not complete Sample E, but have other written documentatior please send a copy of your document or resolution to us immediately.

After 1985, CalPERS provided additional pick-up resolutions for adoption by contracting agencies that distinguishes whether the pick-up was to be actually paid by the employer or by the employee. When an employer pays the employee contributions, it is referred to as Employer Paid Member Contributions (EPMC . The employer may also report the value of EPMC as special compensation. Contr icting agencies that adopted any of these resolutions were requested to submit the resolutions to CalPERS. Samples of Resolutions A through D can be viewed t CalPERS online. You may continue to rely on these resolutions but you shoul review them and validate that the resolution covers all of the employees whose contri utions are reported as tax-deferred. If you have not previously sent a copy of the res olution to us, please do so immediately.

CALPERS NEW BUSINESS ENVIRONMENT

CalPERS is in the process of building and installing a new business reporting system. One of the design features will enhance CalPERS ability to maintain accurate and up to date information about contracting agency and school employer pick-ups. As a way of ensuring that our system will accurately record your agency's pick-up provisic ı, CalPERS requires all affected agencies to provide a copy of their existing or f ıture pick-up resolutions or other written documentation. This will ensure ongoing compliance with federal tax reporting requirements. The new system will valic ıte that you have documentation on file with CalPERS before accepting tax-deferred ıember contributions. If documentation is not on file, your records will be rejected and will be he d until the appropriate documentation is received.

CONCLUSION

If you are submitting tax-deferred contributions on behalf of your members, w request that you review your files for documentary evidence authorizing such employe pick-up of employee contributions. If you do not have evidence, please take steps to ave your governing board adopt an appropriate resolution prior to December 31, 2008.

Please send a copy of your pick-up documentation to:

CalPERS
Employer Services Division
Compensation Review Unit
P.O. Box 942709
Sacramento CA 94229-2709

If you have any questions, please call the Employer Contact Center at **888 Ca PERS** or (**888** 225-7377).

Lori McGartland, Chief
Employer Services Division

Visit the CalPERS website at www.calpers.ca.gov (2008 Circular Letters) for n ore information on the following:

1 - Revenue Ruling 2006-43
2 - Sample Resolution E
3 - Sample Resolutions A - D

Revenue Ruling 2006-43

Table of Contents

- ISSUES
- FACTS
- LAW AND ANALYSIS
- HOLDING
- TRANSITION RELIEF FOR PRE-EXISTING "PICK-UPS"
- EFFECT ON OTHER GUIDANCE
- DRAFTING INFORMATION

Government pick-up plans; employer contributions; income tax; prospective applic tion. This ruling describes the actions required for a state or its political subdivisions, etc., to "pi k-up" or treat certain contributions as employer contributions to a plan qualified under section 4((a) of the Code. If certain criteria are met, this ruling will be applied prospectively. Rev. Ruls. 81- 5, 81-36, and 87-10 amplified and modified.

ISSUES

What actions are required in order for a State or political subdivision thereof, or an agency r instrumentality of any of the foregoing, to "pick up" employee contributions to a plan qualifi d under § 401(a) of the Internal Revenue Code so that the contributions are treated as empl yer contributions pursuant to § 414(h)(2)?

FACTS

Employer M is a political subdivision of State N. Employer M participates in Plan A, a defin d benefit pension plan qualified under § 401(a) and established by State N to provide retirem nt benefits to eligible employees of State N and any political subdivision of State N. Plan A re uires each participating employee to make employee contributions to Plan A equal to a specifiec percentage of the participant's salary. These amounts, designated as employee contributic is under § 414(h)(1), are deducted from the participant's salary. State N statutes governing P an A permit any political subdivision to provide that the employee contributions will be paid by th employer in order to be picked up and treated as employer contributions under § 414(h)(2) On March 1, 2006, Employer M amends its governing laws to provide that the amounts design ted as employee contributions under Plan A will be paid by Employer M for all of Employer M's employees in order to be treated as employer contributions under § 414(h)(2), as permittec under the statutes governing Plan A. The amendment is in writing, was adopted by persons auth ized to amend Employer M's governing laws, and is effective for periods on or after April 1, 200 . Employer M, thereafter, treats the amounts as employer contributions, instead of as being employee contributions, for federal income tax purposes and does not include these amou ts in the participating employees' gross income.

LAW AND ANALYSIS

Section 414(h)(1) provides that any amount contributed to a qualified plan is not treated a having been made by the employer if it is designated as an employee contribution.

Section 414(h)(2) provides a special rule for qualified plans established by a State govern ent or political subdivision thereof, or by any agency or instrumentality of the foregoing. Under th s rule, contributions, although designated as employee contributions, are nevertheless treated a employer contributions if the contributions are picked up by the employing unit.

Section 401(k) provides the rules relating to cash or deferred elections. Section 1.401(k)- a)(1) of the Income Tax Regulations provides that a plan, other than a profit-sharing, stock bon s, pre-ERISA money purchase pension or rural cooperative plan, does not satisfy the requireme ts of § 401(a) if the plan includes a cash or deferred arrangement. Thus, a qualified defined be efit plan is not permitted to include a cash or deferred arrangement.

Section 1.401(k)-1(a)(3) generally defines a cash or deferred election as any direct or indi ect election (or modification of an earlier election) by an employee to have the employer (i) pr vide an amount that is not currently available to the employee in the form of cash or some othe taxable benefit, or (ii) contribute an amount to a trust or provide an accrual for a plan defe ng the receipt of compensation.

Rev. Rul. 77-462, 1977-2 C.B. 358, addresses the income tax treatment of contributions p ked up by the employer within the meaning of § 414(h)(2). In Rev. Rul. 77-462, the employer s hool district agreed to "pick up" and pay the required contributions of the eligible employees un er the plan. The revenue ruling holds that the contributions picked up by the school district are e luded from the gross income of employees until such time as they are distributed to the employe s.

Rev. Rul. 81-35, 1981-1 C.B. 255, and Rev. Rul. 81-36, 1981-1 C.B. 255, address certain requirements for contributions to be picked up by an employer within the meaning of § 414)(2). These revenue rulings establish that the following criteria must be satisfied: (i) the employe must specify that the contributions, although designated as employee contributions, are being p d by the employer in lieu of contributions by the employee; and (ii) the employee must not be gi en the option of choosing to receive the contributed amounts directly instead of having them paid y the employer to the plan.Rev. Rul. 81-35 and Rev. Rul. 81-36 apply even if the employer picks up the contributions through either a reduction in salary or an offset against future salary increase .

Rev. Rul. 87-10, 1987-1 C.B. 136, addresses when contributions designated as employee contributions (designated employee contributions) under § 414(h)(1) to a qualified plan established by a State government (including a political subdivision thereof, or any agency r instrumentality of the foregoing) are excludable from the gross income of the employee. Th ruling concludes that, to satisfy the criteria set forth in Rev. Rul. 81-35 and Rev. Rul. 81-36 the governmental action necessary to effectuate the "pick-up" must be completed before the pe iod to which such contributions relate. Thus, designated employee contributions to a qualified pla established by a State government are excluded from gross income as "pick-up" contributi s that are treated as employer contributions only to the extent the contributions relate to compensation for services rendered after the date of the last governmental action necessa to effectuate the "pick-up."

Based on the foregoing, a contribution to a qualified plan established by a State governm nt will not be treated as picked up by the employing unit under § 414(h)(2) unless the employing unit:

(1) Specifies that the contributions, although designated as employee contributions, are b ing paid by the employer. For this purpose, the employing unit must take formal action to prov de that the contributions on behalf of a specific class of employees of the employing unit, althoug designated as employee contributions, will be paid by the employing unit in lieu of employ e contributions. A person duly authorized to take such action with respect to the employing nit must take such action. The action must apply only prospectively and be evidenced by a contemporaneous written document (*e.g.*, minutes of a meeting, a resolution, or an ordina ce).

(2) Does not permit a participating employee from and after the date of the "pick-up" to ha e a cash or deferred election right (within the meaning of § 1.401(k)-1(a)(3)) with respect to designated employee contributions. Thus, for example, participating employees must not l e permitted to opt out of the "pick-up", or to receive the contributed amounts directly instead of having them paid by the employing unit to the plan.

Employer M has taken formal action which was memorialized in a contemporaneous writir that provides that it will "pick up" all prospective contributions for the Employer M employees w o are required to contribute to Plan A. Further, employees are required to participate in Plan A, not have the option of choosing to receive the contributed amounts directly, and may not mak a cash or deferred election with respect to such amounts. Employer M has met the requirem nts to have the designated employee contributions under Plan A picked up and treated as emplo er contributions pursuant to § 414(h)(2). Thus, contributions made to Plan A are not includibl in a participant's gross income until distributed under § 402.

This revenue ruling applies only for federal income tax purposes. See §§ 3121(a)(5)(A) an 3121(v)(1)(B) of the Federal Insurance Contributions Act (FICA) for the treatment of amou s treated as an employer contributions under § 414(h)(2).

HOLDING

Because an authorized person has taken formal action in writing prospectively to have the employing unit pay previously designated employee contributions to a § 401(a) qualified pl n, appropriate actions have been taken for the contributions to be picked up by the employing unit and treated as employer contributions pursuant to § 414(h)(2).

TRANSITION RELIEF FOR PRE-EXISTING "PICK-UPS"

Under the authority of § 7805(b)(8), the Service will not treat any plan that on or before Au ust 28, 2006, includes designated employee contributions that were intended to be picked up employer contributions pursuant to § 414(h)(2) as failing to meet the requirements of such ection prior to January 1, 2009, solely on account of the failure to satisfy the requirement that the pick-up" be pursuant to a formal action, by a person duly authorized to take such action with res ect to the employing unit, that is evidenced by contemporaneous writing, but only if the following conditions are satisfied: (1) the employing unit has taken contemporaneous action evidenc g an intent to establish a "pick-up" (*e.g.*, provided information to employees relating to the establishment of the "pick-up") and has operated the plan accordingly; and (2) the employi unit takes formal action in writing prior to January 1, 2009, with respect to future contributions t meet the requirements set forth above in paragraph (1) of *Law and Analysis* in this revenue rulin

The relief provided above for "pick-ups" implemented prior to August 28, 2006, applies onl if the actions taken otherwise complied with Rev. Rul. 81-35, Rev. Rul. 81-36, and Rev. Rul. 87- 0, and only if the employing unit has not reported the contributions as wages subject to federal in ɔrne tax withholding from and after the date of implementation of the intended "pick-up".

In addition, under the authority of § 7805(b)(8), this revenue ruling does not modify or revo e any private letter ruling issued to any taxpayer prior to August 28, 2006. See § 601.201(l)(4).

EFFECT ON OTHER GUIDANCE

Rev. Rul. 81-35, Rev. Rul. 81-36, and Rev. Rul. 87-10 are amplified and modified.

DRAFTING INFORMATION

The principal drafter of this revenue ruling is Kathleen Herrmann of the Employee Plans, T: ‹ Exempt and Government Entities Division. For further information regarding this revenue rı ing, please contact the Employee Plans' taxpayer assistance telephone service at 1-877-829-5)0 (a toll-free number) between the hours of 8:30 a.m. and 4:30 p.m. Eastern Time, Monday thrc gh Friday. Ms. Herrmann may be reached at (202) 283-9888 (not a toll-free number).

MST
MONTEREY-SALINAS TRANSIT

JOINT POWERS AGENCY MEMBERS:
City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey • City of Pacific Grove
City of Salinas • City of Seaside • County of Monterey • City of Gonzales (ex. officio)

February 12, 2008

Ronald Langford
Del Rey Oaks City Clerk
650 Canyon Del Rey
Del Rey Oaks CA 93940

RE: MST Joint Powers Agreement Amendment

Dear Mr. Langford:

MST is seeking your city council's approval of an amendment to the Joint Powers Agreement through which bus service is provided to your community. **Please note that this amendment would have no fiscal impact to your city.** It only readjusts the formula through which the County of Monterey provides funding to MST.

The Joint Powers Agreement that governs Monterey-Salinas Transit, which was last ratified in September 1981, addresses how Local Transportation Funds (LTF) are distributed to MST from member jurisdictions. In the 1981 agreement, the County's proportion of LTF dollars paid to MST was based on the population of the unincorporated area residing within ½-mile of MST bus routes. Since the mid-1990's, the federal Department of Transportation, Federal Transit Administration, as well as California Department of Transportation have all adopted a definition for the population that is served by either fixed-route or complimentary ADA paratransit services as being that within a ¾ mile corridor of transit routes. MST and the County have determined that it would be appropriate to modify the Joint Powers Agreement to define the unincorporated population served by transit to include the population within ¾ miles from MST's transit routes. It is estimated that the population between ½ mile and ¾ miles from existing routes would generate for MST an additional $270,000 per year from County LTF funds.

At its September 25, 2007, meeting, the Monterey County Board of Supervisors approved this amendment to the Joint Powers Agreement. In order for it to be fully ratified and put into effect, each city that comprises the Joint Powers Authority must also approve this amendment.

To assist in preparing the appropriate documentation for this amendment, I have included a memo from the August 13, 2007, meeting of the MST Board of Directors, as well as Amendment No. 1 to the Joint Powers Agreement and a copy of the 1981 version of the Joint Powers Agreement that is currently in effect. To ensure timely implementation of the amended

One Ryan Ranch Road • Monterey, California 93940-5795 USA • Fax 831.899.3954 • Phone 831.899.2558 or 424.7695
www.mst.org • e-mail: mst@mst.org

Joint Powers Agreement, please place this item on an upcoming city council agenda for approval at your earliest convenience.

For additional information, please contact Hunter Harvath, MST's Director of Administration, at 393-8129. In addition, he is available to attend your city council meeting to answer any questions that may come up regarding this matter.

Sincerely,

Carl G. Sedoryk
General Manager/CEO

Attachment 1: August 13, 2007, MST Board of Directors Meeting Agenda Item #8-3
Attachment 2: Amendment No. 1 to the MST Joint Powers Agreement
Attachment 3: MST Joint Powers Agreement – 1981

ATTACHMENT # 1

Agenda # **8-3**
August 13, 2007 Meeting

To: Board of Directors

From: C. Sedoryk, General Manager/CEO

Subject: Modify Joint Powers Agreement

RECOMMENDATION:

1. Adopt proposed amendment to Monterey-Salinas Transit Joint Powers Agreement changing the formula for allocation of County of Monterey Local Transportation Funds to MST (Attachment 1).

2. Direct staff to seek approval of amendment to JPA from member jurisdiction governing Boards and Councils.

FISCAL IMPACT:

No fiscal impact in FY 2008. Staff anticipates an additional $135,000 in LTF funds from the County in FY 2008, and an additional $270,000 in LTF from the County in 2010 and thereafter depending on sales tax returns and population growth.

POLICY IMPLICATIONS:

Amendments to the Joint Powers Agency Agreement may only be made by the unanimous consent of MST member agencies.

DISCUSSION:

At your December 2006 Board meeting your Board authorized the Chair to form an ad-hoc committee to meet with a sub-committee of County of Monterey Board of Supervisors to discuss local funding issues and possible amendment of the MST Joint Powers agreement related to the distribution of Local Transportation Funds (LTF) to Monterey-Salinas Transit and to suggest modifications to County of Monterey allocations of LTF, if necessary.

The Joint Powers Agreement that governs Monterey-Salinas Transit, which was last ratified in September 1981, addresses how Local Transportation Funds are distributed to MST from member jurisdictions. By state statute, LTF funds are designated to be used for bicycle, pedestrian, and transit programs before being allocated to streets and roads programs. The JPA agreement states that with regard to the County of Monterey these funds would be allocated "according to a ratio of – unincorporated population served by the Agency to the total unincorporated population

of the County. The unincorporated population served is that within one-half mile of the Agency transit routes."

Since the mid-1990's, the federal Department of Transportation, Federal Transit Administration, as well as California Department of Transportation have all adopted a definition for the population that is served by either fixed-route or complimentary ADA paratransit services as being that within a ¾ mile corridor of transit routes. The sub-committee determined if it would be appropriate to modify the JPA to define the unincorporated population served by transit to include the population within three-quarter miles from Agency transit routes. It is estimated that the population between ½ mile and ¾ miles from existing routes would generate an additional $270,000 per year from County LTF funds.

The Committee ultimately recommended a phased implementation over 3 years to modify the percentage of County LTF funds allocated to MST. MST staff and County staff worked together to develop mutually agreeable language to modify the JPA to reflect the Committee agreement. The attached amendment to the Joint Powers Agreement has been reviewed and approved by both MST General Counsel and County Counsel.

The committee was also tasked with negotiating what repayment, if any was due from the County of Monterey due to misallocation of LTF funds resulting from a clerical error on the part of TAMC. While it was determined that the clerical error resulted in a net loss of County LTF distributed to MST of approximately $70,000 per year since 2002, the committee determined that MST would not seek repayment.

PREPARED BY: Carl G. Sedoryk

Attachment 1: JPA Amendment

AMENDMENT NO. 1 TO

JOINT-POWERS AGREEMENT
MONTEREY-SALINAS TRANSIT

THIS AMENDMENT NO. 1 to the Joint Powers Agreement Monterey-Salinas Transit (hereinafter, "Agreement"), by and between the cities of Carmel-By-The Sea, Del Rey Oaks, Marina, Monterey, Pacific Grove, Salinas, and Seaside, and the County of Monterey (hereinafter, "COUNTY"), is hereby entered into pursuant to Section 6500 et. Seq. of the Government Code of the State of California.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Amend Article III, "Financial Provisions", Section 3. "Commitment of Special Funds to Agency" to read as follows:

Each city Member Agency agrees to give the Agency the right of first priority of use of any State or Federal funds allocated specifically for public transportation according to a ratio of unincorporated population served by the Agency to the total unincorporated population of the County. The article defines the unincorporated population served as that within one-half mile of the Agency transit routes.

Subsequent to the 1981 agreement and as a direct result of the passage of Americans With Disabilities Act of 1990 (ADA), the definition of the population served by transit was changed in federal and state laws, regulations and guidelines to be the population that is within a three-quarter mile of MST transit routes.

Since Year 2000 census figures were known through fiscal year 2006, state funds allocated to the County of Monterey for public transportation have not been allocated to MST according to a ratio of unincorporated population within one-half mile served by the Agency to the total unincorporated population of the County.

A joint committee comprised of Monterey-Salinas Transit Board Members and Monterey County Supervisors have met to determine if the COUNTY Commitment of Special Funds should be changed to reflect the obligations of public transit under the ADA.

Based on the outcome of the negotiations between the MST and the COUNTY the parties agree to:

1. Amend the MST Joint Powers Agreement to define the unincorporated population served as that within three-quarter mile of the Agency transit routes.

2. Provide a phased implementation of additional allocation from the County for the incremental increase in the percentage of population residing within one-half mile and three-quarter miles of an MST route in the following manner;

FY 2008 – 0% of incremental increase paid to MST.

FY 2009 – 50% of incremental increase paid to MST.

FY 2010 and thereafter - the County shall allocate public transportation funds according to a ratio of unincorporated population within three-quarter miles of an MST route to the total unincorporated population of the County.

3. MST holding the County harmless for, and releasing all claim to any prior misallocations of public transportation funds that should have come to MST prior to this agreement.

It is the purpose of this agreement to amend further the Joint Powers Agreement by and between the same parties first dated on or about August 29, 1972 and subsequently amended on or about September 8, 1981. All rights, duties and obligations incurred [pursuant tot eh prior agreements shall remain full force and effect. The Agency is to be construed as having been in continual existence since its inception and no action previously taken is to be considered modified, amended or otherwise affected by this agreement.

Except as modified by this Amendment, the Parties intend to, and by this Amendment shall, republish the Joint Powers Agreement, as amended on or about September 8, 1981.

In Witness whereof, the parties have duly executed two (2) identical counterparts of this instrument, each of which shall be for all purposes deemed an original thereof, on the dates set forth below.

MONTEREY-SALINAS TRANSIT

By:_____
Fernando Armenta
Title: Chair, MST Board of Directors

Date:_____

Agreed to form _____
David C. Laredo, MST General Counsel

COUNTY OF MONTEREY

By:_____
Dave Potter
Title: Chair, Monterey County Board of Supervisors

Date:_____

Agreed to form_____
Lee Blankenship, Monterey County Counsel

ATTACHMENT # 2

AMENDMENT NO. 1 TO

JOINT-POWERS AGREEMENT
MONTEREY-SALINAS TRANSIT

THIS AMENDMENT NO. 1 to the Joint Powers Agreement Monterey-Salinas Transit (hereinafter, "Agreement"), by and between the cities of Carmel-By-The Sea, Del Rey Oaks, Marina, Monterey, Pacific Grove, Salinas, and Seaside, and the County of Monterey (hereinafter, "COUNTY"), is hereby entered into pursuant to Section 6500 et. Seq. of the Government Code of the State of California.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Amend Article III, "Financial Provisions", Section 3. "Commitment of Special Funds to Agency" to read as follows:

Each city Member Agency agrees to give the Agency the right of first priority of use of any State or Federal funds allocated specifically for public transportation systems and to which the Member Agency might otherwise be entitled to claim as, but not limited to, SB 325 funds. The County agrees to give the Agency the right of first priority of use of any State or Federal funds allocated specifically for public transportation to which the County might otherwise be entitled to claim as, but not limited to, SB 325 funds according to a ratio of – unincorporated population served by the Agency to the total unincorporated population of the County. The unincorporated population served by the Agency transit routes shall be as follows:

In Fiscal Year 2008, the County unincorporated population served by the Agency shall be that population residing within ***one-half mile*** of the Agency transit routes. In Fiscal Year 2009, the County unincorporated population served by the Agency shall be that population residing within ***one-half mile*** of the Agency transit routes plus fifty percent (50%) of the incremental population residing between one-half mile and three-quarter mile of the Agency transit routes. In Fiscal Year 2010, and thereafter, the County unincorporated population served by the Agency shall be the unincorporated population residing within ***three-quarter mile*** of the Agency transit routes.

2. All other terms and conditions of the Agreement remain unchanged and in full force.

3. This Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed Amendment No. 1 to the Agreement as of the day and year written below:

COUNTY OF MONTEREY

Chair of the Board of Supervisors

By: _____

Date: _____

APPROVED AS TO FORM

County Counsel

By: _____

Date: _____

CITY OF CARMEL-BY-THE-SEA

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF DEL REY OAKS

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF MARINA

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF MONTEREY

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF PACIFIC GROVE

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF SEASIDE

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

CITY OF SALINAS

By: _____

Date: _____

APPROVED AS TO FORM

By: _____

Date: _____

ATTACHMENT # 3

2.1 JOINT POWERS AGREEMENT

JOINT POWERS AGREEMENT
MONTEREY-SALINAS TRANSIT

THIS AGREEMENT by and between the cities of ~~CARMEL~~-BY-THE-SEA, DEL REY OAKS, MARINA, MONTEREY, PACIFIC GROVE, SALINAS, SEASIDE and the COUNTY OF MONTEREY, is hereby entered into pursuant to Section 6500 et seq of the Government Code of the State of California:

Article 1 – GENERAL PROVISIONS

SECTION 1. PURPOSES: The purpose of this agreement is to exercise the common powers of the member agencies by the formation of a Joint Powers Agency with full power and authority to own, operate and administer a public transportation system within the territory over which the Joint Powers Agency has jurisdiction.

SECTION 2. NAME: The legal name of the Joint Powers Agency shall be "MONTEREY-SALINAS TRANSIT" which said name shall supersede the former names "MONTEREY PENINSULA TRANSIT SYSTEM JOINT POWERS AGENCY" and "MONTEREY PENINSULA TRANSIT."

SECTION 3. POWERS: The agency shall have all powers necessary to carry out the purpose of this agreement except the power to tax. It's power to expend funds shall be limited only by the availability of funds as set forth in Section I of Article III: FINANCES. The powers of the Agency specifically include, but are not limited to the following:

a. To sue and be sued.

b. To employ agents, employees and to contract for professional services.

c. To make and enter contracts including labor and employment contracts.

d. To acquire convey, construct, manage, maintain and operate buildings and improvements.

e. To acquire and convey real and personal property.

f. To incur debts, liabilities and obligations.

g. Apply for and execute contracts of financial assistance from state and federal agencies and to obligate the Agency to operate the improvements, equipment or transportation system in accordance with the terms and conditions of said financial assistance.

SECTION 4. AGENCY IS A PUBLIC LEGAL ENTITIY: The Joint Powers Agency MONTEREY-SALINS TRANSIT, is a public entity duly formed and existing under the laws of the State of California. It is a separate and distinct legal entity from its member agencies. The debts, duties and obligations created pursuant to this agreement, or those created pursuant to the previous agreement, shall be solely the obligation of SMT and not those of its officers, employees, members of the Board of Directors or the member agencies.

ARTICLE II – ORGANIZATION

SECTION 1. BOARD OF DIRECTORS: The powers of the Agency are vested in its Board of Directors. The Board of Directors shall be composed of one representative from each Member Agency. Each member of the Board of Directors shall have one vote. Each Member Agency shall appoint one regular member and one alternate member to the Board of Directors and shall notify the Agency in writing of their appointments or any change of representative. The representative shall serve solely at the pleasure of the appointing Member Agency. Representatives shall be either elected officials or officers or employees of the Member Agency.

SECTION 2. MEETINGS, VOTING, QUORUM: The Board shall establish a time, place and date for a regular monthly meeting. Regular Meetings may be adjourned from time to time. Special Meetings may be called by the Chairman or upon written request of any two members of the Board. Members shall be given at least 48 hours written notice of special meetings provided the representative of any member agency may waive said notice.

A majority of the members shall constitute a quorum for the transaction of business.

Unless specifically limited by this agreement, the vote of a majority of the members present at any Regular, Adjourned or Special Meeting shall be sufficient to act upon any matter.

SECTION 3. OFFICERS: The Board shall elect a Chairman and a Vice-Chairman, who shall act in the absence of the Chairman, and such other officers, as they may deem necessary.

All officers shall serve for a term of one year from the date of their election or until their successors is elected. The Chairman and Vice-Chairman are authorized to execute all documents in the name of the Agency.

SECTION 4. GENERAL MANAGER/CEO: The Board shall appoint a General Manager/CEO who shall be the Chief Administrative Officer and assume such other duties and responsibilities as the Board may direct. The General Manager/CEO shall serve at the pleasure of the Board. The Board shall appoint one of its officers or employees as Secretary.

SECTION 5. NEW MEMBERS: The Board may accept new members to the Agency on such terms and conditions as they may prescribe. Membership of the Agency shall be limited to the County of Monterey and incorporated cities within the County.

SECTION 6. CHANGE OF BOUNDARIES: Should any portion of the unincorporated area of the County be annexed to a member city, that city shall assume the obligation of the County as to the area. Should any portion of unincorporated area of the County become incorporated and that new city becomes a party of this agreement then that city shall assume the obligations of the County as to that area. Should said new city refuse to become a party to this agreement, then all service to that area shall cease.

ARTICLE III – FINANCIAL PROVISIONS

SECTION 1. BUDGET – LIMITATION OF FINANCIAL COMMITMENT:

The Board shall establish the fiscal year for the Agency and shall, prior to the commencement of each fiscal year adopt an annual budget. The budget may additionally carry funds for future fiscal years where necessary to reflect obligations under state or federal funding agreements.

The Board shall not obligate the Agency to expenditures in excess of the funds from revenues and state and federal funding, including but not limited to so-called "SB 325 funds." No member Agency shall be required to expend any of its general fund monies to support the operations of the Agency unless said expenditure is first approved by the legislative body of the Member Agency.

SECTION 2. EXPENDITURES: The Board may establish procedures and policies to ensure competitive prices for the purchase of goods and services. Formal bidding shall not be required unless directed specifically by the board or required by state or federal law. Particularly in the purchase of equipment, including buses, the Board may consider the design, maintenance and operating costs, and other similar factors in determining the most suitable equipment and need not purchase equipment having the lowest initial cost.

SECTION 3. COMMITMENT OF SPECIAL FUNDS TO AGENCY: Each city Member Agency agrees to give the Agency the right of first priority of use of any State or Federal funds allocated specifically for public transportation systems and to which the Member Agency might otherwise be entitled to claim as, but not limited to, SB 325 funds. The County agrees to give the Agency the right of first priority of use of any State or Federal funds allocated specifically for public transportation to which the County might otherwise be entitled to claim as, but not limited to, SB 325 funds according to a ratio of – unincorporated population served by the Agency to the total unincorporated population of the County. The unincorporated population served is that within one half mile of the Agency transit routes.

SECTION 4. TREASURER/AUDITOR: The Board shall appoint and fix the compensation of the Treasurer, and/or Auditor as required by law.

SECTION 5. ANNUAL AUDIT: The Agency shall cause an annual audit to be prepared and filed in accordance with Government Code Section 6505.

SECTION 6. OFFICIAL BONDS: The General Manager/CEO and such other employees or agents as the Board may direct shall file an official bond in the amount determined by the Board. The cost of said bond(s) shall be borne by the Agency.

ARTICLE IV – MISCELLANEOUS PROVISIONS

SECTION 1. WITHDRAWAL OF MEMBERS: At any time, the Agency has a contractual obligation to continue operation of a public transit system, the remaining members may impose such conditions upon the withdrawing member, including future financial supports, as are reasonable to meet the contractual obligations of the Agency at the time of withdrawal. A withdrawing member's obligation under this Section is limited to special transportation funds such as SB 325 funds, to which the withdrawing member would be otherwise entitled, but this Section shall not impose any obligation on the general funds of the withdrawing member.

SECTION 2. AMENDMENT OF PREVIOUS AGREEMENT – CONTINUATION OF RIGHTS, DUTIES AND OBLIGATIONS: It is the purpose of this agreement to amend further the Joint Powers Agreement by and between the same parties (except Marina and Salinas) first dated on or about August 29, 1972, and subsequently amended. All rights, duties and obligations incurred pursuant to the prior agreements shall remain in full force and effect. The Agency is to be construed as having been in continual existence since its inception and no action previously taken is to be considered modified, amended or otherwise affected by this agreement.

SECTION 3. AMENDMENT OF AGREEMENT: No amendment to this agreement shall be made without the consent of all existing members at the time of the amendment.

SECTION 4. RATIFICATION – EFFECTIVE DATE: This agreement shall become effective upon ratification by all Member Agencies. For convenience, this agreement shall be dated upon the last date ratified by a Member Agency.

SECTION 5. ASSIGNABILITY: In the event it is deemed in the best public interest to have the public transportation system operated by another individual or entity whether public or private, and provided that the assignment complies with state and federal law, the Agency on affirmative vote of six members may sell, lease or assign all of its real and personal property and cease operations upon such terms and conditions as the Board determines to be reasonable.

SECTION 6. TERMINATION: This agreement shall continue in full force and effect until cancelled by a majority of the Member Agencies provided however that there shall be no cancellation during the term prescribed in a Federal or State grant which has been approved by the Agency.

CITY OF SALINAS:

Mayor

ATTEST:

Evelyn Reynolds
City Clerk City of Salinas

CITY OF CARMEL-BY-THE-SEA

BARNEY LALOLO
Mayor

ATTEST:

JEANNE KETTELKAMP
City Clerk

Date of Approval: September 8, 1981

CITY OF DEL REY OAKS

Robert B. Franco

ROBERT B. FRANCO
Mayor

ATTEST:

Joyce A. Dettman

JOYCE A. DETTMAN
City Clerk

Date of Approval: 25 August 1981

CITY OF MARINA

ROBERT T. DUYE
Mayor

ATTEST:

LARRY W. BAGLEY
City Clerk

Date of Approval: September 2, 1981

COUNTY OF MONTEREY

BARBARA SHIPNUCK
Chairwoman

ATTEST:

By: Linda Mounday Deputy

Linda Mounday
ERNEST MAGGINI
County Clerk

Date of Approval: September 29, 1981

CITY OF PACIFIC GROVE

FLORUS C. WILLIAMS
Mayor

ATTEST:

WILLIAM S. PITT
City Clerk

Date of Approval: September 16, 1981

CITY OF MONTEREY

GERALD T. FRY
Mayor

ATTEST:

PATRICIA O'HEARN
City Clerk

Date of Approval: September 1, 1981

CITY OF SEASIDE

GLENN OLEA
Mayor

ATTEST:

ROGER KEMP
City Clerk

Date of Approval: Donald B. Freeman

CITY OF SEASIDE

GLENN OLEA
Mayor

ATTEST:

ROGER KEMP
City Clerk

Date of Approval:

BOARD OF DIRECTORS

LEO LASKA
CHAIR

SUE McCLOUD
VICE CHAIR

GARY BALES
DAVID PENDERGRASS
KEN GRAY
JOSEPH P. RUSSELL
DON JORDAN
LIBBY DOWNEY
ILA METTEE-McCUTCHON

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Home of the Last Chance Mercantile

WILLIAM MERRY, P.E., BCEE
GENERAL MANAGER/
DISTRICT ENGINEER

TIMOTHY S. FLANAGAN
ASST. GENERAL MANAGER

RICHARD SHEDDEN, P.E.
SENIOR ENGINEER

RICHARD NORTON
ADMIN. SERVICES MGR.

ROBERT WELLINGTON
COUNSEL

MEMORANDUM

RECEIVED
DEC 26 2008
DEL REY OAKS
CITY CLERK

DATE: December 22, 2008

TO: Del Rey Oaks City Council

FROM: Joseph Russell

SUBJECT: Highlights of the December 19, 2008 Board Meeting

The highlights of the meeting are as follows:

1) Under consent, the Board approved the 2009 Board Calendar and the purchase of two used pick up trucks, which will be used in the site maintenance operations.

2) The Board received a report from the Chair of the Ad Hoc Power Sales Committee summarizing discussion of their December 10th meeting. The District is in the process of preparing documents to amend the Power Purchase and Sales Agreement (PPSA) with PG&E, to sell power at a price of $0.0998 per kilowatt-hour for a term of ten years and anticipates bringing an agreement for Board approval at the January meeting. District plans anticipate future deliveries of its renewable power to a proposed regional water project.

3) The Board received a report from the Chair of the Finance Committee summarizing discussion of their December 10th meeting. Topics of discussion included a review of District operations and finances. Staff will provide a mid year budget review at the January meeting.

4) The Board received a report from the Chair of the Personnel Committee summarizing discussion of their December 2nd meeting. The Board authorized a contract with Liebert Cassidy Whitmore to provide assistance with employment services, as needed. The Board approved the one time use of health insurance savings to partially offset the employee contributions that will be required with the 21% rate increase for family coverage.

5) The Board considered a request from Sunland Garden Products to forbear costs associated with the rental of 60 acres of District property used for Sunland's compositing operation. The Board agreed to continue with the current contract with no forbearance, but directed staff to continue discussions with Sunland to consider the possibilities of a revised contract.

8) The attached AB 939 Recycling Rates as of December 15, 2008 were provided to the Board.

If you have any questions or would like more information, please contact General Manager William Merry at 384-5313, or me.

Joseph Russell, Director
Monterey Regional Waste Management District

Attachment

14201 DEL MONTE BLVD ★ BOX 1670 ★ MARINA, CA 93933-1670 ★ 831/384-5313, FAX 831/384-3567 ★ www.mrwmd.org

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MST
MONTEREY-SALINAS TRANSIT

JOINT POWERS AGENCY MEMBERS:
City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Marina • City of Monterey • City of Pacific Grove
City of Salinas • City of Seaside • County of Monterey • City of Gonzales (ex. officio)

MST HIGHLIGHTS
JANUARY 12, 2009 BOARD MEETING

JANUARY EMPLOYEE OF THE MONTH

The MST Board adopted Resolution 2009-12 recognizing Sonia Bannister, Office Administrator/Marketing & Sales Specialist, as Employee of the Month for January 2009. Since her date of hire, Sonia has consistently improved her job skills and responsibilities and has been the recipient of multiple commendations and awards. Sonia has been selected as MST Employee of the Month on numerous occasions including November 1995, February 2000 and February 2001 for outstanding performance. Most recently, Sonia received an MST Leadership Award for her efforts in leading the coordination of the staffing of MST volunteers in support of the California Transit Association Fall 2008 Annual Conference.

EMPLOYEE OF THE YEAR

The MST Board adopted Resolution 2009-13 recognizing Fred Simkins, Coach Operator, as Employee of the Year for 2008. In recognition of his outstanding performance in the delivery of quality public transportation, Fred was selected as Employee of the Month for April 2005, and again in November 2008. In 2008, Fred received his fifth, consecutive safe driving award while maintaining an average on-time schedule adherence of 93%, which exceeds MST's system-wide goal of 87%. Additionally in 2008, Fred once again had perfect attendance and provided exceptional customer service throughout the year.

GENERAL MANAGER'S EXCELLENCE AWARD

Mark Eccles, Director of Information Technology, was presented with the General Manager's Excellence award. This award was presented to Mr. Eccles to recognize his efforts during the past year including implementation on online bus pass sales, real-time customer information at transit centers, and online trip planning using Google Transit.

RETIREMENTS

The MST Board recognized Jose Tamonte, Coach Operator, and William Morris, Contract Transportation Manager for their years of service.

Mr. Tamonte has been recognized with numerous safety and customer service awards. He also supported MST's mission through his professionalism and dedication to safety, accumulating 5 years of Safe Driving. He retired after 9 years of service.

One Ryan Ranch Road • Monterey, California 93940-5795 USA • Fax 831.899.3954 • Phone 831.899.2558 or 424.7695
www.mst.org • e-mail: mst@mst.org

Mr. Morris successfully managed MST's contract transportation services representing 37% of all services delivered by the agency. He also increased the overall quality of services provided by the MST RIDES program for the disabled and elderly community in Monterey County. He will retire after 11 years of service.

20-YEAR SERVICE AWARD

The MST Board presented a 20-Year Service Award to Jamey McCallon, Communication Systems Specialist.

MARINA TRANSIT EXCHANGE MIXED-USE DEVELOPMENT

The MST Board authorized staff to extend by six months MST's exclusive negotiations with Gannett Fleming Project Development Corp. and Urban Housing Communities for the development of the mixed-use phase of the Marina Transit Exchange.

PERFORMANCE INCENTIVE PAY FOR GENERAL MANAGER/CEO

The MST Board approved a 5% annual Performance Incentive for the General Manager/CEO. The employment agreement provides benefits comparable to those currently received by the Monterey-Salinas Transit Employees Association including an incentive pay pool.

2009 LEGISLATIVE PROGRAM

The MST Board approved the MST 2009 Legislative Program.

At the federal level, Congress will continue to implement the final year of the Transportation Authorization bill including provisions related to funding transit operations and capital programs, as well as programs designed to fund transit in rural areas, to increase access for the disabled, to protect transit vehicles and facilities, and to support intelligent transportation systems.

At the state level, MST will focus on ensuring that its projects are funded through the state transportation bond approved by voters in November 2006. MST will continue to push for the restoration of transit funds that have been diverted to other purposes and identification of legislative remedies that enhance the efficiency and effectiveness of transit service. MST may seek, if appropriate, legislation to change its designation under state law from and a Joint Powers Agency to a Rapid Transit District.

MARINA AREA SERVICE STUDY

The MST Board awarded a contract for $56,664 to Moore & Associates to perform the Marina Area Service Study.

The Marina Area Service Study (MASS) is designed to evaluate how well MST's bus service in and around the Marina/CSUMB area is meeting passenger demand with regards to on-time performance, safety and convenience; to examine present and anticipated development and travel patterns; and to subsequently propose a series of

new and adjusted bus routes that would better serve existing and future public transit customers as well as increase overall ridership.

MV TRANSPORTATION, INC. CONTRACT AMENDMENT

The MST Board approved a contract amendment by and between MST and MV Transportation, Inc. (MVTI) which will include a "Fuel Escalator" provision.

The "Fuel Escalator" provision would lock MVTI's cost per gallon of fuel and diesel at the level that they had originally budgeted when they submitted their bid in March of 2004. The amended provision would contractually require MST to subsidize any additional fuel expense over that amount. The term of this amendment would commence on January 12, 2009 and expire on July 17, 2009.

AGREEMENT WITH TAMC FOR SHORT-TERM TRANSFER OF FUNDS

The MST Board authorized the General Manager/CEO to execute an agreement with the Transportation Agency for Monterey County (TAMC) for short-term transfer of funds to retire outstanding debt from bus financing, if needed.

ELECTION OF OFFICERS

The MST Board of Directors held their election of officers and re-elected Director Fernando Armenta as Chair and Director Tom Mancini as Vice-Chair. Other staff appointments remain the same.

www.chservices.org
831.658.3811 phone
831.658.3815 fax

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HIGHLIGHTS OF
REGULAR BOARD MEETING
January 15, 2009

1. *Marisa Ramirez presented the Family to Family program to the Board of Directors. Family to Family (F2F) is a community based approach to helping abused and neglected children, as well as their families. Rather than remove children from their families and place them throughout the county or sometimes out of the county, F2F focuses on keeping kids in their own neighborhoods by involving communities in decisions that may affect their families in positive and productive ways. Family to Family – "Everyone's Chance to Care."*

2. *Robin McCrae updated the Board of Director's on the progress of the rehabilitation of 544 Pearl Street, Monterey, soon to be the home of Safe Passage. The construction is well ahead of scheduled completion time and the program should be operational by mid-March. Change orders have created some additional cost; however, the roof has been prepared for the possibility of solar panels as discussed by the board. Recruitment has begun for the position of Program Coordinator.*

3. *Robin McCrae reviewed the Parent Education Program (PEP) for the Board of Directors. PEP is designed to support and educate the parents of at-risk children and families in crisis. The goal of this program is to provide parents with new skills and tools so they can parent their children with love, commitment and safety. PEP uses an evidence-based best practice called Triple P (Positive Parenting Program). Triple P is an internationally recognized bi-lingual, culturally adaptable program. Thanks to grant funding from Mental Health Services Act classes are provided free of charge.*

4. *Jenelle Montoya reviewed the progress of the "Birdies for Charity" fundraiser the board is currently participating in. She was pleased to announce that we have passed the $1,000 mark! Birdies for Charity is a fun and exciting way for board members to make a charitable donation to the agency. Pledges for the "Guess the Birdies" portion of the fundraiser must be received by February 11. Flat pledge donations must be received by February 28, 2009. Donations will be matched at 10% by Monterey Peninsula Foundation. Contact Jenelle at 658-3811 for details.*

5. *The board reviewed and discussed the 2008-09 Action Plan. Most items have been accomplished or are in progress...great news as we enter the second half of this fiscal year!*

6. *The board approved the Harassment Discrimination Policy as proposed at the meeting.*

7. *The board approved the job description of Safe Passage Program Coordinator.*

8. *The board approved the revisions to the job description of Elm House Program Coordinator.*

9. *The board approved the first budget revision for this fiscal year to reflect the addition of Safe Passage operations.*

The next general board meeting is scheduled for Thursday, February 19, 2009 from 11am to 1pm, at the Sand City City Hall, One Sylvan Park, Sand City, CA.

United Way

2009 AT&T Pebble Beach National Pro-Am Charity Shoot-Out Qualifier

Board member Harvey Kuffner will represent CHS at a qualifier to determine the 4 charities to compete in the Giving Back Day Charity Shoot-Out for a $40,000 grand prize!

Saturday, January 24th

9:30 AM — 12 Noon

Peter Hay Golf Course, Pebble Beach

Info

The top four qualifying charities will choose from the professional teams to represent them at the Charity Shoot Out on February 10 at Pebble Beach!

Sponsored by: Monterey Peninsula Foundation

•Participants this year were required to participate in the Birdies for Charity fundraiser, so there are fewer competitors and better chances!

Come out and let's cheer on Harvey!!

For more information visit http://www.montereypeninsulafoundation.org/events-programs/charity-shoot-out.php

Jenelle Montoya:
831-658-3811

MONTEREY PENINSULA FOUNDATION

A Charitable Classic Since 1947