

AGENDA
JOINT MEETING OF THE
CITY OF DEL REY OAKS CITY COUNCIL
AND REDEVELOPMENT AGENCY
TUESDAY, DECEMBER 15, 2009 at 6:00 P.M.
CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. **6:00 P.M. - ROLL CALL** – *Redevelopment Agency/City Council*

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENTS:**
Anyone wishing to address the City 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. *There will be a time limit of not more than three minutes for each speaker. No action will be taken on matters brought up under this item and all comments will be referred to staff.*

4. **ANNOUNCEMENTS**
 - A. Recognition of the Del Rey Oaks Citizen’s Action Group for the Beautification of the Del Rey Oaks City Hall Planters
 - B. Recognition of Bob Pack for his Volunteer Work in the Restoration of Rosita Road

5. **CONSENT AGENDA:** *Action Items*
 - A. **MINUTES:**
 1. November 17, 2009, Regular City Council Meeting
 2. November 18, 2009, Regular Planning Commission Meeting
 - B. **MONTHLY REPORTS:**
 1. Claims, November 2009
 2. Financials, November 2009
 3. Fire Department Response Report, November 2009
 4. Police Activity Report, November 2009
 - C. **MISCELLANEOUS:**
 1. 2010 Meeting Schedule for City Council and Planning Commission
 2. Reappointment of Jeff Cecilio to the Northern Salinas Valley Mosquito Abatement District for the term of January 2, 2010 – January 2, 2014.

6. **OLD BUSINESS:** *Action Items*
 - A. Ordinance No. 269, An Ordinance Adding Chapter 8.30 Relating to Polystyrene Food Packaging to the Municipal Code (*second reading*)

7. **NEW BUSINESS:** *Action Items*
 - A. Consider Resolution 2009-19, A Resolution Authorizing the City of Del Rey Oaks to Join the CaliforniaFIRST Program; Authorizing the California Statewide Communities Development Authority to Accept Application from Property Owners, Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the City; and Authorizing Related Actions.
 - B. Consider Appointment of Planning Commissioner to Fill One Vacancy
 - C. Consider Resolution No. 2009-20, A Resolution to Adjust the Value of the City of Del Rey Oaks/Redevelopment Agency Owned Land to Current Market Value per Auditor's Recommendation.

8. **STAFF REPORTS:**
 - A. City Manager Report

9. **MAYOR AND COUNCIL REPORTS**

10. **CORRESPONDENCE:** None

11. **CLOSED SESSION:** As permitted by Government Code Section 54956 et. seq. the Council may adjourn to a Closed Session to consider specific matters dealing with certain litigation, personnel, or labor/real property negotiations
 - A. 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

12. **SET NEXT MEETING DATE:** Establish **Tuesday, January 26, 2010, at 6:00 P.M.** as the date and time of the Council's next regular meeting.

13. **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.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEL REY
OAKS CITY COUNCIL CONVENED AT 6:00 P.M. ON TUESDAY,
NOVEMBER 17, 2009 IN THE CHARLES BENSON MEMORIAL HALL, CITY
HALL**

Present: Council Members: Zuccaro, Clark, Cecilio, Allion and Mayor Edelen

Absent:None

Also present: City Attorney Wellington, City Manager Dawson and Deputy City Clerk Carvalho

Meeting came to order at 6:02 p.m. and roll call was taken.

Pledge of Allegiance

Public Comment:

Bob Rice: Coming down Los Encinos it narrows and there is not enough room for more than one car to fit through because people park along the road.

Bob Oliver: Stated he is here again because he has not gotten a response from anyone.

Alice Green: Speeding on Carlton is a big problem and suggested a bike lane to slow people down.

City Attorney Wellington: Went over the process he has followed with regard to Mr. Oliver's complaint, stated they went to court because of Mr. Oliver's dispute and the City prevailed.

Mayor Edelen: Process has been followed and it should be the end of this topic with court findings.

Council Member Cecilio: Is the Council not commenting on the Oliver matter OK considering the complaint?

City Attorney Wellington: Council not responding to Mr. Oliver is entirely legitimate.

Consent Agenda:

Motion Council Member Clark to approve the Consent Agenda:

A. MINUTES:

1. October 27, 2009, Regular City Council Meeting
2. October 14, 2009 Regular Planning Commission Meeting

B. MONTHLY REPORTS:

1. Claims, October 2009
2. Financials, October 2009
3. Fire Department Response Report, October 2009
4. Police Activity Report, October 2009

Motion seconded by Council Member Cecilio.

There was no public comment received

Motion passed 5-0

Old Business: None

New Business:

The Council considered **ITEM 6.A.**, Ordinance No. 269, An Ordinance Adding Chapter 8.30 Relating to Polystyrene Food Packaging to the Municipal Code (*first reading*)

William Merry: Stated he is the General Manager for the Monterey Regional Waste Management District. He stated that 2 Years ago the district formed a committee to discuss the ban on polystyrene food packaging and the Ordinance being heard tonight is the result of that committee. Many communities have already adopted this ordinance. This will reduce the amount of litter and create more recyclable items.

Council Member Allion: How long does it take for the biodegradable packaging to break down?

William Merry: Approximately 90 days

Council Member Clark: Didn't the Council discuss this before?

Mayor Edelen: We had a presentation on this topic previously but no ordinance was heard.

City Attorney Wellington: Stated when this was discussed previously some research was done and there are 7 food stores in Del Rey Oaks and 6 of them already comply. Jamba Juice has a history of switching their containers when the ordinance is passed in their city so doesn't anticipate any problems.

Council Member Cecilio: How long will it take for the polystyrene to breakdown?

William Merry: It will never breakdown in landfills, composting or any other format.

Council Member Cecilio: Noted that he has purchased a mirror recently and expected polystyrene but was happy to see it had cardboard packaging. Felt the industry is changing.

William Merry: Polystyrene is only recyclable if you live in the one place they actually recycle it in CA and it is not cost effective for other agencies to try to recycle it.

Council Member Clark: What do you do with the Styrofoam after it breaks apart like snow?

William Merry: It falls apart and just creates litter.

Council Member Zuccaro: Is there a nation wide or state wide plan?

William Merry: It has been proposed at the state level.

Council Member Zuccaro: Is the only true biodegradable paper?

William Merry: Some are paper and some are made of other recyclable project such as potatoes.

Public Comment:

George Jaksha: The UPS Store does recycle the peanuts.

William Merry: UPS actually reuses which is also great.

Motion by Council Member Clark to approve the first reading of Ordinance 269, seconded by Council Member Zuccaro.

Council Member Zuccaro: Aye

Council Member Clark: Aye

Council Member Cecilio: Aye

Council Member Allion: Aye

Mayor Edelen: Aye

There was no further public comment received.

Motion passed 5-0

The Council considered **ITEM 6.B.**, Resolution No. 2009-16, A Resolution Authorizing the Submittal of the Application to the California Energy Commission's EECBG Program for Funds to Execute the Proposed Project; Energy Efficiency Upgrade to Public Facilities as Described in Exhibit A

City Manager Dawson: Resolution to authorize us to apply for the EECBG program which would bring in \$25,000 in energy uses such as replacing windows in City Hall, Old Town Hall, and possible insulation.

Council Member Zuccaro: Is there a rebate we can also apply for through the Federal government?

City Manager Dawson: Stated he is always looking for more funds, great idea.

Motion by Council Member Allion to approve Resolution No. 2009-16, seconded by Council Member Cecilio.

There was no public comment received

Motion passed 5-0

The Council considered **ITEM 6.C.**, Resolution No. 2009-17, A Resolution Pledging to Support Protecting Local Government and Transportation Funding from the Grips of the State to Protect our Communities Once and For All

Mayor Edelen: The state has increased taxes all over to get more money coming in. This tells the state that they can't do this to the local jurisdictions.

Council Member Allion: Clearly taxation with poor representation.

Motion by Council Member Clark to approve Resolution No. 2009-17, seconded by Council Member Allion.

There was no public comment received

Motion passed 5-0

The Council considered **ITEM 6.D.**, Resolution 2009-18, A Resolution Opposing the Forced Transfer of Del Rey Oaks Students to Del Rey Woods School

Mayor Edelen: Monterey Peninsula Unified School District (MPUSD) is again trying to move our kids from Foothill Elementary to Bay View Elementary. He stated that Council Members Zuccaro, Clark and he went to the MPUSD town hall meeting with questions that were never answered.

Council Member Cecilio: Doesn't have much faith in public schools period. Our tax dollars are not working for better schools and is in agreement with the resolution.

Council Member Clark: If Del Rey Oaks students do end up going to Del Rey Woods it could devalue their homes.

Council Member Zuccaro: It is not a well performing school. The three questions they asked from Del Rey Oaks were paraphrased not really read and there were not answered.

Public Comment:

Bob Oliver: Daughter went to Del Rey Woods School and it was bad then. What about the world that we are creating? MPUSD closed down the best school, Cypress High School, saying that they owed them money. He stated there is no disclosure. Everything is being done behind closed doors. Marina got their high school by closing the charter school.

Edelen: Not germane to our Del Rey Oaks kids.

Bob Oliver: Stated you can't keep your own city out of bankruptcy and need to quit blaming the state for your problems.

Motion by Council Member Clark to approve Resolution No. 2009-18, seconded by Council Member Zuccaro

There was no further public comment received

Motion passed 5-0

The Council considered **ITEM 6.D.**, Appoint Council Member Zuccaro to the AMBAG Board

Council Member Allion: Felt it would be good to turn the Association of Monterey Bay Area Governments (AMBAG) items over to another Council Member stating he has gotten very busy

and Council Member Zuccaro volunteered to take over. He stated he spent time with Council Member Zuccaro to go over the packets and past happenings with the AMBAG Board.

Mayor Edelen: Thanked Council Member Zuccaro for volunteering and thanked Council Member Allion for his service on this board.

Motion by Council Member Clark to approve appointment, seconded by Council Member Allion
There was no public comment received

Motion passed 5-0

Staff report

City Manager Dawson: Attended Mosquito Abatement meeting with Council Member Cecilio and offered to attend any meetings with any Council Member that would like him to. He stated he following up on the Request for Proposals (RFP) for legal services and stated that the document is in final draft form. Asked about how this would be reviewed by the council.

City Attorney Wellington: Suggested waiting until all the RFP's are received.

City Manager Dawson: Stated he attended the Monterey Bay Area Self Insurance Authority (MBASIA) meeting where they talked about the transition of the group and funding. He stated that Kent Rice who has managed MBASIS is retiring and the responsibilities would be handed over to Alliant. He attended the FORA Committee and announced the resignation of Dick Goblirsch as our Redevelopment Project Manager for the acreage on the former Fort Ord. He stated he has been working with an intern from the Panetta Group regarding green house gas emissions. He attended a meeting with Chief Langford at Monterey about the proposal to form a Joint Powers Authority combining all the fire stations to provide fire services to the entire peninsula.

City Attorney Wellington: Would recommend working with Seaside and see where all the stations are, stating it could be a money saver.

City Manager Dawson: Stated they want to proceed with a feasibility study to see if it's financially feasible.

Mayor Edelen: Wants to be sure to do the feasibility study because we have always had excellent service from Seaside Fire.

Council Member Cecilio: Stated that Sand City contracts with Monterey Fire and pays huge fees of \$263,000 a year for fire service.

Council Member Allion: Can we suggest staff to proceed?

City Attorney Wellington: Yes

Council Member Zuccaro: Will we be a joint fire such as Monterey Bay Fire, or something like that?

Mayor Edelen: Seaside is doing a very good job and why would they want to join a high priced fire department.

Public comment:

Alice Green: Stated it was a smart move to get in early to represent Del Rey Oaks.

Mayor and Council Reports

Council Member Zuccaro: Stated that Assemblyman Bill Monning has been contacting him to meet with him.

Mayor Edelen: Stated that Bill Monning made attempt to meet with everyone when he took office.

Council Member Clark: Stated that Monterey Salinas Transit meeting was cancelled for November. She announced that Sunday, December 6th from 12-2 is the Del Rey Oaks Kids Christmas party at old town hall. She asked if Waste Management would be on the December

meeting because she received a card in the mail about a rate increase. She wished everyone a Happy Thanksgiving.

Council Member Allion: Attended Monterey Peninsula Water Management District meeting and found out that 93% of all water goes to agriculture in our area and feels that they should be looked at first because they are using such outdated methods.

Mayor Edelen: Thanked the council for taking the committee meeting assignments when they were redistributed. Reported on the Transportation Agency for Monterey County (TAMC) meeting and stated that the light rail was approved in concept. Stated there are still some glitches that need to be worked through. Attended Water Master meeting regarding salt water intrusion but it's not that bad in Monterey County. Attended the Mayor's meeting, went to the MPUSD town hall meeting and attended the JPA meeting. He stated he went to the Fort Ord Reuse Authority (FORA) Board and former Mayor Russell was honored for his long time service to the board.

Public Comment

Alice Green: Asked where the new light rail was proposed to go?

Mayor Edelen: It would go along Del Monte Boulevard and go into down town Monterey and then turn around and go back out. Monterey is having a hard time about putting the rail line through the Window on the Bay Park and stated that there is still a lot of work to be done.

6:59 p.m. – Adjourned for a short recess prior to going into Closed Session

7:04 p.m. – Reconvened into Closed Session

Conference with Real Property Negotiator

Property: 360 Acres of Former Fort Ord

Negotiating Party: Federal Development Partners

Under Negotiation: Price and Terms of Payment

7:25 p.m. – Adjourned from closed session and reported the following:

City Attorney Wellington: The Council went into closed session with regard to the agendized matter of real estate negotiations. Information was received from the City Attorney; no action was taken.

7:26 p.m. – The City Council adjourned to the next regular City Council meeting to be held on Thursday, December 15, 2009 at 6:00 p.m.

**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING
COMMISSION WEDNESDAY, NOVEMBER 18, 2009 AT 6:00 P.M.
CHARLIE BENSON MEMORIAL HALL**

Present: Commissioners Thayer, Clarke, Hayworth, Weir, and Chairman Jaksha
Absent: Commissioner Lucido
Also Present: City Manager Dawson and Deputy City Clerk Minami

CONSENT AGENDA:

Motion by Commissioner Weir to approve October 14, 2009 Regular Planning Commission Minutes, *seconded by Commissioner Hayworth. Motion passed 5-0. No public comment was received*

PUBLIC COMMENT: None

BUILDING REPORT: Accepted

City Manager Dawson: Points out that the building permit issued for The Oaks is a result of code enforcement and a stop work was issued because of safety issues and code violations.

OLD BUSINESS: None

NEW BUSINESS:

The Commission considered **Item 5.A.** Requesting Architectural Review to extend the front door entrance to be flush with exterior wall and to add a new window next to the front door, and to replace rear windows with a sliding door.

Commissioners Thayer and Hayworth must step down due to the proximity of the project.

City Manager Dawson: A coin must be tossed to decide who stays at the dais and who steps down. Asks Commissioner Hayworth to call the coin for stepping down, he calls "heads", Commissioner Weir witnesses that the coin landed on "heads". Commissioner Hayworth steps down, and Commissioner Thayer stays at the dais.

Commissioner Clarke: Likes the craftsman style door.

Motion by Commissioner Thayer to approve Item 5.A., seconded by Commissioner Weir. No public comment was received.

Motion passed 5-0

The Commission considered **Item 6.A.** Nomination and Appointment of Planning Commission Chair and Vice Chair.

Commissioner Hayworth: Nominates Commissioner Clarke as Planning Commission Chairman and Commissioner Weir as Vice Chair.

Motion by Commissioner Hayworth to approve Item 6.A., and the appointment of Commissioner Clarke as Chairman and Commissioner Weir as Vice Chair, seconded by Commissioner Thayer.

Commissioner Clarke: Thanks everyone. Especially Chairman Jaksha, for being a mentor and a friend, appreciates him very much.

No public comment was received.

Motion passed 5-0

ANNOUNCEMENTS/COMMENTS:

Commissioner Thayer: Appreciates the Del Rey Oaks Police Department during the Carlton Road project, very well organized. Great job keeping the traffic under control and making sure it was safe. Appreciates Council Member Zuccaro for all his volunteer efforts.

Commissioner Weir and Commissioner Hayworth: Appreciates all of Chairman Jaksha's teamwork and leadership.

Chairman Jaksha: Thanks everyone. It has been fun and learned a lot. Reminds everyone about the Citizens Action Group Holiday Party at Old Town Hall on Dec. 6th at noon. Santa Claus will be there.

NEXT MEETING: Wednesday, December 9, 2009 at 6:00 p.m.

6: 20 p.m. Meeting Adjourned

Approved:

CITY OF DEL REY OAKS
Claims Report
 November 2009

ITEM 5.B.1.

Type	Date	Num	Memo	Amount
ALLION, DENNIS G				
Check	11/30/2009	11052	Council Stipend	100.00
Total ALLION, DENNIS G				100.00
AT&T CAL NET 2				
Bill	11/19/2009		PHONE NOV 2009	465.10
Bill	11/19/2009		PHONE NOV 2009	7.87
Bill	11/19/2009		PHONE NOV 2009	111.96
Total AT&T CAL NET 2				584.93
AT&T SERVICE				
Bill	11/25/2009		CLOSING BILL	5.95
Total AT&T SERVICE				5.95
BOURQUIN, CHRISTOPHER L				
General Jo...	11/10/2009	1231	Earnings Imported From PBS	2,425.50
General Jo...	11/10/2009	1231	Earnings Imported From PBS	121.28
General Jo...	11/10/2009	1231	Earnings Imported From PBS	37.50
Total BOURQUIN, CHRISTOPHER L				2,584.28
BYTE TECHNOLOGY				
Bill	11/1/2009		WEBSITE MAINTENANCE AND VIDEO 11/2/09	281.25
Bill	11/2/2009		WEBSITE MAINTENANCE 11/2/09	187.50
Total BYTE TECHNOLOGY				468.75
CALIFORNIA-AMERICAN WATER				
Deposit	11/23/2009	55106252	CARLTON DR WATER MAIN PROJECT TRAF...	(10,965.00)
Bill	11/30/2009	OCT 21-NOV 19 WATER	650 CANYON DEL REY RD	76.94
Bill	11/30/2009	OCT 21-NOV 19 WATER	69 CARLTON DR	29.52
Bill	11/30/2009	OCT 21-NOV 19 WATER	DEL REY GARDENS DR	18.49
Bill	11/30/2009	OCT 21-NOV 19 WATER	HYDRANTS	31.74
Bill	11/30/2009	OCT 21-NOV 19 WATER	ANGELUS WAY	50.57
Bill	11/30/2009	OCT 21-NOV 19 WATER	LOS ENCINOS DR	18.49
Bill	11/30/2009	OCT 21-NOV 19 WATER	VIA VERDE	46.19
Bill	11/30/2009	OCT 21-NOV 19 WATER	PORTOLA/SETTER	18.49
Bill	11/30/2009	OCT 21-NOV 19 WATER	QUENDALE/LOCH	18.49

Type	Date	Num	Memo	Amount
Total CALIFORNIA-AMERICAN WATER				(10,656.08)
CARVALHO, KIMBERLY R				
General Jo...	11/10/2009	1228	Earnings Imported From PBS	227.99
General Jo...	11/10/2009	1228	Earnings Imported From PBS	40.23
General Jo...	11/10/2009	1228	Earnings Imported From PBS	2,107.57
General Jo...	11/10/2009	1228	Earnings Imported From PBS	371.93
General Jo...	11/10/2009	1228	Earnings Imported From PBS	105.38
General Jo...	11/10/2009	1228	Earnings Imported From PBS	18.60
General Jo...	11/10/2009	1228	Earnings Imported From PBS	270.94
General Jo...	11/10/2009	1228	Earnings Imported From PBS	47.81
Total CARVALHO, KIMBERLY R				3,190.45
CITY OF MONTEREY				
Bill	11/9/2009		PURCHASE OLD PD CAR For K-9 Unit / REIM...	3,000.00
Bill	11/13/2009	INV 37616	INV. 37616 BUILDING AND PLANNING SEPT ...	384.75
Total CITY OF MONTEREY				3,384.75
CITY OF SEASIDE				
Bill	11/12/2009		STREET SWEEPING-OCT 09	1,110.28
Bill	11/12/2009		FIRE CONTRACT 7/1/09-9/30/09 17@\$1,929.48	32,801.16
Deposit	11/18/2009	61293	SEWER IMPACT FEES	(6,341.96)
Total CITY OF SEASIDE				27,569.48
CO-POWER				
Bill	11/10/2009		BOURQUIN DEC 09	109.28
Bill	11/10/2009		CARVALHO (85%)	92.88
Bill	11/10/2009		CARVALHO (15%)	16.40
Bill	11/10/2009		JOHNSON (60%)	65.56
Bill	11/10/2009		JOHNSON (40%)	43.72
Bill	11/10/2009		LANGFORD	169.13
Bill	11/10/2009		MINAMI (85%)	143.76
Bill	11/10/2009		MINAMI (15%)	25.37
Bill	11/10/2009		OLMOS	54.66
Bill	11/10/2009		SERRANO (60%)	65.56
Bill	11/10/2009		SERRANO (40%)	43.72
Bill	11/10/2009		TOPPS	169.13

Type	Date	Num	Memo	Amount
Bill	11/10/2009		VAN ZANTEN	169.13
Bill	11/10/2009		VILLARREAL	169.13
Bill	11/10/2009		EDELEN	169.13
Bill	11/10/2009		RUSSELL	109.28
Bill	11/10/2009		CECILIO	169.13
Bill	11/10/2009		ALLION	109.28
Bill	11/10/2009		CLARK	109.28
Bill	11/10/2009		ADMIN FEE	20.00
Total CO-POWER				2,023.53
COMCAST HIGH SPEED INTERNET				
Bill	11/5/2009		INTERNET 11/10/09-12/09/09	32.45
Bill	11/5/2009		INTERNET 11/10/09-12/09/09	32.45
Total COMCAST HIGH SPEED INTERNET				64.90
COUNTY OF MONTEREY				
Bill	11/2/2009		3 mobile computer system/network access to Coun...	76.00
Total COUNTY OF MONTEREY				76.00
DAWSON, DANIEL				
General Jo...	11/10/2009	1229	Earnings Imported From PBS	3,700.00
General Jo...	11/10/2009	1229	Earnings Imported From PBS	185.00
General Jo...	11/10/2009	1229	Earnings Imported From PBS	62.50
Total DAWSON, DANIEL				3,947.50
ELECTRICAL DISTRIBUTORS				
Bill	11/12/2009		CITY HALL FLAG POLE	40.42
Bill	11/12/2009		RV PARK	28.87
Bill	11/17/2009		POLICE DEPT GATE	289.98
Bill	11/19/2009		17 ACRE GATE	284.91
Total ELECTRICAL DISTRIBUTORS				644.18
FIRST CHOICE SERVICES				
Bill	11/2/2009		Coffee and condiments	11.01
Bill	11/2/2009		Coffee and condiments	11.02
Bill	11/2/2009		Coffee and condiments	11.02

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
Total FIRST CHOICE SERVICES				33.05
FIRST NATIONAL BANK CHARGE				
Check	11/3/2009		Merchant Bankcard Fee	38.17
Check	11/3/2009		Merchant Bankcard Discount	27.16
Check	11/3/2009		Merchant Bankcard Interchange	0.24
Check	11/18/2009	OD11/12	Overdraft charges	78.00
Check	11/18/2009	OD11/16	Overdraft Charges	78.00
Check	11/25/2009	EFT	bank analysis fee	147.05
Total FIRST NATIONAL BANK CHARGE				368.62
GLOBALSTAR USA				
Bill	11/1/2009		SATELITE PHONE	26.88
Total GLOBALSTAR USA				26.88
I.M.P.A.C.GOVERNM'T SER				
Bill	11/1/2009		HOLSTERS	203.29
Bill	11/1/2009		PD BIKE SUPPLIES	72.94
Bill	11/1/2009		WIPER BLADES	25.05
Total I.M.P.A.C.GOVERNM'T SER				301.28
ICMA				
Bill	11/2/2009		LOCAL GOVERNMENT LEADERSHIP AND M...	576.00
Total ICMA				576.00
IE SOLUTIONS				
Bill	11/15/2009		INV. 209125-QUICK BOOKS CONSULTING 11...	300.00
Bill	11/30/2009	INV. 209128-QUICK BO	INV. 209128-QUICK BOOKS CONSULTING 11...	1,162.50
Total IE SOLUTIONS				1,462.50
JAMES DE CHALK				
Bill	11/10/2009		NOV BILLING	300.00
Total JAMES DE CHALK				300.00
JOSELYN'S BICYCLES				
Bill	11/2/2009		TUNE UP AND TIRE TUBE	90.40

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
Total JOSELYN'S BICYCLES				90.40
LANGFORD, RONALD J				
General Jo...	11/10/2009	1232	Earnings Imported From PBS	4,600.00
General Jo...	11/10/2009	1232	Earnings Imported From PBS	230.00
General Jo...	11/10/2009	1232	Earnings Imported From PBS	62.50
General Jo...	11/10/2009	1233	Earnings Imported From PBS	2,654.00
Total LANGFORD, RONALD J				7,546.50
MARCELLO & CO, CPA				
Bill	11/1/2009		AUDIT OF JUNE 30, 2009 FINANCIAL STATE...	7,500.00
Total MARCELLO & CO, CPA				7,500.00
MINAMI, KAREN L				
General Jo...	11/10/2009	1230	Earnings Imported From PBS	39.72
General Jo...	11/10/2009	1230	Earnings Imported From PBS	225.11
General Jo...	11/10/2009	1230	Earnings Imported From PBS	360.72
General Jo...	11/10/2009	1230	Earnings Imported From PBS	2,044.10
General Jo...	11/10/2009	1230	Earnings Imported From PBS	15.30
General Jo...	11/10/2009	1230	Earnings Imported From PBS	86.70
Total MINAMI, KAREN L				2,771.65
MONTEREY BAY AREA INSURANCE FUND				
Bill	11/1/2009		5th INSTALLMENT FOR 2009-2010 LIABILITY...	856.33
Bill	11/1/2009		5th INSTALLMENT FOR 2009-2010 WORKERS...	12,265.50
Total MONTEREY BAY AREA INSURANCE FUND				13,121.83
MONTEREY COUNTY DISTRICT ATTORNEY				
Bill	11/1/2009		BLOOD ALCOHOL COSTS 2009-2010	93.86
Total MONTEREY COUNTY DISTRICT ATTORNEY				93.86
MONTEREY COUNTY SHERIFF				
Bill	11/4/2009		QUARTERLY ACJIS BILLING 7/1-6/30/09	646.17
Total MONTEREY COUNTY SHERIFF				646.17
MONTEREY COUNTY WEEKLY CLASSIFIEDS				
Bill	11/12/2009		LEGAL NOTICE ORDINANCE	85.00

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
Total MONTEREY COUNTY WEEKLY CLASSIFIEDS				85.00
MTRY BAY OFFICE PRODUCTS				
Bill	11/11/2009		INV. 56468-SERVICE CONTRACT FOR COPIER	289.95
Total MTRY BAY OFFICE PRODUCTS				289.95
MUSE, HENRY				
General Jo...	11/10/2009	1240	Earnings Imported From PBS	1,697.08
Total MUSE, HENRY				1,697.08
NEXTEL COMMUNICATION				
Bill	11/15/2009		NEXTEL RADIO- CLK 10/12/09-11/11/09	27.44
Bill	11/15/2009		NEXTEL RADIO PW 10/12/09-11/11/09	56.76
Bill	11/15/2009		NEXTEL RADIO PD 10/12/09-11/11/09	221.06
Bill	11/15/2009		NEXTEL CITY MANAGER 10/12/09-11/11/09	122.91
Total NEXTEL COMMUNICATION				428.17
OFFICE DEPOT				
Bill	11/3/2009		FAX TONER FOR PD	30.24
Bill	11/3/2009		CITY CLERKS PRINTER TONER AND CANNE...	42.50
Bill	11/16/2009		TISSUE, GARBAGE BAGS, AND SUPPLIES	58.96
Bill	11/16/2009		TISSUE, GARBAGE BAGS, AND SUPPLIES	58.98
Bill	11/16/2009		TISSUE, GARBAGE BAGS, AND SUPPLIES	58.96
Bill	11/19/2009		CITY CLERK PRINTER TONER (BIG PRINTER)	117.56
Bill	11/19/2009		COPY PAPER	47.37
Bill	11/30/2009		CITY CLERK PRINTER TONER (BIG PRINTER)	15.82
Bill	11/30/2009		LARGE GARBAGE BAGS	34.59
Total OFFICE DEPOT				464.98
OFFICE EQUIPMENT FINANCE SERVICES				
Bill	11/12/2009		LEASE PAYMENT FOR COPIER-DEC. 09	189.07
Bill	11/12/2009		LEASE PAYMENT FOR COPIER-DEC. 09	81.04
Total OFFICE EQUIPMENT FINANCE SERVICES				270.11
OLMOS, DAVID M.				
General Jo...	11/10/2009	1237	Earnings Imported From PBS	2,593.44
General Jo...	11/10/2009	1237	Earnings Imported From PBS	1,070.62

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
General Jo...	11/10/2009	1237	Earnings Imported From PBS	129.67
Total OLMOS, DAVID M.				3,793.73
PENINSULA FENCE CO.				
Bill	11/13/2009	INV 1537	INV. 1537-FENCE MATERIALS FOR GATE AT...	46.98
Total PENINSULA FENCE CO.				46.98
PENINSULA WELDING SUPPLY				
Bill	11/1/2009		SUPPLIES	20.38
Total PENINSULA WELDING SUPPLY				20.38
PERS				
Bill	11/3/2009		Dan Dawson	269.21
Bill	11/3/2009		85% - Kim Carvalho	153.35
Bill	11/3/2009		15% - Kim Carvalho	27.06
Bill	11/3/2009		85% - Karen Minami	126.17
Bill	11/3/2009		15% - Karen Minami	22.26
Bill	11/3/2009		60% - PW	178.12
Bill	11/3/2009		40% - PW	118.74
Bill	11/3/2009		PD	4,418.62
Bill	11/19/2009		Dan Dawson	269.21
Bill	11/19/2009		85% - Kim Carvalho	153.35
Bill	11/19/2009		15% - Kim Carvalho	27.06
Bill	11/19/2009		85% - Karen Minami	126.17
Bill	11/19/2009		15% - Karen Minami	22.26
Bill	11/19/2009		60% - PW	178.12
Bill	11/19/2009		40% - PW	118.74
Bill	11/19/2009		PD	4,418.62
Total PERS				10,627.06
RED SHIFT INTERNET SERV				
Bill	11/2/2009		INTERNET NOV 09	10.27
Bill	11/2/2009		INTERNET NOV 09	10.28
Total RED SHIFT INTERNET SERV				20.55
SHELL OIL COMPANY				
Bill	11/1/2009		P/W #60 FUEL	85.58

Type	Date	Num	Memo	Amount
Bill	11/1/2009		P/D #61 FUEL	226.97
Bill	11/1/2009		P/D #62 FUEL	400.63
Bill	11/1/2009		P/D #63 FUEL	292.15
Bill	11/1/2009		CITY MANAGER CAR	263.00
Bill	11/1/2009		P/D #65 FUEL	
Bill	11/1/2009		ACCT 079-056-693-FUEL FOR OCT 09	
Bill	11/1/2009		P/D #80 FUEL	647.15
Bill	11/1/2009		P/D #32 FUEL (\$83.53 USED FOR TRACTOR, ...	263.45
Bill	11/1/2009		P/D #33 FUEL	129.28
Bill	11/1/2009		CREDIT USED FOR 778.9 GALLONS USED	(142.58)
Total SHELL OIL COMPANY				2,165.63
SPCA OF MONTEREY COUNTY				
Bill	11/5/2009		OCT 09 ANIMAL SERVICES	686.00
Total SPCA OF MONTEREY COUNTY				686.00
TERMINIX				
Bill	11/4/2009		PEST CONTROL AND MAINTENANCE OCT 09	27.50
Bill	11/4/2009		PEST CONTROL AND MAINTENANCE OCT 09	27.50
Total TERMINIX				55.00
TOPPS, RALPH E				
General Jo...	11/10/2009	1234	Earnings Imported From PBS	2,425.50
General Jo...	11/10/2009	1234	Earnings Imported From PBS	121.28
Total TOPPS, RALPH E				2,546.78
VALLEY SAW & GARDEN EQUIP				
Bill	11/21/2009		16" CHAIN AND MIX OIL	71.64
Total VALLEY SAW & GARDEN EQUIP				71.64
VAN ZANTEN, RUSS V.				
General Jo...	11/10/2009	1235	Earnings Imported From PBS	2,425.50
General Jo...	11/10/2009	1235	Earnings Imported From PBS	121.28
Total VAN ZANTEN, RUSS V.				2,546.78
VILLARREAL, MARIO A				
General Jo...	11/10/2009	1236	Earnings Imported From PBS	3,095.50

Type	Date	Num	Memo	Amount
General Jo...	11/10/2009	1236	Earnings Imported From PBS	154.78
General Jo...	11/10/2009	1236	Earnings Imported From PBS	37.50
Total VILLARREAL, MARIO A				3,287.78
VSP				
Bill	11/25/2009		Chris Bourquin DEC 09	11.76
Bill	11/25/2009		Kim Carvalho 85%	9.99
Bill	11/25/2009		Kim Carvalho 15%	1.77
Bill	11/25/2009		Joe Johnson 60%	7.05
Bill	11/25/2009		Joe Johnson 40%	4.71
Bill	11/25/2009		Ron Langford	21.08
Bill	11/25/2009		Karen Minami 85%	17.91
Bill	11/25/2009		Karen Minami 15%	3.17
Bill	11/25/2009		Ralph Topps	21.08
Bill	11/25/2009		Russ Vanzanten	21.08
Bill	11/25/2009		Mario Villareal	21.08
Bill	11/25/2009		Dave Olmos	8.11
Bill	11/25/2009		Terry Serrano 60%	7.05
Bill	11/25/2009		Terry Serrano 40%	4.71
Total VSP				160.55
WELLINGTON, ROBERT R.				
Bill	11/12/2009	INV 20129	INV 20129 AIRPORT	18.00
Bill	11/13/2009	INV 20130	INV 20130 CODE ENFORCEMENT MATTERS	36.00
Bill	11/13/2009	INV 20131	INV 20131 MONTHLY RETAINER FEE OCT. 09	910.00
Bill	11/13/2009	INV 20132	INV 20132 MISC. LAND USE MATTERS SEPT ...	1,107.00
Bill	11/13/2009	INV 20135	INV 2013E POLICE PERSONNEL MATTERS S...	1,107.00
Bill	11/13/2009	INV 20134	INV 2013E POLICE PERSONNEL MATTERS S...	1,692.00
Bill	11/24/2009	INV 20185 TAX AND FI	INV 20185 TAX AND FINANCE MATTERS OC...	27.00
Bill	11/24/2009	INV 20181 MISC. LAND	INV 20181 MISC. LAND USE MATTERS OCT 09	981.00
Bill	11/24/2009	INV 20179 CODE ENFOR	INV 20179 CODE ENFORCEMENT MATTERS ...	36.00
Bill	11/24/2009	INV 2018 RETAINER FE	INV 2018 RETAINER FEE NOV 09	910.00
Total WELLINGTON, ROBERT R.				6,824.00
YOUNG, MATTHEW J				
General Jo...	11/10/2009	1241	Earnings Imported From PBS	535.92

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Memo</u>	<u>Amount</u>
			Total YOUNG, MATTHEW J	<u>535.92</u>
TOTAL				<u><u>105,451.43</u></u>

CITY OF DEL REY OAKS

ITEM 5.B.1.

Payroll Report
November 2009

Date	Number	Name	Account	Class	Amount
11/10/2009	1228	CARVALHO, KIMBERLY R	10009 · OVERTIME	GF:090 ADMIN:092 CITY CLERK	227.99
11/10/2009	1228	CARVALHO, KIMBERLY R	10009 · OVERTIME	GF:090 ADMIN:111 AUDIT/TREASURER	40.23
11/10/2009	1228	CARVALHO, KIMBERLY R	10010 · SALARIES	GF:090 ADMIN:092 CITY CLERK	2,107.57
11/10/2009	1228	CARVALHO, KIMBERLY R	10010 · SALARIES	GF:090 ADMIN:111 AUDIT/TREASURER	371.93
11/10/2009	1229	DAWSON, DANIEL	100102 · CITY MANAGER SALARY	GF:090 ADMIN:095 CITY MANAGER	3,700.00
11/10/2009	1230	MINAMI, KAREN L	10009 · OVERTIME	GF:090 ADMIN:092 CITY CLERK	39.72
11/10/2009	1230	MINAMI, KAREN L	10009 · OVERTIME	GF:090 ADMIN:111 AUDIT/TREASURER	225.11
11/10/2009	1230	MINAMI, KAREN L	10010 · SALARIES	GF:090 ADMIN:092 CITY CLERK	360.72
11/10/2009	1230	MINAMI, KAREN L	10010 · SALARIES	GF:090 ADMIN:111 AUDIT/TREASURER	2,044.10
11/10/2009	1231	BOURQUIN, CHRISTOPHER L	10010 · SALARIES	GF:172 POLICE	2,425.50
11/10/2009	1232	LANGFORD, RONALD J	10010 · SALARIES	GF:172 POLICE	4,600.00
11/10/2009	1233	LANGFORD, RONALD J	10010 · SALARIES	GF:172 POLICE	2,654.00
11/10/2009	1234	TOPPS, RALPH E	10010 · SALARIES	GF:172 POLICE	2,425.50
11/10/2009	1235	VAN ZANTEN, RUSS V.	10010 · SALARIES	GF:172 POLICE	2,425.50
11/10/2009	1236	VILLARREAL, MARIO A	10010 · SALARIES	GF:172 POLICE	3,095.50
11/10/2009	1237	OLMOS, DAVID M.	10008 · GF SALARIES/COPS GRANT	GF:172 POLICE:173 COPS	2,593.44
11/10/2009	1237	OLMOS, DAVID M.	10009 · OVERTIME	GF:172 POLICE:173 COPS	1,070.62
11/10/2009	1238	JOSEPH JOHNSON	10010 · SALARIES	GF:311 PUB WKS/STREETS	1,224.00
11/10/2009	1238	JOSEPH JOHNSON	10010 · SALARIES	GF:411 PARKS/RECREATION	816.00
11/10/2009	1239	TERRY L SERRANO	10010 · SALARIES	GF:311 PUB WKS/STREETS	1,224.00
11/10/2009	1239	TERRY L SERRANO	10010 · SALARIES	GF:411 PARKS/RECREATION	816.00
11/10/2009	1240	MUSE, HENRY	100103 · RESERVES SALARY	GF:172 POLICE	1,697.08
11/10/2009	1241	YOUNG, MATTHEW J	100103 · RESERVES SALARY	GF:172 POLICE	535.92
11/13/2009	10044	INGERSOLL, ROBERT	100103 · RESERVES SALARY	GF:172 POLICE	178.64
11/13/2009	10045	DAVID NGUYEN	100103 · RESERVES SALARY	GF:172 POLICE	222.29
11/13/2009	10046	ZUCCARO, MICHAEL	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	100.00
11/25/2009	1247	CARVALHO, KIMBERLY R	SALARIES	GF:090 ADMIN:092 CITY CLERK	2,107.57
11/25/2009	1247	CARVALHO, KIMBERLY R	SALARIES	GF:090 ADMIN:111 AUDIT/TREASURER	371.93
11/25/2009	1248	DAWSON, DANIEL	CITY MANAGER SALARY	GF:090 ADMIN:095 CITY MANAGER	3,700.00
11/25/2009	1249	MINAMI, KAREN L	SALARIES	GF:090 ADMIN:092 CITY CLERK	360.72
11/25/2009	1249	MINAMI, KAREN L	SALARIES	GF:090 ADMIN:111 AUDIT/TREASURER	2,044.10
11/25/2009	1250	BOURQUIN, CHRISTOPHER L	SALARIES	GF:172 POLICE	2,677.41
11/25/2009	1251	LANGFORD, RONALD J	SALARIES	GF:172 POLICE	4,600.00
11/25/2009	1252	TOPPS, RALPH E	SALARIES	GF:172 POLICE	2,705.40

CITY OF DEL REY OAKS

**Payroll Report
November 2009**

ITEM 5.B.1.

11/25/2009	1253	VAN ZANTEN, RUSS V.	SALARIES	GF:172 POLICE	2,649.42
11/25/2009	1254	VILLARREAL, MARIO A	SALARIES	GF:172 POLICE	3,381.26
11/25/2009	1255	OLMOS, DAVID M.	GF SALARIES/COPS GRANT	GF:172 POLICE:173 COPS	2,649.42
11/25/2009	1256	JOSEPH JOHNSON	SALARIES	GF:311 PUB WKS/STREETS	1,224.00
11/25/2009	1256	JOSEPH JOHNSON	SALARIES	GF:411 PARKS/RECREATION	816.00
11/25/2009	1257	TERRY L SERRANO	SALARIES	GF:311 PUB WKS/STREETS	1,224.00
11/25/2009	1257	TERRY L SERRANO	SALARIES	GF:411 PARKS/RECREATION	816.00
11/25/2009	1258	MUSE, HENRY	RESERVES SALARY	GF:172 POLICE	1,116.50
11/25/2009	1259	YOUNG, MATTHEW J	RESERVES SALARY	GF:172 POLICE	982.52
11/30/2009	11048	Jerry B. Edelen - Council Member	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	100.00
11/30/2009	11049	Kristin Clark - City Council	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	
11/30/2009	11050	ZUCCARO, MICHAEL	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	100.00
11/30/2009	11051	Jeff Cecilio - City Council	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	100.00
11/30/2009	11052	ALLION, DENNIS G	100101 · COUNCIL MEMBER STIPEND	GF:090 ADMIN:091 COUNCIL	100.00
11/30/2009	10047	BLUM, ISAAC	RESERVES SALARY	GF:172 POLICE	137.97
11/30/2009	10048	DAVID NGUYEN	RESERVES SALARY	GF:172 POLICE	669.90
11/30/2009	10049	DAVID TUCKER	RESERVES SALARY	GF:172 POLICE	122.64
11/30/2009	10047	BLUM, ISAAC	RESERVES SALARY	GF:172 POLICE	137.97
11/30/2009	10048	DAVID NGUYEN	RESERVES SALARY	GF:172 POLICE	669.90
11/30/2009	10049	DAVID TUCKER	RESERVES SALARY	GF:172 POLICE	122.64
11/30/2009	10047	BLUM, ISAAC	RESERVES SALARY	GF:172 POLICE	137.97
11/30/2009	10048	DAVID NGUYEN	RESERVES SALARY	GF:172 POLICE	669.90
11/30/2009	10049	DAVID TUCKER	RESERVES SALARY	GF:172 POLICE	122.64
				Total Payroll	73,839.14

CITY OF DEL REY OAKS
FISCAL YEAR 2009-2010 BUDGET VS. ACTUAL
NOVEMBER 2009

ITEM 5.B.2.

		Actual Total for 2009/10	FY 2009/10 Budget	% of Annual Budget
REVENUE				
300 · Operating Revenues				
3100 · PROPERTY TAXES				
	3105 · P/T-SECURED		367,000.00	
	3107 · P/T-UNITARY TAX		5,100.00	
	3108 · PRIOR UNITARY TAX		50.00	
	3110 · P/T-UNSECURED		17,400.00	
	3120 · P/T-SB813		13,700.00	
	3130 · P/T-PRIOR SECURED		20,800.00	
	3132 · PRIOR UNSECURED		50.00	
	3135 · PROPERTY TAX - VLF		125,600.00	
	3140 · P/T-INT/PENAL		1,450.00	
	3145 · P/T - ADMINISTRATIVE FEE		(5,500.00)	
Total 3100 · PROPERTY TAXES			545,650.00	
3200 · OTHER TAXES				
	3202 · MANDATED COSTS		4,000.00	
	3205 · SALES TAX	94,185.90	255,000.00	36.94%
	3206 · SALES TAX IN LIEU - 3-FLIP		83,000.00	
	3208 · Sales Tax - Add On	133,801.76	388,000.00	34.49%
	3209 · COP MONIES	44,774.56	88,000.00	50.88%
	3210 · PROPERTY TRANSFER TAX	514.25	4,900.00	10.5%
	3220 · GAS FRANCHISES		6,850.00	
	3225 · ELECTRIC FRANCHISES		14,500.00	
	3235 · GARBAGE FRANCHISES	16,798.39	40,600.00	41.38%
	3240 · CABLE TV FRANCHISES	11,755.91	24,500.00	47.98%
	3245 · WATER FRANCHISES		8,500.00	
	3851 · SEWER IMPACT	6,341.96	8,400.00	75.5%
Total 3200 · OTHER TAXES		308,172.73	926,250.00	33.27%
3300 · LICENSES & PERMITS				
	3301 · BUSINESS LICENSES	160,847.64	170,000.00	94.62%
	3305 · BUILDING PERMITS	2,892.00	12,000.00	24.1%
	3310 · PLAN CHECK FEES	513.58	5,000.00	10.27%
	3315 · STREET OPENING PERMITS FEES	10,574.04	500.00	2,114.81%
	3325 · PLUMBING PERMITS	240.00	600.00	40.0%
	3330 · ELECTRICAL PERMITS		500.00	
	3340 · ENVIRON ASSESS FEES/PERMIT		100.00	
	3342 · DEVELOPER PYMT FEES/PERMITS	480.00	100.00	480.0%
	3345 · OTHER LICENSES/PERMITS	5,460.00	500.00	1,092.0%
Total 3300 · LICENSES & PERMITS		181,007.26	189,300.00	95.62%
3400 · FINES & FORFEITURES				
	3401 · VEHICLE CODE FINES	4,007.56	10,000.00	40.08%

**CITY OF DEL REY OAKS
FISCAL YEAR 2009-2010 BUDGET VS. ACTUAL
NOVEMBER 2009**

ITEM 5.B.2.

		Actual Total for 2009/10	FY 2009/10 Budget	% of Annual Budget
	3415 · OTHER COURT FINES	678.07	700.00	96.87%
	Total 3400 · FINES & FORFEITURES	4,685.63	10,700.00	43.79%
	3501 · INTEREST EARNED	80.21	20,000.00	0.4%
	3600 · OTHER AGENCY REVENUE			
	3602 · MOTOR VEHICLE LICENSE FEE(MVLF)	1,106.71	3,000.00	36.89%
	3603 · OFF HIGHWAY		100.00	
	3604 · HOPTR		400.00	
	3605 · VEHICLE LICENSE COLLECTION		1,100.00	
	3620 · PROP 172	3,145.35	8,500.00	37.0%
	3624 · POST REIMBURSE		100.00	
	3648 · GRANTS		100.00	
	3649 · TRAFFIC CONGESTION RELIEF-AB438	3,288.79	10,000.00	32.89%
	3655 · POLICE GRANTS OTHER AGENCIES		1,100.00	
	3600 · OTHER AGENCY REVENUE - Other	38.34		
	Total 3600 · OTHER AGENCY REVENUE	7,579.19	24,400.00	31.06%
	3700 · CURRENT SERVICES			
	3703 · USE PERMITS	520.00	3,000.00	17.33%
	3704 · MAPS/PUBLICATIONS	128.30	100.00	128.3%
	3706 · RENTAL INCOME	4,151.50	9,600.00	43.25%
	3707 · POLICE REPORTS	30.00	1,400.00	2.14%
	3709 · PROPERTY INSPECTIONS	900.00	1,300.00	69.23%
	3710 · POLICE SERVICES	20,710.00	10,000.00	207.1%
	3711 · PUBLIC EVENTS	48,584.93	80,000.00	60.73%
	3712 · MISCELLANEOUS SERVICES	2,752.46	1,000.00	275.25%
	3715 · PD DONATIONS	3,000.00	100.00	3,000.0%
	3717 · SCRIP TAXI SVC FOR SENIORS	40.00		
	Total 3700 · CURRENT SERVICES	80,817.19	106,500.00	75.89%
	3800 · PARKS/RECREATION			
	3801 · PARK RENTAL	1,150.00	4,000.00	28.75%
	3802 · RV RENTAL PARKS	8,030.00	26,000.00	30.89%
	Total 3800 · PARKS/RECREATION	9,180.00	30,000.00	30.6%
	3900 · OTHER			
	3610 · GAS TAX 2107	3,202.12	15,000.00	21.35%
	3612 · GAS TAX 2106	2,217.85	10,000.00	22.18%
	3614 · GAS TAX 2107.5		1,000.00	
	3616 · GAS TAX 2105	2,368.11	10,000.00	23.68%
	Total 3900 · OTHER	7,788.08	36,000.00	21.63%
	Total Revenue	599,310.29	1,888,800.00	31.73%

CITY OF DEL REY OAKS
FISCAL YEAR 2009-2010 BUDGET VS. ACTUAL
NOVEMBER 2009

ITEM 5.B.2.

		Actual Total for 2009/10	FY 2009/10 Budget	% of Annual Budget
EXPENDITURES				
10000 · Salaries & Benefits				
	10008 · GF SALARIES/COPS GRANT	22,445.28		
	10009 · OVERTIME	26,117.16	45,000.00	58.04%
	10010 · SALARIES	241,365.08	647,250.00	37.29%
	100101 · COUNCIL MEMBER STIPEND	2,300.00	6,000.00	38.33%
	100102 · CITY MANAGER SALARY	31,000.00	96,000.00	32.29%
	100103 · RESERVES SALARY	16,711.87	34,000.00	49.15%
	10011 · PERS	60,085.24	144,000.00	41.73%
	10012 · MEDICARE		10,000.00	
	10013 · DENTAL EXPENSE	10,037.65	24,600.00	40.8%
	10014 · HEALTH INS	33,613.22	127,400.00	26.38%
	10015 · VISION INS	802.75	2,600.00	30.88%
	10016 · WORKERS COMP	61,795.50	148,000.00	41.75%
	10120 · UNIFORM ALLOWANCE	3,250.00	7,000.00	46.43%
	10130 · EDUCATIONAL INCENTIVE	4,821.88	5,100.00	94.55%
Total 10000 · Salaries & Benefits		514,345.63	1,296,950.00	39.66%
20100 · PAYROLL EXPENSE		842.00	3,000.00	28.07%
20119 · BANK SERVICE CHARGES		817.06	100.00	817.06%
20120 · -SUPPLIES				
	20121 · MATERIALS/SUPPLY	5,426.48	11,500.00	47.19%
	20123 · AMMUNITION		9,000.00	
	20160 · OFFICE SUPPLIES	5,747.46	15,500.00	37.08%
	20161 · SPECIAL SUPPLY POLICE	2,270.90	9,000.00	25.23%
Total 20120 · -SUPPLIES		13,444.84	45,000.00	29.88%
20130 · UTILITES & SERVICES				
	20122 · REPAIR/MAINTENANCE	4,065.28	20,000.00	20.33%
	20126 · STREET SWEEPING	2,215.56	14,400.00	15.39%
	20127 · GABILAN CREW	10.16	2,000.00	0.51%
	20131 · UTILITIES/PGE	2,631.49	7,500.00	35.09%
	20132 · UTILITIES/WATER	1,509.21	5,000.00	30.18%
	20140 · TELEPHONE / INTERNET	5,636.07	15,000.00	37.57%
	20145 · WEBSITE DESIGN & MAINTENANCE	653.28	3,500.00	18.67%
	20163 · BACKGROUND-TESTING	571.86	500.00	114.37%
	20168 · POSTAGE / SHIPPING	655.09	4,000.00	16.38%
	20170 · TRAVEL/CONFERENCE	1,144.65	1,000.00	114.47%
	20171 · MEMBER/DUES/CONTRIBUTIONS	2,801.00	14,500.00	19.32%
	20172 · AD/PROMOTION CITY CNCL	283.15	1,500.00	18.88%
	20173 · LEGAL ADVERT NON-DEPT	272.00	1,500.00	18.13%
	20174 · BOOK/PERIODICAL	32.48	100.00	32.48%
	20175 · MEETING CITY CNCL	1,712.50	1,000.00	171.25%

**CITY OF DEL REY OAKS
FISCAL YEAR 2009-2010 BUDGET VS. ACTUAL
NOVEMBER 2009**

ITEM 5.B.2.

		Actual Total for 2009/10	FY 2009/10 Budget	% of Annual Budget
Total 20130 · UTILITES & SERVICES		24,193.78	91,500.00	26.44%
20176 · PRINTING / PUBLICATIONS				
	201761 · PERSONNEL MANUAL		500.00	
	20176 · PRINTING / PUBLICATIONS - Other	178.61	3,000.00	5.95%
Total 20176 · PRINTING / PUBLICATIONS		178.61	3,500.00	5.1%
20180 · OUTSIDE SERVICES				
	20178 · TRAINING POLICE	300.00	2,000.00	15.0%
	20181 · OTHER PERMITS PW/ENGNR		4,000.00	
	30044 · LIABILITY/PROP NON-DPT	7,179.54	21,500.00	33.39%
	30113 · CONTRACTUAL AUDIT	10,050.00	25,000.00	40.2%
	30115 · DATA PROCESSING	4,868.95	4,000.00	121.72%
	30116 · CONTRACTUAL SVCS PLANNING / ENG	3,103.50	26,000.00	11.94%
	30119 · CONTRACTUAL SVCS - LEGAL	23,446.83	40,000.00	58.62%
	30120 · CONTRL RETAINER LEGAL	4,550.00	11,000.00	41.36%
	30126 · JANITORIAL FUND	1,650.00	4,100.00	40.24%
	30127 · RADIO DISPATCH POLICE	40,926.17	23,800.00	171.96%
	30165 · COMM HUM SERV NON-DEPT	3,057.00	3,100.00	98.61%
Total 20180 · OUTSIDE SERVICES		99,131.99	164,500.00	60.26%
30170 · AUTO OPERATION				
	30181 · AUTO OPS - SUPPLIES / EQUIP	3,677.66	6,000.00	61.29%
	30182 · AUTO OPS - FUEL	8,159.11	21,000.00	38.85%
	30190 · AUTO REPAIR/MAINTENANCE	6,853.12	23,000.00	29.8%
Total 30170 · AUTO OPERATION		18,689.89	50,000.00	37.38%
30180 · POLICE AND FIRE				
	30183 · FUND JAIL & PRISONER	273.79	1,000.00	27.38%
	30184 · ACJIS SYSTEM POLICE	1,075.87	1,500.00	71.73%
	30186 · FIRE CONTRACT	34,806.81		
	301861 · FIRE SEASIDE	59,058.02	116,000.00	50.91%
	30187 · ANIMAL REGULATION FIRE	1,519.00	2,500.00	60.76%
Total 30180 · POLICE AND FIRE		96,733.49	121,000.00	79.95%
30200 · STREETS & STORM WATER				
	30218 · STREETS ENGINEERING	57.84		
	30219 · S.M.I.P.	(2.76)	200.00	(1.38%)
	30220 · SB 1473	(2.90)		
	30230 · STREET LIGHTING	5,494.19	17,000.00	32.32%
	30231 · STORM WATER PROJECT - PHASE1&2	10,456.00	4,900.00	213.39%
Total 30200 · STREETS & STORM WATER		16,002.37	22,100.00	72.41%
	60001 · AUTO LEASE PAYMENTS	7,722.02	22,550.00	34.24%

**CITY OF DEL REY OAKS
FISCAL YEAR 2009-2010 BUDGET VS. ACTUAL
NOVEMBER 2009**

ITEM 5.B.2.

				Actual Total for 2009/10	FY 2009/10 Budget	% of Annual Budget
			70980 · TRANSFER FUNDS OUT		47,345.00	
			Projected Excess / Deficit Operating Revenue	(52,651.83)	21,255.00	
			Total Expenditures	739,449.85	1,888,800.00	39.15%
			Total Operating Revenue	599,310.29		
			Less Total Operating Expenditures	739,449.85		
			Total Operating Revenue Less Expenditures	(140,139.56)		

CITY OF DEL REY OAKS
FISCAL YEAR 2009/10 CAPITAL OUTLAY BUDGET VS. ACTUAL
JULY 1, 2009 - NOVEMBER 30, 2009

ITEM 5.B.2.

		FY 2009/10 BUDGET		ACTUAL TOTALS FOR 2009/10
4900 · CAPITAL OUTLAY FUND				
	3625 · 2000 PARK BOND GRANT			\$0.00
	3627 · 2002 Parks Resources Bond Act	99,655.00		\$0.00
	3720 · Portola/Carlton (Prop 1B) CIP			\$0.00
	3730 · Portola/Work Walkway (MPRPD)	12,500.00		\$0.00
	3740 · Stream Blockage (State)			\$0.00
	3750 · Portola/Work Street (TAMC)			\$0.00
	3760 · City Monument Sign Proceeds			\$0.00
Total 4900 · CAPITAL OUTLAY FUND		\$112,155.00		\$0.00
50400 · CAPITAL OUTLAY				
	50420 · MONUMENT SIGN			\$0.00
	50430 · PORTOLA / CARLTON (PROP 1B)	400,000.00	*	\$0.00
	50440 · PORTOLA / WORK WALKWAY (MPRPD)	25,000.00	**	\$6,761.61
	50450 · 2000 PARKS BOND ACT			\$0.00
	50460 · 2002 PARKS RESOURCES BOND ACT	134,500.00	***	\$0.00
	50470 · STREAM BLOCKAGE (STATE GRANT)			\$0.00
	50480 · PORTOLA / WORK STREET (TAMC)			\$0.00
Total 50400 · CAPITAL OUTLAY		559,500.00		\$6,761.61
	Operating Funds Transferred In for Capital Outlay Funding	\$47,345.00		
	Projected Excess/(Deficit) Capital Outlay Fund Balance			-\$400,000.00
*50430	Portola/Carlton (Prop 1B):			
	Revenue received last FY; the City Engineer is preparing the plans and specifications for road resurfacing along Portola / Carlton and 13 cul-de-sacs, project deadline 06/30/2012			
*50440	Portola/Work Walkway (MPRPD)			
	The \$12,5000 parks grant is to be matched 100% by the City, project deadline 11/30/2010)			
*50460	2002 Parks Resources Bond Act:			
	The \$99,655 bond revenue is to be matched 35% by the City, project deadline 6/30/2011			
	☑ Funds Transferred In from City Operating Account			
	\$47,345 is the amount of match required to be paid by the City for the Walkway and the Park Bond Grants			

CITY OF DEL REY OAKS
 CASH FUNDS
 AS OF NOVEMBER 30, 2009

ITEM 5.B.2.

CITY OF DEL REY OAKS			
CASH BALANCES AS OF NOVEMBER 30, 2009			
		1000 · GENERAL CHECKING	108,132.27
		1008 · LAIF CITY - 246	574,806.79
		10080 · LAIF T&R Anticip Bond -006	1,044.26
		Total City Checking/Savings	683,983.32
REDEVELOPMENT AGENCY			
CASH BALANCES AS OF NOVEMBER 30, 2009			
		10-1001 · GENERAL CHECKING	\$42,726.64
		10-1003 · DUFFY EIR/CEQA CHECKING	\$24,659.47
		10-1002 · LAIF RDA ACCOUNT	\$21,246.98
		Total RDA Checking/Savings	\$88,633.09
GRAND TOTAL CASH BALANCES			\$772,616.41



Del Rey Oaks Police Department
 Monthly Report of Activity
 NOVEMBER – 2009
 Completed By: Ron Langford, COP

ARRESTS:

Prior Year

<i>Felony Arrests</i>	01	
<i>Misdemeanor Arrests</i>	02	
<i>Warrant Arrests (OJ)</i>	01	
TOTAL ARRESTS	04	02

REPORTS FILED:

11	13
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BURGLARIES:

Prior Year

<i>Residential</i>		
<i>Commercial</i>		
<i>From Locked Vehicle</i>	01	
<i>Other</i>		
TOTAL BURGLARIES	01	01

GRAND & PETTY THEFTS:

Prior Year

<i>Residential</i>		
<i>Commercial</i>	02	04

CITATIONS ISSUED:

Prior Year

<i>Traffic Citations Issued</i>	13	
<i>Parking Citations Issued</i>	03	
<i>Admin Citations Issued</i>		
TOTAL CITATION ISSUED	16	23

ASSAULTS:

Prior Year

<i>Simple Assault</i>	00	00
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<i>Domestic Violence</i>		
<i>Weapon Involved</i>		
TOTAL ASSAULTS	00	00

TRAFFIC ACCIDENTS:

Prior Year

<i>Non-Injury Accidents</i>	01	
<i>Injury Accidents</i>		
TOTAL ACCIDENTS	01	02

TOWED & STORED VEHICLES:

Prior Year

01	01
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ALARMS:

Prior Year

<i>Residential</i>		
<i>Commercial</i>		
TOTAL ALARMS	00	00

DUI ENFORCEMENT:

Prior Year

01	02
-----------	-----------



2010 MEETING SCHEDULE

January

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

PLEASE NOTE NOVEMBER AND DECEMBER MEETINGS ARE NOT THE STANDARD DATES DUE TO HOLIDAYS

-  = City Council Meetings at 6:00 p.m.
-  = Planning Commission Meetings at 6:00 p.m.

BOARD OF TRUSTEES**CHAIRMAN**

MICHAEL MORRIS
Sand City

SECRETARY

SILVIO BERNARDI
County of Monterey

MEMBERS

CARL HANSEN
County of Monterey
JIM TASHIRO
City of Salinas
STEVE BLOOMER
City of Seaside
KENNETH GRAY
City of Marina
JEFF CECILIO
City of Del Rey Oaks
ROBERT REID
City of Monterey
DON CRANFORD
County of Monterey

**NORTHERN SALINAS VALLEY
MOSQUITO ABATEMENT DISTRICT**

342 Airport Boulevard
Salinas, California 93905-3301

Salinas (831) 422-6438 * Fax: (831) 422-3337
From: Monterey - 373-2483 or Watsonville - 761-2483



November 23, 2009

City Council
City of Del Rey Oaks
650 Canyon Del Rey
Del Rey Oaks, CA 93940

Re: Reappointment of Jeff Cecilio - January 2, 2010-January 2, 2014

Ladies and Gentlemen:

The term of appointment on the Board of Trustees of the Northern Salinas Valley Mosquito Abatement District currently held by Jeff Cecilio, will expire on January 2, 2010. Since March of 2007, Mr. Cecilio has faithfully served in the best interests of the residents of Del Rey Oaks on the Board of Trustees.

Pursuant to Section 2245 (c) of the California State Health and Safety code, the N.S.V.M.A.D. Board of Trustees respectfully requests the City Council renew his appointment to serve the residents of Del Rey Oaks for a four-year term of which he is now eligible, from January 2nd 2010 to January 2nd 2014.

Sincerely,

Dennis D. Boronda
Manager-Biologist

DDB:kf

cc: Mr. Jeff Cecilio
74 Carlton Drive
Del Rey Oaks, CA 93940

ORDINANCE NO. 269

AN ORDINANCE ADDING CHAPTER 8.30
RELATING TO POLYSTYRENE FOOD PACKAGING TO
THE MUNICIPAL CODE

-oOo-

THE CITY COUNCIL OF THE CITY OF DEL REY OAKS DOES ORDAIN AS FOLLOWS:

1. Chapter 8.30 added. Chapter 8.30, entitled "Polystyrene Food Packaging," is hereby added to the Municipal Code to read in its entirety as set forth on the attached six (6) pages, marked Exhibit "A" and incorporated herein by this reference thereto.
2. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its final passage.
3. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in the three (3) public places designated by resolution of the City Council.
4. Severability. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

The foregoing ordinance was introduced at a special meeting of the City Council of the City of Del Rey Oaks duly held on November 17, 2009, and was passed and adopted at a regular meeting duly held on December 15, 2009, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Jerry Edelen, Mayor

ATTEST:

Daniel Dawson, City Clerk

CHAPTER 8.30

POLYSTYRENE FOOD PACKAGING

Sections:

8.30.010	Findings and Statement of Intent
8.30.020	Definitions
8.30.030	Prohibited Disposable Food Service Ware
8.30.040	Required Biodegradable, Compostable, or Recyclable Disposable Food Service Ware
8.30.050	Exemptions for Biodegradable, Compostable or Recyclable Food Service Ware
8.30.060	Miscellaneous

8.30.010 Findings and Statement of Intent

The City Council hereby finds and declares that:

- A. The City has a responsibility to protect its natural environment, its economy, and the health of its citizens. Solid waste that is non-degradable or non-recyclable poses an acute problem for any environmentally and financially responsible solid waste management program.
- B. The City borders or is in close proximity to the Monterey Bay National Marine Sanctuary, a federal preserve that supports one of the most diverse and delicate ecosystems in the world. This sanctuary provides habitat for at least 33 mammals, 94 species of seabirds, 345 species of fish, and contains the largest kelp forest in the nation. The nearby region also encompasses some of the richest farmland in the world as it stretches deep into the Salinas Valley. Agricultural-business interests and tourism constitute the mainstays of the economy of Monterey County. The impact of an environmentally damaged Monterey Bay or the pollution of our rivers would be felt throughout the area.
- C. Food and beverage packaging constitutes a significant and growing portion of the waste in the city/county. Laws, policies and regulations pertaining to disposable food service-ware are a vital component in the City's efforts to reduce the amount of disposed waste.
- D. Food service-ware made from polystyrene foam is not biodegradable, returnable, or practically recyclable. Polystyrene foam breaks into smaller pieces and, because it is lightweight, may be picked up by the wind even when it has been placed in a waste receptacle.
- E. A prevalence of polystyrene foam packaging, which is highly durable and persists longer than any other type of refuse, litters parks and public places, streets and roads, waterways, storm drains and beaches. This litter ultimately floats or is blown into the Monterey Bay, creating a financial cost and adversely impacting our environment. Polystyrene foam that ends up in rivers that wend miles away from Monterey Bay, in the Salinas Valley, also finds its way into Monterey Bay.
- F. Mistaking it for food, marine animals and birds often ingest polystyrene foam, which can damage their digestive tracts, often leading to death.
- G. Polystyrene foam is manufactured from petroleum, a non-renewable resource.

H. Scientific evidence indicates that styrene leaches from polystyrene foam containers into food and drink. The Environmental Protection Agency (EPA) has found that there are short- and long-term adverse health effects associated with exposure to styrene.

I. It is not economically feasible at this time to recycle polystyrene foam in or near the City.

J. When products are recycled, natural resources are conserved, less energy is used for the production of new products, and valuable landfill space is preserved. When biodegradable products are turned into compost they can reduce water use and reduce the need for fertilizer. Take-out food packaging that is biodegradable, compostable, or recyclable is the most responsible and sustainable choice for the tourist economy, the citizenry and the environment.

K. Biodegradable takeout packaging (such as cups, plates, clamshell containers and cutlery) made from paper, sugarcane, corn bi-products and potato starch is available locally. As these products degrade, they do not harm the environment and are not a permanent blight on the landscape.

L. Eliminating the use of polystyrene foam and other non-biodegradable, non-compostable, non-returnable and non-recyclable food packaging material from all establishments within the City will help protect the local environment, including the Monterey Bay National Marine Sanctuary and the vast Salinas Valley, from contamination and degradation, helping to safeguard this area as a tourist destination and a major grower of agricultural products. It will also support the City's goal of reducing waste and protecting the environment for generations to come.

M. Taking the aforementioned action also will be cost-effective, helping to maximize the operating life of landfills and reducing the economic and environmental expense of managing waste and litter.

8.30.020 Definitions

Unless otherwise expressly stated, whenever used in this chapter the following terms shall have the meanings set forth below:

- A. "Affordable" means that a biodegradable, compostable or recyclable product may cost up to 15 percent more than the purchase cost of the non-biodegradable, non-compostable or non-recyclable alternative(s).
- B. "ASTM Standard" means meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400 or D6868 for biodegradable and compostable plastics, as those standards may be amended.
- C. "Biodegradable" means the ability of organic matter to break down from a complex to a more simple form.
- D. "City Facility" means any building, structure or vehicle owned and operated by the City, its agents, agencies, and departments.
- E. "City Contractor" means any person or entity that has a contract with the City for work or improvement to be performed, for a franchise, concession, for grant monies, goods and services, or supplies to be donated or to be purchased at the expense of the City.
- F. "Compostable" means all the materials in the product or package will break down, or otherwise become part of usable compost (e.g. soil-conditioning material, mulch) in a safe and timely manner. Compostable disposable food service ware must meet ASTM-Standards for compostability and any bio-

plastic or plastic-like product must be clearly labeled, preferably with a color symbol, to allow proper identification such that the collector and processor can easily distinguish the ASTM standard compostable plastic from non-ASTM standard compostable plastic.

- G. "Disposable Food Service Ware" means single-use disposable products used in the restaurant and food service industry for serving or transporting prepared ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays and hinged or lidded containers. This does not include single-use disposable items such as plastic straws, cup lids, or utensils
- H. "Food Provider" means any vendor located or providing food within the City which provides prepared food for public consumption on or off its premises and includes without limitation any store, shop, sales outlet, restaurant, grocery store, supermarket, delicatessen, catering truck or vehicle, or any other person who provides prepared food; and any organization, group or individual which regularly provides food as a part of its services.
- I. "Person" means an individual, business, event promoter, trust, firm, joint stock company, corporation, non-profit, including a government corporation, partnership, or association.
- J. "Polystyrene Foam" means and includes expanded polystyrene that is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene).
- K. "Prepared Food" means food or beverage prepared for consumption on the food provider's premises, using any cooking or food preparation technique. This does not include any raw uncooked meat, poultry, fish or eggs unless provided for consumption without further food preparation. It is a policy goal of this City to encourage supermarkets and other vendors to eliminate the use of polystyrene foam for packaging unprepared food.
- L. "Recyclable" means any material that is accepted by the City or special district recycling program, including, but not limited to, paper, glass, aluminum, cardboard and plastic bottles, jars and tubs. Recyclable plastics comprise those plastics coded with the recycling symbols #1 through #5.
- M. "Retail Food Establishment" shall include but is not limited to, any place where food is prepared to include any fixed or mobile restaurant, drive-in, coffee shop, public food market, produce stand, or similar place which food or drink is prepared for sale or for service on the premises or elsewhere.
- N. "Special Events Promoter" means an applicant for any special events permit issued by the City or any City employee(s) responsible for any city/county-organized special event.

8.30.030 Prohibited Disposable Food Service Ware

- A. Food providers within the City may not provide prepared food in any disposable food service ware that contains polystyrene foam.
- B. Disposable food service ware that contains polystyrene foam is prohibited from use in all City facilities.
- C. City contractors in the performance of City contracts and special events promoters may not provide prepared food in disposable food service ware that contains polystyrene foam.

- D. It shall be a policy goal of the City that business establishments located outside the City shall not package any non-food product in any package which utilizes polystyrene foam both block polystyrene or packaging peanuts, or purchase, obtain, keep, distribute or sell for home or personal use, or give, or otherwise provide to customers any packaging which utilizes polystyrene foam. The City shall promote and encourage, on a voluntary basis, the elimination of all polystyrene foam packaging.

8.30.040 Required Biodegradable, Compostable, or Recyclable Disposable Food Service Ware

- A. All food providers within the City utilizing disposable food service ware shall use biodegradable, compostable or recyclable products unless there is no affordable alternative available as determined by the City Manager (see definition of “Affordable” and Section 8.30.050 Exemptions). Food providers may charge a “take-out fee” to cover the difference in cost.
- B. All City facilities utilizing disposable food service ware shall use products that are biodegradable, compostable or recyclable.
- C. City contractors and special events promoters utilizing disposable food service ware shall use biodegradable, compostable, or recyclable products while performing under a City contract or permit.

8.30.050 Exemptions for Biodegradable, Compostable or Recyclable Food Service Ware

- A. No exemptions shall allow for the use of polystyrene foam disposable food service ware.
- B. Upon written application, the City Manager may exempt, in writing, a food provider from the requirement set forth in section 8.30.030 of this Chapter for a non-renewable, one-year period upon the food provider showing, in writing, that this Chapter would create an undue hardship or practical difficulty not generally applicable to other persons in similar circumstances.
- C. The exemption application shall include all information necessary for the City Manager to make a decision, including but not limited to documentation showing factual support for the claimed exemption. The City Manager may require the applicant to provide additional information.
- D. The City Manager may approve the exemption application in whole or in part, with or without conditions. The City Manager’s decision shall be final.
- E. Foods prepared or packaged outside the City and sold inside the City are exempt from the provisions of this Chapter. Purveyors of food prepared or packaged outside the City are encouraged to follow the provisions of this Chapter as it is a policy goal of this City to eliminate the use of polystyrene foam for packaging unprepared food.

8.30.060 Miscellaneous

- A. The City, in accordance with applicable law, may inspect any vendor or food provider’s premises to verify compliance.
- B. Each food vendor shall state, in writing, that it is in compliance with this Chapter as part of its initial and annual renewal business license forms.

C. To allow all persons an opportunity to use remaining stock of prohibited products, this Chapter shall become effective and enforceable on the first day of the month that begins after one hundred and eighty (180) days following its following passage and adoption. During the six-month period following its enactment, it shall nonetheless be the policy of the city to encourage voluntary adherence to the requirements of this Chapter.

RESOLUTION NO. 2009-19

RESOLUTION AUTHORIZING THE CITY OF DEL REY OAKS TO JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS

WHEREAS, the California Statewide Communities Development Authority (“California Communities”) is a joint exercise of powers authority the members of which include numerous cities and counties in the State of California, including the City of Del Rey Oaks (the “City”); and

WHEREAS, California Communities has established the CaliforniaFIRST program (the “CaliforniaFIRST Program”) to allow the financing of certain renewable energy, energy efficiency and water efficiency improvements (the “Improvements”) through the levy of contractual assessments pursuant to Chapter 29 of Division 7 of the Streets & Highways Code (“Chapter 29”) and the issuance of improvement bonds (the “Bonds”) under the Improvement Bond Act of 1915 (Streets and Highways Code Sections 8500 and following) (the “1915 Act”) upon the security of the unpaid contractual assessments; and

WHEREAS, Chapter 29 provides that assessments may be levied under its provisions only with the free and willing consent of the owner of each lot or parcel on which an assessment is levied at the time the assessment is levied; and

WHEREAS, the City desires to allow the owners of property within its jurisdiction (“Participating Property Owners”) to participate in the CaliforniaFIRST Program and to allow California Communities to conduct assessment proceedings under Chapter 29 and to issue Bonds under the 1915 Act to finance the Improvements; and

WHEREAS, California Communities will conduct assessment proceedings under Chapter 29 and issue Bonds under the 1915 Act to finance Improvements;

WHEREAS, there has been presented to this meeting a proposed form of Resolution of Intention to be adopted by California Communities in connection with such assessment proceedings (the “ROI”), a copy of which is attached hereto as Exhibit A, and the territory within which assessments may be levied for the CaliforniaFIRST Program shall include all of the territory within the City’s official boundaries of record (the “Proposed Boundaries”); and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy or collection of assessments or any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of the Bonds or any other bonds issued in connection with the CaliforniaFIRST Program; and

WHEREAS, pursuant to Government Code Section 6586.5, a notice of public hearing has been published once at least five days prior to the date hereof in a newspaper of general circulation in the City and a public hearing has been duly conducted by this City Council concerning the significant public benefits of the CaliforniaFIRST Program and the financing of the Improvements;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Rey Oaks as follows:

Section 1. On the date hereof, the City Council held a public hearing and the City Council hereby finds and declares that the issuance of bonds by California Communities in connection with the CaliforniaFIRST Program will provide significant public benefits, including without limitation, savings in effective interest rate, bond preparation, bond underwriting and bond issuance costs and reductions in effective user charges levied by water and electricity providers within the boundaries of the City/County.

Section 2. In connection with the CaliforniaFIRST Program, the City hereby consents to the conduct of special assessment proceedings by California Communities pursuant to Chapter 29 on any property within the Proposed Boundaries and the issuance of Bonds under the 1915 Act; provided, that

(1) Such proceedings are conducted pursuant to one or more Resolutions of Intention in substantially the form of the ROI;

(2) The Participating Property Owners, who shall be the legal owners of such property, execute a contract pursuant to Chapter 29 and comply with other applicable provisions of California law in order to accomplish the valid levy of assessments; and

(3) The City will not be responsible for the conduct of any assessment proceedings; the levy or collection of assessments or any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of the Bonds or any other bonds issued in connection with the CaliforniaFIRST Program.

(4) The issuance of Bonds will occur following receipt of a final judgment in a validation action filed by California Communities pursuant to Code of Civil Procedure Section 860 that the Bonds are legal obligations of California Communities.

Section 3. Pursuant to the requirements of Chapter 29, California Communities has prepared and will update from time to time the "Program Report" for the CaliforniaFIRST Program (the "Program Report"), and California Communities will undertake assessment proceedings and the financing of Improvements as set forth in the Program Report.

Section 4. The appropriate officials and staff of the City are hereby authorized and directed to make applications for the CaliforniaFIRST program available to all property owners who wish to finance Improvements; provided, that California Communities shall be responsible for providing such applications and related materials at its own expense. The following staff persons, together with any other staff persons chosen by the City Manager from time to time, are hereby designated as the contact persons for California Communities in connection with the CaliforniaFIRST Program: City Manager.

Section 5. The appropriate officials and staff of the City are hereby authorized and directed to execute and deliver such closing certificates, requisitions, agreements and related documents as are reasonably required by California Communities in accordance with the Program Report to implement the CaliforniaFIRST Program for Participating Property Owners.

Section 6. The appropriate officials and staff of the City are hereby authorized and directed to pay California Communities a fee in an amount not to exceed \$_____, which California Communities will use to pay for the costs of implementing the CaliforniaFIRST Program in the City, including the payment of legal costs incurred in connection with judicial validation of the CaliforniaFIRST Program.

Section 7. The City Council hereby finds that adoption of this Resolution is not a "project" under the California Environmental Quality Act, because the Resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4)).

Section 8. This Resolution shall take effect immediately upon its adoption. The City Clerk is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of California Communities.

PASSED AND ADOPTED this 15th day of December, 2009 by the following vote, to wit:

AYES: Council/Board Members _____

NOES: Council/Board Members _____

ABSENT: Council/Board Members _____

ABSTAIN: Council/Board Members _____

EXHIBIT A

(to be completed by CSCDA, no local action necessary)

RESOLUTION NO. _____

RESOLUTION DECLARING INTENTION TO FINANCE INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY EFFICIENCY AND WATER EFFICIENCY IMPROVEMENTS

COUNTY OF _____

WHEREAS, the California Statewide Communities Development Authority ("California Communities") is authorized under the authority granted California Communities pursuant to Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California in accordance with Chapter 29 of Part 3 of Division 7 of the Streets & Highways Code of the State of California ("Chapter 29") to authorize assessments to finance the installation of distributed generation renewable energy sources, energy efficiency and water efficiency improvements that are permanently fixed to real property ("Authorized Improvements"); and

WHEREAS, Chapter 29 authorizes California Communities to enter into contractual assessments to finance the installation of Authorized Improvements in the County of _____ (the "County"); and

WHEREAS, California Communities wishes to declare its intention to establish a CaliforniaFIRST program (the "CaliforniaFIRST Program") in the County, pursuant to which California Communities, subject to certain conditions set forth below, would enter into contractual assessments to finance the installation of Authorized Improvements in the County;

NOW, THEREFORE, BE IT RESOLVED by the California Statewide Communities Development Authority, as follows:

Section 1. Findings. California Communities hereby finds and declares the following:

- (a) The above recitals are true and correct.
- (b) Energy conservation efforts, including the promotion of energy-related Authorized Improvements to residential, commercial, industrial, or other real property, are necessary to address the issue of global climate change and the reduction of greenhouse gas emissions in the County.
- (c) Water conservation efforts, including the promotion of water-related Authorized Improvements to residential, commercial, industrial, or other real property, are necessary to address the issue of chronic water shortages in California.
- (d) The upfront cost of making residential, commercial, industrial, or other real property more energy and water efficient, along with the fact that most commercial loans for that purpose are due on the sale of the property, prevents many property owners from installing Authorized Improvements.
- (e) A public purpose will be served by establishing a contractual assessment program, to be known as the CaliforniaFIRST Program, pursuant to which California

Communities will finance the installation of Authorized Improvements to residential, commercial, industrial, or other real property in the County.

Section 2. Determination of Public Interest. California Communities hereby determines that (a) it would be convenient, advantageous, and in the public interest to designate an area, which shall encompass the entire geographic territory within the boundaries of the County, within which California Communities and property owners within the County may enter into contractual assessments to finance the installation of Authorized Improvements pursuant to Chapter 29 and (b) it is in the public interest for California Communities to finance the installation of Authorized Improvements in the County pursuant to Chapter 29.

Section 3. Identification of Authorized Improvements. California Communities hereby declares that it proposes to make contractual assessment financing available to property owners to finance installation of Authorized Improvements, including but not limited to those improvements detailed in the Report described in Section 8 below, as that Report may be amended from time to time.

Section 4. Identification of Boundaries. Contractual assessments may be entered into by property owners located within the entire geographic territory of the County; provided, however, that California Communities shall not enter into contractual assessments to finance the installation of Authorized Improvements with the owner of any property in the County unless requested to do so first by the County if the property is located in unincorporated territory or a city if the property is located in incorporated territory and after such city or the County, as applicable, has held a public hearing pursuant to Section 6586.5 of the Government Code of the State of California. The form of resolution pursuant to which cities may request California Communities to enter into contractual assessments to finance the installation of Authorized Improvements is attached as Exhibit A-1.

Section 5. Proposed Financing Arrangements. Under Chapter 29, California Communities may issue bonds pursuant to Chapter 29 that are payable by contractual assessments and California Communities may advance its own funds to finance work to be repaid through contractual assessments, and may from time to time sell bonds to reimburse itself for such advances. Division 10 (commencing with Section 8500) of the Streets & Highways Code of the State (the "Improvement Bond Act of 1915") shall apply to any bonds issued pursuant to Chapter 29, insofar as the Improvement Bond Act of 1915 is not in conflict with Chapter 29.

California Communities shall determine the creditworthiness of a property owner to participate in the financing of Authorized Improvements based on the criteria developed by the Program Manager in consultation with the CaliforniaFIRST Program financing team and on file with the Secretary.

In connection with bonds issued under the Improvement Bond Act of 1915 that are payable from contractual assessments, serial and/or term improvement bonds shall be issued in such series and shall mature in such principal amounts and at such times (not to exceed 20 years from the second day of September next following their date) and at such rate or rates of interest (not to exceed the maximum rate permitted by applicable law) as shall be determined by California Communities at the time of the issuance and sale of the bonds. The provisions of Part 11.1 of the Improvement Bond Act of 1915 shall apply to the calling of the bonds. It is the intention of California Communities to create a special reserve fund for the bonds under Part 16 of the Improvement Bond Act of 1915. California Communities will not advance

available surplus funds from its treasury to cure any deficiency in the redemption fund to be created with respect to the bonds; provided, however, that this determination shall not prevent California Communities from, in its sole discretion, so advancing funds. The bonds may be refunded under Division 11.5 of the California Streets and Highways Code or other applicable laws permitting refunding of the bonds, upon the conditions specified by and at the determination of California Communities.

California Communities hereby authorizes the Program Manager, upon consultation with bond counsel and the CaliforniaFIRST Program underwriter, to provide for the issuance of bonds payable from contractual assessments.

In connection with the issuance of bonds payable from contractual assessments, California Communities expects to obligate itself, through a covenant with the owners of the bonds, to exercise its foreclosure rights with respect to delinquent contractual assessment installments under specified circumstances.

Section 6. Public Hearing. Pursuant to the Act, California Communities hereby orders that a public hearing be held before this Commission, at _____, on _____, _____, 2010 at _____ a.m., for the purposes of allowing interested persons to object to or inquire about the proposed program or any of its particulars. The public hearing may be continued from time to time as determined by the Commission for a time not exceeding a total of 180 days.

At the time of the hearing, the Report described in Section 8 below shall be summarized and the Commission shall afford all persons who are present an opportunity to comment upon, object to, or present evidence with regard to the proposed contractual assessment program, the extent of the area proposed to be included within the program, the terms and conditions of the draft Contract described in Section 8 below, or the proposed financing provisions. Following the public hearing, California Communities may adopt a resolution confirming the Report (the "Resolution Confirming Report") or may direct the Report's modification in any respect, or may abandon the proceedings.

The Commission hereby orders the Secretary to publish a notice of public hearing once a week for two successive weeks. Two publications in a newspaper published once a week or more often, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice will commence upon the first day of publication and terminate at the end of the fourteenth day. The first publication shall occur not later than 20 days before the date of the public hearing.

Section 7. Notice to Water and Electric Providers. Pursuant to Section 5898.24 of the Streets & Highways Code, the Commission hereby orders the Secretary to provide written notice of the proposed contractual assessment program within the County to all water and electric providers within the boundaries of the County not less than 60 days prior to adoption of the Resolution Confirming Report.

Section 8. Report. The Commission hereby directs the Program Manager for the CaliforniaFIRST Program to prepare and file with the Commission a report (the "Report") at or before the time of the public hearing described in Section 6 above containing all of the following:

(a) A map showing the boundaries of the territory within which contractual assessments are proposed to be offered, as set forth in Section 4 above.

(b) A draft contract (the “Contract”) specifying the terms and conditions that would be agreed to by California Communities and a property owner within the County. The Contract may allow property owners to purchase directly the related equipment and materials for the installation of the Authorized Improvements and to contract directly for the installation of such Authorized Improvements.

(c) A statement of California Communities’ policies concerning contractual assessments including all of the following:

(1) Identification of types of Authorized Improvements that may be financed through the use of contractual assessments.

(2) Identification of California Communities official authorized to enter into contractual assessments on behalf of California Communities.

(3) A maximum aggregate dollar amount of contractual assessments in the County.

(4) A method for setting requests from property owners for financing through contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount.

(d) A plan for raising a capital amount required to pay for work performed pursuant to contractual assessments. The plan may include amounts to be advanced by California Communities through funds available to it from any source. The plan may include the sale of a bond or bonds or other financing relationship pursuant to Section 5898.28 of Chapter 29. The plan shall include a statement of or method for determining the interest rate and time period during which contracting property owners would pay any assessment. The plan shall provide for any reserve fund or funds. The plan shall provide for the apportionment of all or any portion of the costs incidental to financing, administration, and collection of the contractual assessment program among the consenting property owners and California Communities.

(e) A report on the results of the consultations with the County Auditor-Controller described in Section 10 below concerning the additional fees, if any, that will be charged to California Communities for incorporating the proposed contractual assessments into the assessments of the general taxes of the County on real property, and a plan for financing the payment of those fees.

Section 9. Nature of Assessments. Assessments levied pursuant to Chapter 29, and the interest and any penalties thereon, will constitute a lien against the lots and parcels of land on which they are made, until they are paid. Unless otherwise directed by California Communities, the assessments shall be collected in the same manner and at the same time as the general taxes of the County on real property are payable, and subject to the same penalties and remedies and lien priorities in the event of delinquency and default.

Section 10. Consultations with County Auditor-Controller. California Communities hereby directs the Program Manager to enter into consultations with the County Auditor-Controller in order to reach agreement on what additional fees, if any, will be charged to California Communities for incorporating the proposed contractual assessments into the assessments of the general taxes of the County on real property.

Section 11. Preparation of Current Roll of Assessment. Pursuant to Section 5898.24(c), California Communities hereby designates the Program Manager (or his/her designee) as the responsible official for annually preparing the current roll of assessment obligations by assessor's parcel number on property subject to a voluntary contractual assessment.

Section 12. Procedures for Responding to Inquiries. The Program Manager shall establish procedures to promptly respond to inquiries concerning current and future estimated liability for a voluntary contractual assessment.

Section 13. Professionals Appointed. California Communities hereby appoints Jones Hall, A Professional Law Corporation, San Francisco, California, as bond counsel to California Communities in connection with the CaliforniaFIRST Program. The Commission hereby authorizes and directs an Authorized Signatory of California Communities (as determined from time to time by the Commission by separate resolution) to enter into appropriate agreements with such firm for its services to California Communities in connection with the matters addressed in this Resolution.

Section 14. Set-Up Fees. The County and various cities within the County have advanced fees to California Communities to pay for certain costs of establishing the CaliforniaFIRST Program, some or all of which represent State Energy Program (SEP) funds. The Program Manager is hereby authorized and directed to return to the County and cities, as applicable, any fees paid to California Communities by the County and cities, as applicable, that do not represent SEP funds and that California Communities does not use to pay for the costs of establishing the CaliforniaFIRST Program.

Section 15. Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the California Statewide Communities Development Authority this _____, 2010.

I, the undersigned, the duly appointed, and qualified member of the Commission of the California Statewide Communities Development Authority, DO HEREBY CERTIFY that the foregoing resolution was duly adopted by the Commission of said Authority at a duly called meeting of the Commission of said Authority held in accordance with law on _____, 2010.

By: _____
Member

EXHIBIT A-1

**FORM OF RESOLUTION AUTHORIZING CALIFORNIA COMMUNITIES TO CONDUCT
CONTRACTUAL ASSESSMENT PROCEEDINGS AND
LEVY CONTRACTUAL ASSESSMENTS**

(This is referring back to the "Resolution to Join" (go back to top of document). Our resolutions refer to theirs, and theirs refers to ours.)

CITY OF DEL REY OAKS CITY COUNCIL

MEETING:	December 15, 2009 6pm	AGENDA NO.:	ITEM 7.A.
SUBJECT:	<ul style="list-style-type: none"> a. Receive a report on AB811 and financing the installation of energy efficiency improvements and alternative energy systems with the CaliforniaFIRST statewide municipal finance program; and b. Adopt a Resolution to join CaliforniaFIRST c. Direct staff to report to the Council regarding the outcome of grant proposal to render participation in CaliforniaFIRST cost neutral to the City of Del Rey Oaks. 		
DEPARTMENT:			

RECOMMENDATION:

It is recommended that the City Council:

- a. Receive a report on AB811 and financing the installation of energy efficiency improvements and alternative energy systems with the CaliforniaFIRST statewide municipal finance program; and
- b. Adopt a Resolution to join CaliforniaFIRST
- c. Direct staff to report to the Council regarding the outcome of grant proposal to render participation in CaliforniaFIRST cost neutral to the City of Del Rey Oaks.

SUMMARY

This report is an evaluation of opportunities for financing the installation of solar panels as well as other distributed generation renewable energy sources or energy efficiency improvements that are permanently fixed to residential, commercial, industrial, or other real property in the City of Del Rey Oaks.

DISCUSSIONAssembly Bill 811

To address global climate change and the high upfront cost of installation, Assembly Bill 811 allows property owners to voluntarily participate in an assessment district that provides financing for the installation of distributed generation renewable energy sources or energy efficiency improvements that are permanently fixed to residential, commercial, industrial, or other real property. After first receiving local municipal approval, property owners contract directly with qualified contractors and installers for energy efficiency and/or energy generating projects. When deemed complete, the County of Monterey pays the contractor. The owner then repays the County of Monterey through a special assessment on their tax bill. The assessment is repaid over a specified time period and transfers to the new owner when sold.

Assembly Bill 474

Similar to AB 811, AB 474 allows property owners to voluntarily participate in an assessment district providing financing for the installation of water conservation improvements.

Existing Municipal Finance Programs

County staff conducted research on existing programs and found that they all had two problems in common. First, legal ambiguity exists on whether a voluntary assessment is senior to previously existing mortgages. This resulted

in problems with bonds being sold in the public market and validation hearings must take place in an effort to resolve this issue. Second, administration costs for the program are significant. These include the costs for application and project review, credit verification, document processing, collection and reserves, etc. There is also the additional cost of placing and maintaining the assessments on the tax rolls. The legal and administrative costs of program development and implementation have been an obstacle for most of the counties and cities working individually. Taking advantage of economies of scale by working collaboratively is a more cost effective approach for all entities involved.

CaliforniaFIRST

County staff also researched opportunities with the California State Association of Counties subsidiary the California Statewide Communities Development Authority ("CSCDA"). The CSCDA is creating a statewide program for the implementation of AB 811 called CaliforniaFIRST, and while not included in the pilot phase, it will include implementation of AB 474 in the full program launch so that water conservation improvements can be included.

Such a program could enable statewide economies of scale for program administration, financing costs and addressing legal issues. The pilot program is expected to launch between June and August 2010, followed by full program implementation in the last quarter of calendar year 2010. Program administration for both the pilot and the full program will be provided. Each municipality would be responsible only for their locally incurred expenses for marketing, education and internal administration costs.

To participate in the pilot program, the County of Monterey and at least one city within the County must adopt a Resolution to join CaliforniaFIRST and pay the one time set-up fee. The City's set-up fee will be no more than \$12,500 and will be used for validation proceedings, data acquisition, systems configuration, and web portal customization. Thirteen counties, including Monterey County, have prepared a collaborative grant application to be submitted to the California Energy Commission for State Energy Program to cover the set-up fees and administration costs for all participants. Sacramento City is the lead applicant for this collaborative effort. CaliforniaFIRST program materials document that any county or city who wishes to discontinue participation in the program may do so at any time and without financial penalty. If the grant is not awarded any or all cities and counties could invoke their right to withdraw. All cities within the County of Monterey have provided letters stating their intent to join.

Recommendations

Staff research indicates that it is more cost effective to join the CaliforniaFIRST pilot program than to solely incur the expenses of program implementation. Staff will return to the City Council with a progress report at the conclusion of the pilot program.

FINANCIAL

The County of Monterey will seek grant funds through the California energy Commission's State Energy Program to pay for all of the CaliforniaFIRST program set-up fees as well as for marketing, education and administration costs. The only impact to the City of Del Rey Oak's Fiscal Year 2009-10 budget as a result of this action, will be in the form of staff time for one employee to attend a steering committee meeting for one hour, one time per month. Steering committee attendance is optional, however, and grant funds can be used to cover this cost.