



CITY OF DEL REY OAKS

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

AGENDA

MEETING OF THE CITY OF DEL REY OAKS CITY COUNCIL TUESDAY, OCTOBER 26, 2010 at 6:00 P.M. CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. 6:00 P.M. - ROLL CALL – *Council/Agency*
2. PLEDGE OF ALLEGIANCE
3. COMMUNICATIONS: None
4. PROCLAMATION:
 - A. Monterey County Veterans of the Year for 2010 honoring Del Rey Oaks resident: Gerald Flowers
5. 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.*
6. CONSENT AGENDA: *Action Items*
 - A. MINUTES:
 1. August 24, 2010, Regular City Council Meeting (This item was continued from a previous meeting due to lack of quorum)
 2. September 28, 2010, Regular City Council Meeting
 - B. MONTHLY REPORTS:
 1. Claims, September 2010
 2. Financials, September 2010
 3. Fire Department Response Report, September 2010
 4. Police Activity Report, September 2010
7. OLD BUSINESS: None *Action Items*

8. **NEW BUSINESS:**

Action Items

- A. Resolution 2010-22, A Resolution approving the changes to the Association of Monterey Bay Area Governments' (AMBAG) By-Laws.
- B. Resolution 2010-23, A Resolution Designating a City Consultant as the Authorized City Representative to Examine Sales and Use Tax Records.
- C. Resolution 2010-24, A Resolution approving the application for Grant Funds for the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.
- D. Resolution 2010-25, A Resolution approving the application for Grant Funds for the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000.

9. **STAFF REPORTS:**

- A. City Manager Report

10. **MAYOR AND COUNCIL REPORT**

11. **CORRESPONDENCE**

- A. Thank you letter from Monterey Peninsula Volunteer Services.

12. **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. Anticipated Litigation pursuant to Government Code sec 54956.9(c)
(1 potential case)

13. **SET NEXT MEETING DATE:** Establish Tuesday, November 16, 2010, at 6:00 P.M. as the date and time of the Council's next regular meeting. (Note: This meeting is the 3rd Tuesday because of the holiday)

14. **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.



CITY OF DEL REY OAKS

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

A PROCLAMATION HONORING GERALD FLOWERS



WHEREAS, Mr. Gerald Flowers has been selected as one of the Monterey County Veterans of the Year for 2010; and

WHEREAS, Mr. Gerald Flowers resides at 15 Work Avenue in Del Rey Oaks; and

WHEREAS, Mr. Gerald Flowers served in the US Army from 1949 to 1972; and

WHEREAS, Mr. Gerald Flowers is currently a volunteer driver for the Monterey County's Military & Veterans Affairs Office, making sure that the veterans using the van service get to their medical appointments on time and safely; and

WHEREAS, Mr. Gerald Flowers has been a volunteer Docent for the Monterey Bay Aquarium for the last five years; and

WHEREAS, Mr. Gerald Flowers has been a volunteer at the Community Hospital of the Monterey Peninsula's (CHOMP) reception desk since January 2006; and

WHEREAS, Mr. Gerald Flowers has volunteered, through the Veterans of Foreign Wars and the Disabled American Veterans organization to visit and pray for the veterans, who are admitted to CHOMP,

NOW, THEREFORE, BE IT RESOLVED, that I, Jerry B. Edelen, Mayor of Del Rey Oaks, the City Council, and all citizens of our fair City, do hereby thank Mr. Gerald Flowers for his many years of dedicated service, and in keeping with the grand tradition of honoring our veterans of the year, would like to thank him for his volunteer services to the Veterans of the Monterey Peninsula.

Dated this 26th day of October 2010

JERRY B. EDELEN, Mayor

**MEETING OF THE CITY OF DEL REY OAKS CITY COUNCIL
CONVENED AT 6:00 P.M. ON TUESDAY, AUGUST 24, 2010 IN
THE CHARLES BENSON MEMORIAL HALL, CITY HALL**

Present: Council Members Zuccaro, Allion and Vice Mayor Clark

Absent: Council Member Cecilio and Mayor Edelen

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

Meeting came to order at 6:00 p.m. and roll call was taken.

PLEDGE OF ALLEGIANCE

Council Member Allion: Let the Pledge of Allegiance

COMMUNICATIONS

PROCLAMATION:

The Council considered **ITEM 4.** Proclaim the Week of September 17 – 23, 2010 as Constitution Week.

Vice Mayor Clark: Read the proclamation into the record and presented it the Daughter's of the Revolution.

PUBLIC COMMENT: None

CONSENT AGENDA:

The Council considered the following items:

A. MINUTES:

1. July 27, 2010, Regular City Council Meeting
2. July 14, 2010, Regular Planning Commission Meeting

B. MONTHLY REPORTS:

1. Claims, July 2010
2. Financials, July 2010
3. Fire Department Response Report, July 2010
4. Police Activity Report, July 2010

Motion by Council Member Allion to approve the consent agenda, motion seconded by Council Member Zuccaro.

There was no public comment received

Motion passed 3-0

OLD BUSINESS: None

NEW BUSINESS: None

Staff report:

City Manager Dawson: Stated it's been a busy month meeting with other jurisdictions regarding the Joint Powers Fire Authority, being the HABLE guest speaker, attending water meetings, green house gas emission meetings and attending the Monterey Bay Area Manager's Group meeting where Lou Baumann passed out a notice to declare September as National Preparedness Month. He met with Auditor Controller Mike Miller, attended Community Human Services meeting, met with the representatives from Muni Services to look at all our property taxes, and business licenses to see that all our taxes and licenses have been calculated and collected correctly and he will be meeting with Terry Low about a potential bicycle race in Del Rey Oaks.

Council Members:

Council Member Allion: Attended a meeting with the chiefs of the waste management providers which was also attended by David Pendergrass, Sand City Mayor and talked about bringing in Toro Park into the group because they are paying so much for sewer. Waste water is relatively inexpensive for us. No MRWPCA meeting this month.

Council Member Zuccaro: Attended AMBAG meetings, one of the meetings was regarding SB375 reducing green house gases and what the target range should be and decided that we are going to try to keep our levels at a zero percent increase until 2015 and a 5% reduction through 2035.

City Manager Dawson: The reason for the special meeting with AMBAG was because the deadline for grant applications is the 31st.

Vice Mayor Clark: The garage sale was a huge success and thanked the officer's for handling the gridlock. Picnic is coming up September 19th from 12-3. Changed the policy for an admission to \$6.00 per person rather than buying a food ticket. Had the first Taxi Authority meeting and will have one every month, she was elected the Chair of the authority. Stated she will be attending the TAMC meeting for Mayor Edelen tomorrow.

6:24 p.m.: Adjourned

6:26 p.m.: Reconvened into closed session

6:29p.m.: Adjourned from closed session into open session and reported the following:

City Manager Dawson: Information was received, no action was taken.

6:30 p.m.: Meeting adjourned

Next meeting: Tuesday, September 28th, 2010, 6 p.m.

Approved

Date

JOINT MEETING OF THE CITY OF DEL REY OAKS CITY COUNCIL AND REDEVELOPMENT CONVENED AT 6:00 P.M. ON TUESDAY, SEPTEMBER 28, 2010 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Council/Agency Members Zuccaro, Cecilio, Allion, Mayor /Chairman Edelen

Absent: Council/Agency Clark

Also present: City Attorney/Agency Counsel Callihan, City Manager/Executive Director Dawson and Deputy City Clerk/Agency Secretary Carvalho

Meeting came to order at 6:00 p.m. and roll call was taken.

PLEDGE OF ALLEGIANCE

City Manager Dawson: Led the Pledge of Allegiance

COMMUNICATIONS: None

REMEMBERENCE: Bill Benson

Mayor Edelen: We lost a dedicated citizen and founder of Del Rey Oaks Bill Benson and asked for a moment of silence in his memory.

PUBLIC COMMENT:

Irene Barlich: Stated that last week she was asked if the PD patrolled Seaside because of the gang violence. Seaside PD said that DRO is now patrolling.

Alana Miles, Del Rey Oaks: Would like to present a petition from the residents of the corner of Setter place and Quendale Ave and asked that the City fix the entrance to the cul-de-sac because it breaking apart badly.

Kathi Buckley Smith: Didn't know that Mr. Benson passed away and offered her condolences. Thanked the City for cleaning up the path through the City yard, and stated that the Via Verde and Paloma Street signs are missing.

CONSENT AGENDA:

The Council considered the following items:

A. MINUTES:

1. August 24, 2010, Regular City Council Meeting
2. August 11, 2010, Regular Planning Commission Meeting

B. MONTHLY REPORTS:

1. Claims, August 2010

2. Financials, August 2010
3. Fire Department Response Report, August 2010
4. Police Activity Report, August 2010

Mayor Edelen: Stated cannot consider minutes because there is no quorum for that item since there was only 3 council members at that meeting and one of them is out tonight.

Council Member Allion: Asked to pull 6.B.2., asked for an explanation on some of the expenditures.

City Manager Dawson: In the first quarter of the fiscal year we do pay a lot of our expenses in full for the year, such as communications system, insurance, fire, and some memberships and the street sweeping will be paid retroactively into the garbage contract.

Council Member Allion: Then we should expect the percentages to come more in line around the middle of the year.

City Manager Dawson: Correct.

Motion by Council Member Allion to approve consent agenda excluding Item 6.A.1., seconded by Council Member Zuccaro.

There was no public comment received

Motion passed 4-0

OLD BUSINESS: None

NEW BUSINESS:

The Council considered **ITEM 8.A.** Consider Resolution 2010-21, Review the City's Conflict of interest Code and finding that no amendments are required.

City Attorney Callihan: The political reform act states that some employees and officials must file financial statements and this policy must be reviewed every two years with changes or no changes. Then the document must be filed with the Fair Political Practices Commission (FPPC) by October 1, 2010. In reviewing this document there have been no changes.

Motion by Council Member Zuccaro to approve Resolution 2010-21, seconded by Council Member Cecilio

There was no public comment received.

Motion passed 4-0

The Council/Agency considered **ITEM 8.B.**, Retroactive Three Year Cooperation and Repayment Agreement Del Rey Oaks Redevelopment Agency former Fort Ord Project Area, Fiscal Years 2007-2008, 2008-2009, 2009-2010, and **ITEM 8.C.**, Cooperation and Repayment Agreement Del Rey Oaks Redevelopment Agency former Fort Ord Project Area, Fiscal Years 2010-2011.

City Manager/Executive Director Dawson: These documents allow the city to collect money from the RDA when the funds are available to cover costs from the City. When the RDA starts to make money then the RDA pays the City for staff time and expenses.

Agency/Council Member Allion: How will you come up with an amount that the staff owes?

City Manager/Executive Director Dawson: He currently keeps track of the amount of time he spends working for the RDA and will go back and estimate the past year based on the current figures.

Motion Agency/Council Member Allion to approve both 8.B. and 8.C., seconded by Agency/Council Member Cecilio

There was no public comment received

Motion passed 4-0

The Council considered **ITEM 8.D.**, Agreement for the sharing of costs for a Telephone Emergency Notification System (TENS)

Mayor Edelen: This portion will be based on population rather than usage.

City Manager Dawson: The TENS system was put into place after the Basin Complex fire and the grant has expired, and now we can use this system for road closures, community meetings, etc. A resident can register their home phone, cell phone and email address through the County of Monterey's website to be notified of any meetings, road closures and virtually anything we want them to know or that is public information through the county.

Council Member Allion: Suggested putting this in The Acorn

Council Member Cecilio: Put information on the website with instructions and a link to the website.

City Manager Dawson: www.alertmontereycounty.org is the website.

Public comment:

Kathi Smith: Good Idea

Motion by Council Member Cecilio to approve, seconded by Council Member Zuccaro

There was no further public comment received

Motion passed 4-0

Staff report:

City Manager Dawson: Enjoyed cutting watermelon at the City picnic and stated that they were donated by the Police Department Reserve Officers.

Attended the GASB54 training which has to do with how we name our funds in our system. This starts in 2011. Audit will be under way this Thursday. Patricia

Kaufman will be our auditor. Attended a leadership luncheon hosted by the Monterey Conventioneers and Mayor Edelen was a speaker.

Council Members:

Council Member Allion: Stated that he also attended the leadership luncheon and Sam Farr, Calcagno, and Kanalakis were all there and Mayor Edelen's speech was rousing. He reported on MRWPCA asked to attend the Washington DC water symposium. He learned an incredible amount of information. Several representatives from all over the world attended. Biggest thing he learned is that water is a crisis all over the world. Peninsula uses 70 gallons per day per person on average where the rest of the country uses 120-140 gallons per day per person. The permits required and the environmental issues will cause us to have to pay a lot more for desalinated water and the alternative is to use recycled water. This water is actually safer to drink than what we drink out of our taps. The target is to have zero fluid running out to the sea and it is doable. The purple pipe is what carries this type of water. He feels we as people should do as much as we can about recycling water on the peninsula.

City Manager Dawson: Stated there is an open house from 11-2 at the Marina Coast Water District facility.

Council Member Cecilio: Attended the Mosquito Abatement District and had the first death of a human death from West Nile Virus. The best thing to do is to keep covered up and don't leave yourself exposed when outside. Especially diabetics seem to be vulnerable.

Council Member Zuccaro: Attended a special AMBAG meeting regarding the Monterey Bay Marine Sanctuary and what AMBAG's role should be. All our agriculture, fishing, water and lots of areas are affected in the Sanctuary.

Mayor Edelen: The summer picnic was a huge success again and Seaside Fire did a great job, the winner of the chili cook-off was Janelle Schuh and it was great this year. In two years it will be the 60th anniversary of the City. Attended TAMC and they have a \$250,000 grant to fund a traveler 5-1-1 system. Some counties have gotten local advertising to fund it. They are looking at reducing carbon emissions by 5%. Attended FORA and will attend the FORA meeting on Friday to put up a sound abatement system along General Jim Moore. He attended the Seaside Water Master meeting and the Mayor's luncheon. Attended the Monterey Leadership Luncheon and compared to the other cities we are doing very well. Once revenue comes in from Fort Ord we could really be the gem of the peninsula. Participated with City Manager Dawson in water meetings and the most recent was Monday to discuss who will manage the Regional Water Project on the peninsula.

Correspondence:

Mayor Edelen: Went over what was enclosed in the packet.

6:43 p.m.: Adjourned to closed session

6:45 p.m.: Reconvened into closed session

7:05 p.m.: Adjourned from closed session into open session and reported the following:

City Manager Dawson: Reported that information was given, no action was taken.

7:06 p.m.: Meeting adjourned to next regular meeting Tuesday, October 26th, 2010, 6 p.m.

Approved

Dated

CITY OF DEL REY OAKS
Claims Report
 September 2010

Date	Num	Name	Memo	Amount
Moore, Claudia - #23 9/3/2010	11651	Moore, Claudia - #23	Overpaid on Space 23 - Vacated as of 08/31/10	20.00
Total Moore, Claudia - #23				20.00
ADAMSON INDUSTRIES 9/23/2010	11678	ADAMSON INDUSTRIES	AMMUNITION INV31794	1,048.80
Total ADAMSON INDUSTRIES				1,048.80
AFLAC 9/9/2010	11652	AFLAC	Premiums-employee paid-INV. 435599	266.60
Total AFLAC				266.60
AMERICAN LOCK & KEY 9/9/2010	11653	AMERICAN LOCK & KEY	REPAIR TO PD LOCKS	31.35
Total AMERICAN LOCK & KEY				31.35
BYTE TECHNOLOGY 9/9/2010	11654	BYTE TECHNOLOGY	Website updates	112.50
Total BYTE TECHNOLOGY				112.50
CALIFORNIA-AMERICAN WATER 9/9/2010	11655	CALIFORNIA-AMERICAN WATER	JUNE 21-JULY 22, 2010-WATER	217.72
Total CALIFORNIA-AMERICAN WATER				217.72
CARVALHO, KIMBERLY 9/15/2010	11675	CARVALHO, KIMBERLY	Wellness Reimbursement	43.50
Total CARVALHO, KIMBERLY				43.50
CARVALHO, KIMBERLY R 9/30/2010	11691	CARVALHO, KIMBERLY R	Wellness Reimbursement	85.00
Total CARVALHO, KIMBERLY R				85.00
CITY OF MONTEREY 9/9/2010	11656	CITY OF MONTEREY	signs/repairs/fuel/bookings 3rd qtr	1,206.30
Total CITY OF MONTEREY				1,206.30
CITY OF SALINAS, ATTORNEY SERVICES 9/9/2010	11657	CITY OF SALINAS, ATTORNEY SE...	JULY 2010 CITY ATTORNEY SERVICES-INVOICE 225180	1,031.04
Total CITY OF SALINAS, ATTORNEY SERVICES				1,031.04
CITY OF SEASIDE 9/9/2010	11658	CITY OF SEASIDE	STREET SWEEPING JULY 2010	1,224.16
Total CITY OF SEASIDE				1,224.16
CO-POWER 9/9/2010	11659	CO-POWER	SEPT 10 DELTA DENTAL PREMIUM	2,017.09
Total CO-POWER				2,017.09

CITY OF DEL REY OAKS
Claims Report
 September 2010

Date	Num	Name	Memo	Amount
FIRST CHOICE SERVICES 9/9/2010	11660	FIRST CHOICE SERVICES	Coffee and condiments	7.30
Total FIRST CHOICE SERVICES				7.30
FIRST NATIONAL BANK CHARGE 9/16/2010	EFT	FIRST NATIONAL BANK CHARGE	CC Bank Charges	114.56
Total FIRST NATIONAL BANK CHARGE				114.56
HOME DEPOT CRC 9/9/2010	11661	HOME DEPOT CRC	Materials/Supplies	319.63
Total HOME DEPOT CRC				319.63
I.M.P.A.C.GOVERNMT SER 9/23/2010	11679	I.M.P.A.C.GOVERNMT SER	CM Conf/PPD Cameras/Equip/	2,871.05
Total I.M.P.A.C.GOVERNMT SER				2,871.05
M&S BUILDING SUPPLY, INC. 9/9/2010	11662	M&S BUILDING SUPPLY, INC.	SUPPLIES JULY 2010	7.35
Total M&S BUILDING SUPPLY, INC.				7.35
MINAMI, KAREN 9/15/2010	11676	MINAMI, KAREN	Wellness Reimbursement	133.50
Total MINAMI, KAREN				133.50
MINAMI, KAREN L 9/30/2010	11692	MINAMI, KAREN L	Wellness Reimbursement	75.62
Total MINAMI, KAREN L				75.62
MONTEREY AUTO SUPPLY INC. 9/9/2010	11674	MONTEREY AUTO SUPPLY INC.	AUTO SUPPLIES	174.36
Total MONTEREY AUTO SUPPLY INC.				174.36
MONTEREY BAY AREA INSURANCE FUND 9/23/2010	11680	MONTEREY BAY AREA INSURAN...	MONTHLY INSTALLMENT FOR W/C LOAN \$3033.26 AND MON...	11,366.68
Total MONTEREY BAY AREA INSURANCE FUND				11,366.68
MONTEREY COUNTY AUDITOR/CONTROLLER 9/27/2010	11685	MONTEREY COUNTY AUDITOR/C...	INVOICE # 11-112	1,500.49
Total MONTEREY COUNTY AUDITOR/CONTROLLER				1,500.49
MTRY CTY EMERGENCY SERV 9/27/2010	11684	MTRY CTY EMERGENCY SERV	SHARE COST OF FY 2009-10 DISPATCH SERVICE	33,462.00
Total MTRY CTY EMERGENCY SERV				33,462.00
NEXTEL COMMUNICATION 9/23/2010	11681	NEXTEL COMMUNICATION	NEXTEL RADIO- CLK/PW/PD/CM	538.12
Total NEXTEL COMMUNICATION				538.12

CITY OF DEL REY OAKS
Claims Report
 September 2010

Date	Num	Name	Memo	Amount
OFFICE DEPOT				
9/9/2010	11664	OFFICE DEPOT	trash bags/folders/cleaning supplies/kleenex	201.86
9/23/2010	11682	OFFICE DEPOT		310.45
Total OFFICE DEPOT				512.31
OFFICE EQUIPMENT FINANCE SERVICES				
9/9/2010	11665	OFFICE EQUIPMENT FINANCE SE...	LEASE PAYMENT FOR COPIER-SEPT 10	371.43
Total OFFICE EQUIPMENT FINANCE SERVICES				371.43
PERS				
9/9/2010	11666	PERS	Payroll 08-2010-01	10,124.98
9/23/2010	11683	PERS	Payroll 08-2010-02	10,049.14
Total PERS				20,174.12
PG&E				
9/9/2010	11667	PG&E	GAS 6/15/10-7/15/10 ELEC.6/15/10-7/26/10	2,037.40
Total PG&E				2,037.40
PG&E-GJM&Z18				
9/9/2010	11668	PG&E-GJM&Z18	6817283169-2	41.04
Total PG&E-GJM&Z18				41.04
QuickBooks Payroll Service				
9/14/2010		QuickBooks Payroll Service	Monthly processing fee for September 2010	69.00
9/14/2010		QuickBooks Payroll Service	No state fee for CA for September 2010	13.00
9/14/2010		QuickBooks Payroll Service	Fee for 13 employee(s) paid	16.25
9/14/2010		QuickBooks Payroll Service	Fee for 13 direct deposit(s) at \$1.25 each	5,037.00
9/14/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/13/2010	574.72
9/14/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/13/2010	574.72
9/14/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/13/2010	1,761.72
9/14/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/13/2010	374.46
9/14/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/13/2010	30,974.51
9/29/2010		QuickBooks Payroll Service	Fee for 5 employee(s) paid	5.00
9/29/2010		QuickBooks Payroll Service	Fee for 1 direct deposit(s) at \$1.25 each	1.25
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/27/2010	9.06
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/27/2010	9.06
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/27/2010	5.78
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/27/2010	316.71
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/27/2010	98.55
9/29/2010		QuickBooks Payroll Service	Fee for 17 employee(s) paid	17.00
9/29/2010		QuickBooks Payroll Service	Fee for 14 direct deposit(s) at \$1.25 each	17.50
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	4,206.00
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	533.85
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	533.85
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	1,452.01
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	295.72
9/29/2010		QuickBooks Payroll Service	Created by Payroll Service on 09/28/2010	29,116.37

CITY OF DEL REY OAKS
Claims Report
September 2010

Date	Num	Name	Memo	Amount
Total QuickBooks Payroll Service				76,013.09
RED SHIFT INTERNET SERV 9/9/2010	11669	RED SHIFT INTERNET SERV	INTERNET AUG 2010	19.95
Total RED SHIFT INTERNET SERV				19.95
SAFEWAY STORE 9/9/2010	11670	SAFEWAY STORE	RED BULL RACES 2010	141.35
Total SAFEWAY STORE				141.35
SHRED-IT 9/9/2010	11671	SHRED-IT	SHREDDING SERVICE	50.00
Total SHRED-IT				50.00
SMILEY ORCA FACE PAINTING 9/20/2010	11677	SMILEY ORCA FACE PAINTING	2010 PICNIC FACE PAINTING DROCAG	150.00
Total SMILEY ORCA FACE PAINTING				150.00
TERMINIX 9/9/2010	11672	TERMINIX	PEST CONTROL AND MAINTENANCE-7/2010	57.00
Total TERMINIX				57.00
VSP 9/9/2010	11673	VSP	VISION PLAN SEPT. 2010	168.66
Total VSP				168.66
TOTAL				157,611.07

CITY OF DEL REY OAKS
FISCAL YEAR 2010/2011 BUDGET VS. ACTUAL
 July through September 2010

	Actual Total for 2010-2011	FY 2010-2011 Budget	% of Annual Budget
REVENUE			
3100 · PROPERTY TAXES			
3105 · P/T-SECURED	2,075.93	353,304.00	0.59%
3107 · P/T-UNITARY TAX		5,533.00	
3110 · P/T-UNSECURED	61.26	14,452.00	0.42%
3120 · P/T-SB813		2,662.00	
3130 · P/T-PRIOR SECURED	2,450.94	21,742.00	11.27%
3132 · PRIOR UNSECURED		84.00	
3135 · PROPERTY TAX - VLF		121,084.00	
3140 · P/T-INT/PENAL		328.00	
3145 · P/T - ADMINISTRATIVE FEE	(907.05)	(7,500.00)	12.09%
Total 3100 · PROPERTY TAXES	3,681.08	511,689.00	0.72%
3200 · OTHER TAXES			
3202 · MANDATED COSTS		4,000.00	
3205 · SALES TAX	60,718.50	255,000.00	23.81%
3206 · SALES TAX IN LIEU - 3-FLIP		77,000.00	
3208 · Sales Tax - Add On	107,588.88	388,000.00	27.73%
3209 · COP MONIES	15,253.05	100,000.00	15.25%
3210 · PROPERTY TRANSFER TAX		5,000.00	
3220 · GAS FRANCHISES		7,000.00	
3225 · ELECTRIC FRANCHISES		15,500.00	
3235 · GARBAGE FRANCHISES	8,955.56	40,000.00	22.39%
3240 · CABLE TV FRANCHISES	5,969.71	25,000.00	23.88%
3245 · WATER FRANCHISES		9,000.00	
3851 · SEWER IMPACT		8,500.00	
Total 3200 · OTHER TAXES	198,485.70	934,000.00	21.25%
3300 · LICENSES & PERMITS			
3301 · BUSINESS LICENSES	162,306.31	190,000.00	85.42%
3305 · BUILDING PERMITS	2,361.85	15,000.00	15.75%
3310 · PLAN CHECK FEES	2,002.81	7,500.00	26.7%
3315 · STREET OPENING PERMITS FEES	100.00	2,500.00	4.0%
3325 · PLUMBING PERMITS	380.00	1,000.00	38.0%
3330 · ELECTRICAL PERMITS	100.00	1,000.00	10.0%
3340 · ENVIRON ASSESS FEES/PERMIT		1,000.00	
3342 · DEVELOPER PYMT FEES/PERMITS		500.00	
3345 · OTHER LICENSES/PERMITS	111.30	500.00	22.26%
Total 3300 · LICENSES & PERMITS	167,362.27	219,000.00	76.42%
3400 · FINES & FORFEITURES			
3401 · VEHICLE CODE FINES	6,710.52	15,000.00	44.74%
3415 · OTHER COURT FINES		1,000.00	

CITY OF DEL REY OAKS
FISCAL YEAR 2010/2011 BUDGET VS. ACTUAL

July through September 2010

	Actual Total for 2010-2011	FY 2010-2011 Budget	% of Annual Budget
Total 3400 · FINES & FORFEITURES	6,710.52	16,000.00	41.94%
3501 · INTEREST EARNED	888.73	12,000.00	7.41%
3600 · OTHER AGENCY REVENUE			
3602 · MOTOR VEHICLE LICENSE FEE(MVLF)	2,046.01	3,000.00	68.2%
3603 · OFF HIGHWAY		100.00	
3604 · HOPTR		1,200.00	
3605 · VEHICLE LICENSE COLLECTION		1,000.00	
3620 · PROP 172		8,000.00	
3648 · GRANTS		25,000.00	
3649 · TRAFFIC CONGESTION RELIEF-AB438	4,129.61	10,000.00	41.3%
3655 · POLICE GRANTS OTHER AGENCIES		1,000.00	
Total 3600 · OTHER AGENCY REVENUE	6,175.62	49,300.00	12.53%
3700 · CURRENT SERVICES			
3703 · USE PERMITS	1,625.00	3,000.00	54.17%
3704 · MAPS/PUBLICATIONS		100.00	
3706 · RENTAL INCOME	2,551.50	9,600.00	26.58%
3707 · POLICE REPORTS	229.00	1,400.00	16.36%
3709 · PROPERTY INSPECTIONS	200.00	1,300.00	15.39%
3710 · POLICE SERVICES	3,800.00	10,000.00	38.0%
3711 · PUBLIC EVENTS	32,400.00	80,000.00	40.5%
3712 · MISCELLANEOUS SERVICES	414.35	1,000.00	41.44%
3715 · PD DONATIONS	609.24	1,500.00	40.62%
Total 3700 · CURRENT SERVICES	41,829.09	107,900.00	38.77%
3800 · PARKS/RECREATION			
3801 · PARK RENTAL	1,250.00	10,000.00	12.5%
3802 · RV RENTAL PARKS	7,025.00	26,000.00	27.02%
Total 3800 · PARKS/RECREATION	8,275.00	36,000.00	22.99%
3900 · OTHER			
3610 · GAS TAX 2107	1,059.83	13,500.00	7.85%
3612 · GAS TAX 2106	712.80	9,000.00	7.92%
3614 · GAS TAX 2107.5	1,000.00	900.00	111.11%
3616 · GAS TAX 2105	786.19	9,000.00	8.74%
3900 · OTHER - Other	(1,835.05)		
Total 3900 · OTHER	1,723.77	32,400.00	5.32%
Total Revenue	435,131.78	1,918,289.00	22.68%
EXPENDITURES			
10000 · Payroll & Benefits			

CITY OF DEL REY OAKS
FISCAL YEAR 2010/2011 BUDGET VS. ACTUAL
 July through September 2010

	Actual Total for 2010-2011	FY 2010-2011 Budget	% of Annual Budget
10009 · OVERTIME	12,705.08	25,000.00	50.82%
10010 · PAYROLL	256,076.66	826,000.00	31.0%
100101 · COUNCIL MEMBER STIPEND	1,500.00	6,000.00	25.0%
100103 · RESERVES PAYROLL	13,170.83	31,710.00	41.54%
10011 · PERS	50,562.66	165,000.00	30.64%
10012 · MEDICARE	4,155.91	11,000.00	37.78%
10013 · DENTAL EXPENSE	6,071.27	26,750.00	22.7%
10014 · HEALTH INS	37,984.70	132,500.00	28.67%
10015 · VISION INS	337.32	2,800.00	12.05%
10016 · WORKERS COMP	34,582.44	136,400.00	25.35%
10018 · WELLNESS PROGRAM	4,093.28	13,200.00	31.01%
10120 · UNIFORM ALLOWANCE	3,250.00	5,000.00	65.0%
Total 10000 · Payroll & Benefits	424,490.15	1,381,360.00	30.73%
20100 · Payroll Expenses	434.38	500.00	86.88%
20119 · Bank Service Charges	314.27	500.00	62.85%
20120 · -SUPPLIES			
20121 · MATERIALS/SUPPLY	16,137.78	43,500.00	37.1%
20122 · REPAIR/MAINTENANCE	5,398.98	20,000.00	27.0%
20160 · OFFICE SUPPLIES	1,567.25	3,089.00	50.74%
Total 20120 · -SUPPLIES	23,104.01	66,589.00	34.7%
20130 · UTILITES & SERVICES			
20126 · STREET SWEEPING	2,391.04	1,200.00	199.25%
20127 · GABILAN CREW	238.59	2,000.00	11.93%
20131 · UTILITIES/PGE	2,224.04	7,500.00	29.65%
20132 · UTILITIES/WATER	433.62	5,000.00	8.67%
20140 · TELEPHONE / INTERNET	3,251.15	15,000.00	21.67%
20145 · WEBSITE DESIGN & MAINTENANCE	3,993.75	1,500.00	266.25%
20168 · POSTAGE / SHIPPING	561.25	4,113.00	13.65%
20170 · TRAVEL/CONFERENCE	1,632.02	9,500.00	17.18%
20171 · MEMBER/DUES/CONTRIBUTIONS	5,427.59	14,500.00	37.43%
20172 · AD/PROMOTION CITY CNCL	1,128.45	1,500.00	75.23%
20173 · LEGAL ADVERT NON-DEPT	215.00	1,000.00	21.5%
20174 · BOOK/PERIODICAL		100.00	
20175 · MEETING CITY CNCL	143.75	1,000.00	14.38%
Total 20130 · UTILITES & SERVICES	21,640.25	63,913.00	33.86%
20176 · PRINTING / PUBLICATIONS		500.00	
20180 · OUTSIDE SERVICES			
20178 · TRAINING POLICE	4,465.21	8,000.00	55.82%
20181 · OTHER PERMITS PW/ENGR	35.30	2,000.00	1.77%
20191 · EQUIPMENT MAINT	1,993.05	21,500.00	9.27%

CITY OF DEL REY OAKS
FISCAL YEAR 2010/2011 BUDGET VS. ACTUAL
 July through September 2010

	Actual Total for 2010-2011	FY 2010-2011 Budget	% of Annual Budget
30044 · LIABILITY/PROP NON-DPT	14,032.76	25,000.00	56.13%
30113 · CONTRACTUAL AUDIT	750.00	25,000.00	3.0%
30115 · DATA PROCESSING	1,159.99	3,500.00	33.14%
30116 · CONTRACTUAL SVCS PLANNING / ENG	1,308.57	25,000.00	5.23%
30119 · CONTRACTUAL SVCS - LEGAL	1,015.52	20,000.00	5.08%
30120 · CONTRL RETAINER LEGAL	1,081.04	12,000.00	9.01%
30126 · JANITORIAL FUND	675.00	4,200.00	16.07%
30127 · RADIO DISPATCH POLICE	38,259.50	42,500.00	90.02%
30165 · COMM HUM SERV NON-DEPT	3,057.00	3,500.00	87.34%
Total 20180 · OUTSIDE SERVICES	67,832.94	192,200.00	35.29%
30170 · AUTO OPERATION			
30181 · AUTO OPS - SUPPLIES / EQUIP	406.94	5,000.00	8.14%
30182 · AUTO OPS - FUEL	3,763.72	25,000.00	15.06%
30190 · AUTO REPAIR/MAINTENANCE	4,008.72	19,000.00	21.1%
Total 30170 · AUTO OPERATION	8,179.38	49,000.00	16.69%
30180 · POLICE AND FIRE			
30183 · FUND JAIL & PRISONER	192.06	1,000.00	19.21%
30184 · ACJIS SYSTEM POLICE	1,120.88	1,527.00	73.4%
301861 · FIRE SEASIDE	37,115.56	116,000.00	32.0%
30187 · ANIMAL REGULATION FIRE	516.46	2,500.00	20.66%
Total 30180 · POLICE AND FIRE	38,944.96	121,027.00	32.18%
30200 · STREETS & STORM WATER			
30219 · S.M.I.P.		200.00	
30220 · SB 1473	5.40		
30230 · STREET LIGHTING	4,241.74	17,000.00	24.95%
30231 · STORM WATER PROJECT - PHASE1&2	496.67	5,500.00	9.03%
Total 30200 · STREETS & STORM WATER	4,743.81	22,700.00	20.9%
60001 · AUTO LEASE PAYMENTS	19,970.61	20,000.00	99.85%
Total Expenditures	609,654.76	1,918,289.00	31.78%
Total Revenue	435,131.78		
Total Expenditures	609,654.76		
Total Operating Revenue Less Expenditures This Fiscal Year to Date	(174,522.98)		

**CITY OF DEL REY OAKS
CASH FUNDS BALANCE REPORT
AS OF SEPTEMBER 30, 2010**

CITY OF DEL REY OAKS		
CASH BALANCES AS OF SEPTEMBER 30, 2010		
	1000 · GENERAL CHECKING	\$87,773.37
	1008 · LAIF CITY - 246	\$412,540.36
	Total City Checking/Savings	\$500,313.73
REDEVELOPMENT AGENCY		
CASH BALANCES AS OF SEPTEMBER 30, 2010		
	10-1001 · GENERAL CHECKING	\$7,855.38
	10-1003 · DUFFY EIR/CEQA CHECKING	\$23,718.07
	10-1002 · LAIF RDA ACCOUNT	\$21,338.13
	Total RDA Checking/Savings	\$52,911.58
	GRAND TOTAL CASH BALANCES	\$553,225.31

CITY OF DEL REY OAKS
FISCAL YEAR 2010-2011 CAPITAL OUTLAY BUDGET VS ACTUAL
JULY 1, 2010 - JUNE 30, 2011

		Actual Totals for 2010-2011	FY 2010-2011 Budget
Other Income/Expense			
Other Income			
4900 · CAPITAL OUTLAY FUND			
	3625 · 2000 PARK BOND GRANT		
	3627 · 2002 Parks Resources Bond Act		99,255.00
	3720 · Portola/Carlton (Prop 1B) CIP		400,000.00
	3730 · Portola/Work Walkway (MPRPD)		12,500.00
	3740 · Stream Blockage (State)		
	3750 · Portola/Work Street (TAMC)		
	3760 · City Monument Sign Proceeds		
	Total 4900 · CAPITAL OUTLAY FUND		511,755.00
Other Expense			
50400 · CAPITAL OUTLAY			
	50420 · MONUMENT SIGN		
	50430 · PORTOLA / CARLTON (PROP 1B)		400,000.00
	50440 · PORTOLA / WORK WALKWAY (MPRPD)		12,500.00
	50450 · 2000 PARKS BOND ACT		
	50460 · 2002 PARKS RESOURCES BOND ACT		99,255.00
	50470 · STREAM BLOCKAGE (STATE GRANT)		
	50480 · PORTOLA / WORK STREET (TAMC)		
	Total 50400 · CAPITAL OUTLAY		511,755.00



FIRE DEPARTMENT
1635 Broadway Avenue
Seaside, CA 93955

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

October 4, 2010

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

Dear Chief Langford:

Enclosed is a copy of the response reports for the Seaside Fire Department response to Del Rey Oaks for the period of September 1, 2010 thru September 30, 2010.

The City of Del Rey Oaks will be billed for the following incident numbers:

<u>Incident #</u>
0

There are a total of zero fire calls for the month of September. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Pernet".

Kathryn Pernet
Sr. Administrative Assistant

CC: File



Del Rey Oaks Police Department
 Monthly Report of Activity
 SEPTEMBER – 2010
 Completed By: Ron Langford, COP

ARRESTS:

Prior Year

<i>Felony Arrests</i>	00	
<i>Misdemeanor Arrests</i>	06	05
<i>Warrant Arrests (OJ)</i>		01
TOTAL ARRESTS	06	06



REPORTS FILED:

26	15
-----------	-----------

DROPD & Monterey County Sheriffs Deputies training on High Risk Traffic Stops.

BURGLARIES:

Prior Year

<i>Residential</i>		
<i>Commercial</i>		
<i>From Locked Vehicle</i>		03
<i>Other</i>		
TOTAL BURGLARIES	00	03

ASSAULTS:

Prior Year

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

GRAND & PETTY THEFTS:

Prior Year

<i>Residential</i>		01
<i>Commercial</i>		
<i>Shoplifting</i>	01	05
<i>From Motor Vehicle</i>	04	
<i>Other</i>	02	
TOTAL THEFTS	07	06

TRAFFIC ACCIDENTS:

Prior Year

<i>Non-Injury Accidents</i>	03	01
<i>Injury Accidents</i>	01	
TOTAL ACCIDENTS	04	01

TOWED & STORED VEHICLES:

Prior Year

01	01
-----------	-----------

CITATIONS ISSUED:

Prior Year

<i>Traffic Citations Issued</i>	35	07
<i>Parking Citations Issued</i>		
<i>Admin Citations Issued</i>		
TOTAL CITATION ISSUED	35	07

ALARMS:

Prior Year

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

DUI ENFORCEMENT:

Prior Year

03	00
-----------	-----------

MEMORANDUM

TO: City Council
FROM: Daniel Dawson, City Manager
SUBJECT: Amendment to AMBAG By-Laws
MEETING DATE: October 26, 2010

RECOMMENDATION:

It is recommended that the City Council:

- 1) Approve by motion/resolution the revised AMBAG By-Laws; and
- 2) Direct the City Clerk to forward the record of approval to AMBAG.

BACKGROUND/DISCUSSION:

Recently, we received a request to consider adoption of revised AMBAG By-Laws. Under current AMBAG By-Laws, an amendment can only be approved with a majority of the member agencies consent. Thus, the proposed By-Law amendment is being submitted for your review and consent.

The last AMBAG revisions were adopted in 2005. This revision included a single issue-- "AMBAG Treasurer". The amendment reflected elimination of the provision in State JPA law. AMBAG records indicate that beyond the 2005 amendment, the By-Laws have not been amended since 1991. The By-Laws included in the packet were approved by the AMBAG Board to be circulated to the cities and counties in the region. AMBAG By-Law amendments have been by AMBAG Counsel. Staff has not proposed a complete revision of the By-Laws—rather a significant update utilizing the existing structure and format.

AMBAG staff has taken the opportunity to propose revisions to the By-Laws to reflect a more contemporary AMBAG and to reflect the proposed inclusion of a policy to address deferral of member dues. The most notable revision is the proposal to change the amendment process from that requiring the Council action to a 2/3 majority of the Board of Directors (in attendance).

RESOLUTION NO. 2010-22

A RESOLUTION OF THE DEL REY OAKS CITY COUNCIL APPROVING THE AMENDMENT TO THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG) BY-LAWS

WHEREAS, the Association of Monterey Bay Area Governments' (AMBAG) last revisions to their by-laws was adopted in 2005; and

WHEREAS, AMBAG is requesting approval of the current revisions, the most notable being the request to change the amendment process from requiring the Council action to a 2/3 majority of the Board of Directors (in attendance);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Rey Oaks does hereby approve the changes to the AMBAG by-laws as stated and certifies that the foregoing Resolution No. 2010-22 was duly and regularly adopted at a regular meeting of the Del Rey Oaks City Council on October 26th, 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Jerry B. Edelen, Mayor

Attest:

Daniel Dawson, City Clerk

**BY-LAWS
of the
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS
(AMBAG)**

Section 1. PURPOSE

The purpose of the Association of Monterey Bay Area Governments is to:

- A. Exercise the authority delegated to it under federal and state laws as the Metropolitan Planning Organization (MPO) for the AMBAG region encompassing Monterey, San Benito and Santa Cruz Counties;
- B. Qualify eligible agencies for programming of federal, state and local transportation projects contained in the Transportation Improvement Program;
- C. Provide technical assistance to Member Agencies;
- D. Serve as the regional clearinghouse for local project applications, environmental documents and census data; and
- E. Engage in regional cooperative comprehensive planning, programming, education and, where authorized, implementation.

Section 2. VOTING

Voting on matters before the Board of Directors is established by the Joint Powers Agreement (Section 3), except as follows:

- A. The Joint Powers Agreement (Section 3c) requires that a population weighted vote procedure be set forth in the By-Laws. Pursuant to this requirement, the following population weighted vote shall be conducted upon request of any one official representative present or at the discretion of the presiding officer. When used, this weighted vote shall take precedence over a vote or votes taken in any other manner on the question.
- B. The population used for each agency in determining the population vote weight shall be that population certified by the State Department of Finance or the U.S. Census Bureau, whichever is more recent, effective the first day of April immediately preceding.

1) Cities

<u>Population</u>	<u>Weighted Vote</u>
0 - 9,999	1
10,000 - 24,999	2
25,000 - 44,999	3
45,000 - 79,999	4

80,000 – 109,999	5
110,000 – 149,000	6
Over 150,000	7

2) Counties (1)

<u>Population</u>	<u>Weighted Vote</u>
25,000 – 44,999	3
45,000 - 79,999	4
80,000 – 109,999	5
110,000 – 149,000	6
Over 150,000	7

(1) Where two members of the Board of Directors representing a County are present, each shall be entitled to one-half of the votes allotted to that County.

C. The President of the Association shall have the right to vote on all matters before the Board of Directors, whether the vote is by ballot or by voice.

Section 3. OFFICE

The office of the Association shall be located within one of the three counties (Monterey, San Benito and Santa Cruz) constituting the AMBAG region.

Section 4. OFFICERS AND TERMS

- A. The officers of the Association shall be the President, Vice President, Second Vice President, and Secretary.
- B. The President, Vice President, and Second Vice President shall be elected for one (1) year terms no later than the January meeting of the Board. The Executive Director of the Association shall serve as Secretary to the Board and each standing committee.
- C. At least 45-days in advance of the January meeting, the President shall appoint a nominating committee consisting of at least three Board Members. The Committee shall include a representative from within each of the three counties of the AMBAG region. The committee shall nominate candidates for the positions of President, Vice President and Second Vice President no later than the January meeting of the Board. Additional candidates may be nominated at the same meeting by any Member provided the nomination is seconded.

Section 5. DUTIES OF OFFICERS

- A. The President shall preside over Board meetings and the Executive, Finance and Personnel Committee meetings and have general supervision of Board and committee

affairs. The President shall sign official documents when directed to do so by the Board.

- B. The Vice President shall perform the duties of the President in his or her absence.
- C. The Second Vice President shall perform the duties of the President in the absence of the President and Vice President.
- D. In the event of absence of the three officers of the Board, the immediate past President may preside or in the alternative, a quorum of the members present may select a President Pro Tempore to preside over that meeting.
- E. The Secretary to the Board shall be responsible for all mandated functions necessary to conduct public business of the Board of Directors. The Secretary shall be the Executive Director. The Secretary to the Board is not a member of the Board.

Section 6. EXECUTIVE DIRECTOR AND STAFF

- A. The Executive Director, who is the Association's Chief Administrative Officer, shall be appointed by and serve at the pleasure of the Board of Directors.
- B. Other employees of the Association shall be appointed by and serve at the pleasure of the Executive Director subject to the AMBAG Personnel Rules.

Section 7. COMPENSATION OF THE BOARD OF DIRECTORS

Except as otherwise provided, each member of the Board of Directors shall be compensated fifty dollars (\$50.00) for each monthly meeting of the Association attended. In addition, any member of the Board of Directors may be reimbursed for necessary expenses connected with activities of the Association, as determined and approved by the Board of Directors.

Section 8. MEETINGS

A. Regular Meetings:

The Board of Directors shall meet regularly each month with the exception of July and December at a date, time and place to be determined by the Executive Director. Meetings are generally conducted on the second Wednesday of each month and shall be held within one of the three counties constituting the AMBAG region.

B. Special Meetings:

A Special Meeting may be called by the President, or by request in writing of any five (5) members of the Board of Directors (Section 7 of Joint Powers Agreement). Only those items set forth in the Notice of the Meeting may be acted upon at a Special Meeting.

C. General Assembly:

On special occasions, a general assembly meeting may be arranged by the President to invite all elected officials and key staff of the member agencies as well as

representatives from other public agencies to discuss items of major concern to the region.

D. Notice of Regular Meetings:

Notice of the date, time and place of all Regular Meetings shall be given by the Executive Director. The agenda for a regular meeting shall be posted at the AMBAG office and on the AMBAG website no less than five (5) days before the meeting date.

E. Notice of Special Meetings:

Notice of date, time and place of a special meeting shall be provided via regular mail, e-mail, facsimile or hand delivery to each Board member no less than 72-hours prior to the meeting. The agenda shall be posted at the AMBAG office and on the AMBAG website no less than 72-hours before the meeting.

F. Rules of Order:

Except as otherwise provided herein or at the discretion of the presiding officer, with approval of the Board of Directors all proceedings of the Association shall be governed by the current edition of Robert's Rules of Order Newly Revised.

Section 9. FINANCING

A. Fiscal Year:

The fiscal year of the Association shall commence on July 1st.

B. Budget:

A draft budget of the Association shall be submitted by the Executive Director to the Executive, Finance and Personnel Committee on or before the regular April Committee meeting. The Executive, Finance and Personnel Committee shall forward a final draft budget to the full Board by the regular June meeting.

The Board of Directors shall review the final draft budget and no later than its regular meeting in June of each year and shall approve a final fiscal year budget no later than June 30th. As part of the budget, the Board of Directors shall also determine the dues and assessments for each Member. Dues and assessments may be established annually to support the Association's operations. Such dues shall be apportioned as follows:

- 1) One-half of the dues shall be apportioned according to the population of each member agency; and
- 2) One-half of the dues shall be apportioned according to the assessed valuation of each member agency based upon the current available tax role of the Assessor of the County in which the jurisdiction is located.

All dues and assessments shall be payable no later than August 31st each fiscal year. Any member agency whose current and payable dues and assessments have not been paid shall not be entitled to vote.

C. Gifts, Contributions and Grants:

The Association shall have, as a Joint Powers Authority, the power to accept gifts, contributions, grants and other payments, whether in the form of money, services, real or personal property, or any other form.

Section 10. ACCOUNTING OF FUNDS

- A. The Executive Director shall cause a record of all financial transactions of the Association to be made and shall prepare such reports as the Board of Directors may require.
- B. All contracts or other legal documents authorized by the Board of Directors committing the Association to expenditure of funds shall be signed by the Executive Director and by the President, or by the Vice President in the absence of the President.
- C. The Association's Finance Officer shall be designated as Association Treasurer (The President of the Board, Executive Director and Finance Officer shall be authorized to sign two-party disbursement checks). The Board of Directors shall annually adopt a resolution designating additional Board and staff members who are also authorized to sign two-party disbursement checks.

Section 11. LIABILITY INSURANCE

The Executive Director shall ensure that the Association has and maintains adequate liability insurance including appropriate errors and omissions coverage.

Section 12. ANNUAL AUDIT

The Board of Directors shall cause an annual audit of financial affairs of the Association to be made at the end of each fiscal year, in accordance with Section 6505, Government Code. The Audit report shall be made public and available to all Association members within one hundred eighty (180) days after the close of each fiscal year.

Section 13. ADVISORY COMMITTEE STRUCTURE

The following committees are hereby established, with duties and membership as stated:

A. Executive Committee

- 1) The Executive Committee of the Board of Directors shall be composed of the President, Vice President, and Second Vice President, the most recent Past President still serving on the Board of Directors and such other members as may be appointed by the President with the consent of the Board of Directors.

- 2) The Executive Committee shall transact routine business between meetings of the Board of Directors to expedite administration of established policies and programs, make recommendations to the Board on Association policies, and act on such other matters as may be delegated to it by the Board.
- 3) The President and Vice President of the Association shall be Chairperson and Vice-Chairperson, respectively, of the Executive Committee.

B. Finance Committee

- 1) The Executive Committee shall also serve as the Finance Committee.
- 2) The Finance Committee shall:
 - a. Assist and advise the Executive Director in developing an annual budget for review and approval by the Board.
 - b. Review and evaluate on a continuing basis the financial management practices of the Association.
 - c. Evaluate potential financial problems and recommend alternatives for responding to these problems.
 - d. Submit periodic reports as appropriate to the Board on the Association's financial affairs and management system.

C. Personnel Committee

- 1) The Executive Committee shall also serve as the Personnel Committee.
- 2) The Personnel Committee shall:
 - a. Assist and advise the Executive Director in developing and revising Personnel Rules and employee salaries and benefits.
 - b. Serve as appeal board for grievances and other actions as specified in the AMBAG Personnel Rules.
 - c. Assist the Board in the annual review of the Executive Director.

Section 14. OTHER COMMITTEES

- A. The President may, from time to time, appoint an ad hoc subcommittee to advise or assist the Board of Directors in its function. Members shall be appointed by the President with the consent of the Board of Directors.
- B. Each Committee shall, at its first meeting, choose a Presiding Officer and such other Officers as it deems necessary, except as otherwise provided in Section 13, above.
- C. The Executive Director shall be ex-officio, a member of all Committees, both standing and special, but shall have no vote.

Section 15. PROCEDURES AND APPOINTMENTS

As provided elsewhere in these By-Laws, the President is authorized to make appointments to all committees and to external boards and commissions to which AMBAG is entitled representation. Such appointments shall be effective upon the formal motion by the President, subject to the consent of a majority of the Board of Directors. Appointments are to be made annually no later than the regular meeting in February and at such other times as may be required. Unless otherwise stipulated or agreed to, any resignation of a Board Member from any appointment, either internal or external, shall be effective as of the date of the resignation and the office or appointment shall be vacant.

Section 16. AMENDMENTS

These By-Laws may be amended at any regular or special meeting of the Board of Directors by a 2/3 majority of the Board of Directors present and voting, provided; however, that a copy of the proposed amendment has been mailed to each Member Agency at least fifteen (15) days prior to the meeting which the vote to amend is taken.

The By-Laws and any subsequent amendments shall be adopted by resolution of the Board of Directors.

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS DESIGNATING A CITY CONSULTANT AS THE AUTHORIZED CITY REPRESENTATIVE TO EXAMINE SALES AND USE TAX RECORDS

WHEREAS, pursuant to California Revenue and Taxation Code Section 7200, et. seq., the City of Del Rey Oaks has adopted a sales and use tax ordinance which imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization along the same and existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes; and

WHEREAS, pursuant to California Revenue and Taxation Code Section 7056, the City of Del Rey Oaks, by resolution, may designate any officer, employee or any other person to examine all of the sales, transaction, and use tax records of the Board pertaining to sales and use taxes collected for the City; and

WHEREAS, the City of Del Rey Oaks has entered into an agreement for sales tax audit and information services with the firm of MuniServices, LLC to designate MuniServices, LLC as the authorized Consultant to examine such tax records maintained by the Board on behalf of the City of Del Rey Oaks; and

WHEREAS, all legal prerequisites prior to the adoption of this Resolution have occurred.

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

1. That the City Manager, or other officer or employee of the City designated in writing by the City Council to the State Board of Equalization (hereafter referred to as Board), is hereby appointed to represent the City with authority to examine sales, transaction, and use tax records of the Board pertaining to sales, transaction and use taxes collected for the City by the Board pursuant to the contract between the City and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of City sales, transaction, and use taxes by the Board pursuant to that contract.
2. That the City Manager or other officer or employee of the City designated in writing by the City Council to the Board, is hereby appointed to represent the City with authority to examine those sales, transaction, and use tax records of the Board, for purposes related to the governmental functions of the City.
3. In all respects as set forth above, the City Council of the City of Del Rey Oaks hereby certifies to the State Board of Equalization that MuniServices, LLC is the designated representative of the City of Del Rey Oaks to examine all of the sales, transaction, and use tax records of the Board pertaining to sales and use taxes collected by the Board on behalf of the City of Del Rey Oaks.
4. Pursuant to *California Revenue and Taxation Section 7056(b)*, the City Council of the City of Del Rey Oaks certifies that MuniServices, LLC (the "Consultant") meets all of the following conditions:
 - a. Consultant has an existing contract with the City to examine sales tax records;
 - b. Consultant is required by that contract to disclose information contained in, or derived from, those sales tax records only to an officer or employee of the City who is authorized by resolution to examine the information;
 - c. Consultant is prohibited by the contract from performing consulting services for a retailer during the term of the contract; and

- d. Consultant is prohibited from retaining the information contained in, or derived from, those sales tax records after the contract has expired.

I hereby certify that the foregoing Resolution No. 2010-24 was duly and regularly adopted at a regular meeting of the Del Rey Oaks City Council on October 26th, 2010 by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Jerry B. Edelen, Mayor

Attest:

Daniel Dawson, City Clerk

RESOLUTION NO. 2010-24

2002 RESOURCES BOND ACT ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM

A RESOLUTION APPROVING THE CITY OF DEL REY OAKS TO APPLY FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002

WHEREAS, the people of the State of California have enacted the CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002 which provides funds for the Roberti-Z'Berg-Harris Block Grant Program for grants to eligible Applicants, and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures, and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Roberti-Z'Berg-Harris allocation; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the Project;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Rey Oaks hereby:

1. Approves the filing of an Application for local assistance funds from the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002; and
2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project(s); and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and 2002 RZH Block Grant Procedural Guide 20
4. Certifies that the Project conforms to the recreation element of any applicable city or county general plan; and
5. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to, Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

I, the undersigned, hereby certify that the foregoing Resolution Number 2010-24 was duly approved and adopted on the 26th day of October, 2010 by following a vote:

Ayes: Council Members

Noes: Council Members

Abstain: Council Members

Absent: Council Members

Jerry B. Edelen, Mayor

Attest:

Daniel Dawson, City Clerk

RESOLUTION NO. 2010-25

A RESOLUTION APPROVING THE CITY OF DEL REY OAKS TO APPLY FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG-HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000

WHEREAS, the people of the State of California have enacted the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 which provides funds for the Roberti-Z'Berg-Harris Open Space and Recreation Program, and

WHEREAS, the Legislature of the State of California has enacted the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program, which provides funds to certain political subdivisions of the State of California for acquiring lands and for developing facilities to meet urban recreational needs; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the grant program, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Applicant to apply for the Roberti-Z'Berg-Harris allocation; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the Project;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Del Rey Oaks hereby:

1. Approves the filing of an Application for local assistance funds from the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000; and
2. Certifies that the Applicant has or will have sufficient funds to operate and maintain the Project(s); and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and
4. Certifies that the Project conforms to the recreation element of any applicable city or county general plan; and
5. Appoints the City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to, Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

I, the undersigned, hereby certify that the foregoing Resolution Number 2010-25 was duly approved and adopted on the 26th day of October, 2010 by following a vote:

Ayes: Council Members

Noes: Council Members

Abstain: Council Members

Absent: Council Members

Jerry B. Edelen, Mayor

Attest:

Daniel Dawson, City Clerk



P.O. Box 95 Seaside, CA 93955

THRIFT SHOP

655 Broadway
Seaside, CA 93955
831-394-5028

9/23/2010

Dear Del Rey Oaks City

On behalf of Monterey Peninsula
Volunteer Services I would
like to thank you for letting
us use "The Old Town Hall" for
our monthly meetings this
year. Good luck on your remodeling
job this coming year. Sincerely
PS. a special thanks to Susan Durham for mekyan
and her brother Terry.