



# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
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## AGENDA REGULAR MEETING OF THE CITY OF DEL REY OAKS CITY COUNCIL TUESDAY, OCTOBER 28, 2014 AT 6:00 P.M. CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. 6:00 P.M. - ROLL CALL – *Council*
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENTS:  
Anyone wishing to address the City Council 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. CONSENT AGENDA: *Action Items*
  - A. MINUTES:
    1. September 23, 2014 City Council Meeting
    2. September 10, 2014 Planning Commission Meeting
    3. October 8, 2014 , DRAFT Planning Commission Meeting
  - B. MONTHLY REPORTS:
    1. Claims, September 2014
    2. Unpaid Bills Detail, All
    3. Financials, September 2014 vs. September 2013
    4. Fire Department Response Report, September 2014
    5. Police Activity Report, September 2014
  - C. MISCELLANEOUS
    1. One-time Contribution

*Del Rey Oaks Council Meeting Agenda – October 28, 2014*

**5. OLD BUSINESS:**

- A. Dog Park Committee

**6. NEW BUSINESS**

- A. Update on the Financial Status of the City

**OPEN PUBLIC HEARING**

- B. Consider Ordinance No. 279, An Ordinance of the Council of the City of Del Rey Oaks Adding Chapter 4.00, Titled Medical Cannabis Dispensaries, to the Del Rey Oaks City Municipal Code.  
*(First Reading)*

**7. STAFF REPORTS:**

- A. City Manager Report

**8. MAYOR AND COUNCIL REPORTS**

**9. CORRESPONDENCE:**

- A. Letter of Thanks from Irene Barlich
- B. Letter from Monterey Regional Waste Management District

- 10. 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. Performance Evaluation and Labor Relations – Government Code Section 54957 and 54957.6, public employee performance evaluation and labor relations with unrepresented employee (City Manager).

- 11. SET NEXT MEETING DATE:** Establish Tuesday, **November 18, 2014**, at 6:00 P.M. as the date and time of the Council's next regular meeting.

**Note:** The meeting date is one week earlier than the regular meeting date because of the Thanksgiving holiday.

**12. 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 CITY COUNCIL PUBLIC WORKSHOP /  
STUDY SESSION CONVENED AT 5:00 P.M. AND REGULAR MEETING  
CONVENED AT 6:00 P.M. ON TUESDAY, SEPTEMBER 23, 2014 IN THE  
CHARLES BENSON MEMORIAL HALL, CITY HALL**

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**Present:** Council Member Ventimiglia, Cecilio, Vice Mayor, and Mayor Edelen  
Council Member Allion attended via conference call from 421 Woodruff  
Street, Lake Charles LA 70601

**Absent:** None

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

Meeting came to order at 5:00 p.m. and roll call was taken.

**STUDY SESSION/ WORKSHOP**

**Mayor Edelen:** Announced the topic under consideration on the study session.

**City Manager Dawson:** Stated that we had a party come forward and inquire about opening a medical marijuana dispensary. The city attorney and he have been looking at some model ordinances from around the state to get an idea of how to word this. Robert Jacobs the Mayor of Sebastopol and Council Member Allion are both supposed to be in the meeting via conference call. (Council Member Allion was on the line.) He stated that there are legal experts and the chief here for their expertise.

**Mayor Edelen:** Asked for Council input.

**Council Member Ventimiglia:** No comment at this point but is interested

**Vice Mayor Clark:** Asked who the legal counsel was representing.

**Gavin Kogan, Attorney:** He represents a Pebble Beach resident who is interested in opening a dispensary in Monterey and he also represents growers, processors, extractors from Monterey County. Everyone he represents is anxious to see a location open on the peninsula.

**Vice Mayor Clark:** Not in favor of this dispensary. Feels the federal government should dispense this through pharmacies and not through local venues. Not opposed to those who need it. Wants this to stay a bedroom community. Stated her grandchildren visit regularly, and she moved here to live by a family standard. She stated she put up with the Liberty tax people jumping up and down at the entrance to the city. Feels this at the entrance of our city is no acceptable stating she is not interested at all in having a medical marijuana dispensary in our city.

**City Manager Dawson:** Introduced attorney Richard Rosen who was also attending.

**Council Member Allion:** Stated he couldn't hear the speakers very well.

**Public comment:**

**Gale Weir, Vice Chair Planning Commission, DRO:** Has a 94-year-old friend who lives in Carmel and suffers from Rheumatoid Arthritis (RA) and she had read an article about how medical marijuana was helping RA patients with pain, she immediately contacted the doctor in the article and got a prescription. The closest location for to purchase this is in Santa Cruz. For a woman of her age it is very difficult to drive that distance. Mrs. Weir stated it would be wonderful to have a dispensary so close.

**Pat Lintell, DRO:** Opposed to the location of a medical marijuana dispensary in Del Rey Oaks. Appreciates the need for it for pain but doesn't want it in Del Rey Oaks. Not enough parking at that location, states parking will overflow into residential area. Doesn't think anyone in the room believes this will only be used for medical use only, doesn't want those people here. What is the cost? Heard rumors about what the revenue would be. Who will enforce this? She has been knocking on doors recently and asking residents about marijuana coming to our city and got an emphatic no. She stated with our recent acquisition and now marijuana dispensary coming to our city that we are the laughing stock of the peninsula, many of them (residents) stated that they are embarrassed to live here.

**Gavin Kogan, Attorney:** Client asked about only selling salves and topicals. Raised a good question. The issue is not who needs marijuana it's the undesirables that come along with a dispensary. Vice Mayor and residents are worried about the type of people who will be at these dispensaries. Disagrees emphatically that the federal government should be running this, that is not the democratic way. You will be better at controlling marijuana rather than regulating it.

**Council Member Allion:** Stated he still can't hear very well.

**Chief Langford:** Stated he knows some of the questions are will this affect the quality of life of the citizens of Del Rey Oaks? How will it affect the region? Do we have the facilities to regulate this? He stated the applicants and he have embraced every security measure and suggested some others like a substation of the Police Department at the building. He stated Safeway is one-third of their calls. They worry more about the people walking out of Safeway with class 3 narcotics and their problem now is really alcohol. Marijuana really is not on their radar these days. The police to people ratio in our city is the model. The Santa Rosa model for a dispensary is perfect. The traffic is already at a level D and that isn't going to change. It's a major artery so traffic isn't going to change much.

**John Gaglioti, Del Rey Oaks:** He lives on Portola right down the road from the proposed dispensary. Has a lot of respect for Ms. Lintell but wants to state that he is very proud to be a long term resident of Del Rey Oaks, proud to be progressive, not ashamed that we would be considering this in our small community.

**Alice Green, Planning Commissioner:** Has been a medical marijuana user for a long time. Goes to Aptos to a very small place with only 6 parking spaces and it seems to be

very well run and organized. Hopes people will educate themselves on this subject and feels a lot of fears will be calmed. Very excited to hear about the nuts and bolts.

**Robert Jacobs:** City Manager of Sebastopol. Many people have a preconceived idea. In their local dispensary they have a lot of able bodied men coming in between 3-4 and they turned out to be construction workers using this rather than pain killers. They also noticed a drop in crime around these dispensaries because it is so well monitored. Crafting regulations to protect the residents is important. The dispensaries that are having problems are those that were not crafted properly.

**Sam Rashkin, Pacific Grove:** Stated he was a property management analyst for the City of Monterey. He was very against medical marijuana but has realized over time that he was wrong and feels this can work.

**Jim Clark, DRO:** Stated there is some seeming drop in crime. Driving to locations is not necessary, they will deliver right to your door.

**Chief Langford:** Has had 2 conversation with Deputy Chief Lumpkin of Seaside and he also does not see an issue with its location.

**Cathleen Federico:** Stated that yes there are people in the underground but does not like the idea of someone coming to her house to deliver because you don't know where it's coming from. Brick and mortar buildings can be regulated delivery can not be.

**Pat Lintell, DRO:** What other cities have been approached? Why are you focusing on Del Rey Oaks.

**Richard Rosen, Lawyer:** CA was the first state to enact a medical marijuana law in 1996. Almost every county has made provisions for dispensaries. In CA, Monterey County is unique because there is no other dispensary in this county. The delivery services usually can't qualify for a use permit so they don't want to be regulated. If you don't regulate it then you have no control.

**Nancy Selfridge, Monterey City Council:** Stated that yes Monterey has been approached and it was turned down before because it was not approved by the council. In her research she has had many friends that have died from cancer and how it has helped them. Would like to see it in pharmacies but they can't afford the insurance. Regulated medical marijuana will be discussed in open session at Monterey also.

**Gavin Kogin:** No matter what the dispensary vehicle there was a compassionate care act that made it so they were able to share. People that are members of that collective have a vested interest.

**Jeff Lind, Spreckles:** Law clerk at Mr. Kogin's office. Talked about his Grandfather who is waiting to pass on and is 101 and who's' life is nothing but getting up for meals and sleeping. He currently uses medical marijuana and has a little better life because of it. It eases his pain and this helps him.

**PUBLIC COMMENT CLOSED**

**Mayor Edelen:** Very appreciative of all the comments.

**Council Member Ventimiglia:** State he saw a special on a small child who was dying from a brain tumor and medical marijuana has helped to sustain her life and she is still

alive as of today. Going through cancer with his 2.5 year old grandson he knows what the potential could have been if he needed it.

**Vice Mayor Clark:** Wants to know why a police substation would be needed if this is so safe?

**Chief Langford:** Thought it makes sense from a Safeway standpoint.

**Vice Mayor Clark:** How much would this cost?

**Chief Langford:** Nothing

**Vice Mayor Clark:** Really?

**Chief Langford:** Yes, free.

**Council Member Cecilio:** Thanked Sam Rashkin, Alice Green and Richard Rosen and the Mayor of Sebastopol for being here. Trying to be open minded about this. Thanked others for opposition it's important too. Would hate to see more government involved.

**Council Member Allion:** Thanked everyone for speaking. Appreciates Gale Weir for her story, Chief for his perspective and he was asked to be on a court marshal panel for a young man who was being court marshaled for using pot on duty. During this case he said he could not serve on this court marshal because he had such a strong opinion. He has looked at the CA law on Medical Marijuana where CA was the first state to allow it. There is a legal statute allowing the use in the state. It's better to regulate it than not to regulate it. Feels the council needs to think about what is the appropriate ordinance for this? Stated that the city council should structure this ordinance so that it's controlled. Well structured ordinance with appropriate regulations.

**Council Member Cecilio:** Thanked Council Member Selfridge for speaking and knows it's not easy coming in and talking about her opinion. He thanked the chief for giving the comparison of a pharmacy versus a dispensary. Thanked John Gaglioti for his comments.

**City Manager Dawson:** Stated he was uniquely impressed with the public comments. Has experience with his grandfather having lost a lung and was a medical marijuana user so he sees the benefit. He has to remain impartial. Realizing he didn't know everything, he had to research. He called upon people who have experience. A couple of points: These are non-profits, they have to give back to the community they are located in. You have to have a statement of dispensary need, what are the alternatives? There are none. They cannot have ever been convicted of any felonies and have full background checks. They have to have controls in place. There cannot be any loitering, any non-medical patients, very strict operating hours and days, how much medicine they can have on hand, requirements for onsite cameras and securities, limits to how many people can belong to the collective. Pretty strict application process. Parking standard is above average at that building. The regulations are well thought out. The standard was written in 2005 in Santa Rosa and they are working well. Somebody is going to do this it might as well be us. This is not like any other building permit, this is an annual permit so if there is any problem they get shut down.

**Mayor Edelen:** Cons: Abuse of cards, undesirables, young people starting too early destroys their lives. Pros: Helps with medical condition, police substation in the building, if there is a problem it can be shut down at any time, highest percentage of police to

population in the state. Doesn't want to see anybody walking down the street smoking pot. It's a controlled substance just like alcohol. The council can be in a position of leadership and do it right. There would be significant revenue generated for the benefit of all in the city. He stated that he was all for this item and announced that the Council would adjourn, have a 5 minute recess and then convene into the regular meeting.

**6:03 p.m. adjourned for a 5 minutes recess.**

**6:10 Convened into open session**

### **REGULAR MEETING**

**Present:** Council Member Ventimiglia, Cecilio, Allion, Vice Mayor Clark, and Mayor Edelen

Council Member Allion attended via conference call from 421 Woodruff Street, Lake Charles LA 70601

**Absent:** None

**PLEDGE OF ALLEGIANCE:** Led by Vice Mayor Clark

**Mayor Edelen:** Stated that he was pulling the Topes Tree Service item

### **PROCLAMATION**

#### **National Recovery Month September 2014**

**Mayor Edelen:** Read the proclamation into the record and presented it to **Gordon Horn of Sun Street Center**

**Gordon Horn:** Stated that the lie is you can't get better the truth is you can. He thanked his higher power for helping him not need to drink every day. He lived on the corner of Broadway and Elm and thanks all the police departments for telling him he needed help. Sun Street Center is about helping each other not helping yourself. (He received a standing ovation from the Council and audience.)

### **PRESENTATION:**

#### **Del Rey Oaks App – Press Release**

**Chief Langford:** Read the press release into the record and a copy is in the minutes.

**Mayor Edelen:** Stated that at the picnic the past weekend there was a rep from LogicTreeIT who was helping people sign up for the app and helping to spread the word that it is now available.

**City Manager Dawson:** Will get a push about the air show over DRO tomorrow.

**Council Member Allion:** After the last city council meeting he downloaded it and it's a very valuable app.

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

**A. Minutes**

1. August 26, 2014, City Council Meeting
2. August 13, 2014, Planning Commission Meeting – Cancelled

**B. Monthly Reports:**

3. Claims, Claims 2014
4. Unpaid Bills Detail, All
5. Financial reports August 2014/Comparison to August 2013
6. Fire Department Response Report, August 2014
7. Police Activity Report, August 2014

**Mayor Edelen:** Announced that last Friday our city received a transfer into our account of 3 million. He stated that we are in the best financial shape we have ever been and have a substantial reserve!

**Council Member Allion:** Stated this was a one-time infusion of cash. Proposes at the next council meeting that City Manager Dawson give us a picture of our financial state after receiving this money and where we stand now.

**City Manager Dawson:** Gave a brief synopsis stating that out of the 3 million, 1.2 million went to FORA, we paid a little over 1 million in debt of our outstanding balance in the account is \$546,000 and still has a meeting with former our attorney's bills and we have other legal bills so this leaves about \$146,000 in the bank.

**Motion:** *Council Member Ventimiglia to approve the consent agenda.*

**Second:** *Council Member Cecilio*

**Public Comment:** *None*

**Roll Call Vote:** *Council Member Ventimiglia – Aye*

*Council Member Cecilio – Aye*

*Council Member Allion – Aye*

*Vice Mayor Clark – Aye*

*Mayor Edelen - Aye*

**OLD BUSINESS:** None

**NEW BUSINESS:**

The Council considered **ITEM 11.A.** Recommend Medical Cannabis application be submitted to the Planning Commission for consideration

**Council Member Ventimiglia:** Stated he feels it should move forward.

**Vice Mayor Clark:** State she is still against the idea and feels it should be regulated by pharmacies and not a business in the community.

**Council Member Cecilio:** Stated he feels it should move forward and for the project to be heard by the Planning Commission.

**Council Member Allion:** Stated that if it's legal in the state for medicinal purposes then we need to look at this properly.

**Mayor Edelen:** Wants to see DRO take a leadership position in this area.

**PUBLIC COMMENT**

**Pat Lintell, DRO:** In favor of medical marijuana but is opposed to the dispensary being in Del Rey Oaks. In talking to a Council Member in Monterey they will be having a similar meeting. Monterey is a better location, not DRO. Asked why the top floor for the police substation is free? Who would be giving them this the landlord or dispensary?

**City Manager Dawson:** Stated that the dispensary is the property owner.

**Pat Lintell, DRO:** Stated that she has talked to residents and they don't want it either. Does believe there is a need for it but not in DRO.

**Motion:** *Council Member Ventimiglia to approve sending this item forward to the Planning Commission.*

**Second:** *Council Member Cecilio*

**Public Comment:** *No further comment received*

**Roll Call Vote:** *Council Member Ventimiglia – Aye  
Council Member Cecilio – Aye  
Council Member Allion – Aye  
Vice Mayor Clark – No  
Mayor Edelen - Aye*

**Motion passed:** *4-1*

The Council considered **ITEM 11.B.**, Resolution 2014-12, A resolution of the City of Del Rey Oaks requesting the State of California's Department of Housing and Community Development for approval to transfer State CDBG grant-generated program income to the Monterey Urban County Entitlement Program

**City Manager Dawson:** Stated this is a cleanup item. The City is a member of CDBG and we have received reimbursement from homeowners who have CDBG loans as their homes sell. The County has agreed to manage it which means we can add it to the grant money we have already received for ADA improvements.

**Motion:** *Vice Mayor Clark to approve Resolution 2014-12*

**Second:** *Council Member Cecilio*

**Public Comment:** *None*

**Roll Call Vote:** *Council Member Ventimiglia – Aye  
Council Member Cecilio – Aye  
Council Member Allion – Aye  
Vice Mayor Clark – Aye  
Mayor Edelen - Aye*

The Council considered **ITEM 11.D.**, Review of Municipal Code: Chapters 1-5  
**Mayor Edelen:** Stated there has been some breakdown of communication between the City Manager Dawson, city staff and council. What is in the packet is just the first five chapters. Bottom line is the City Manager is in charge of city staff and implementing the directions of the council. The council is who is elected and we serve at the will of the

people. If there is a problem they come to the Council not to city staff. The City Manager must keep the council informed of every basic thing going on in the city. City Manager Dawson is in charge of the staff and if something goes wrong then the council hears about it not the staff. If the council doesn't know what's going on then they aren't able to answer to the public.

**Council Member Cecilio:** Communication is very important

**Council Member Allion:** Communication is a two way street if you hear of something in the city then you have to talk to the city staff to see what's happening. Example of cones in the park, and recalled it has something to do with a leak. He asked the City Manager Dawson about the cones and he got the answer. We can't just sit back and wait for the City Manager Dawson to communicate one way. We need to communicate back to him and staff. We need to respond to the needs of the citizens.

**City Manager Dawson:** Stated he thinks the new app will help a lot and as they all know he is the city manager, planning director, city treasurer, city clerk, budget officer and the staff does a couple of jobs too. Appreciates when the council lets him know of a situation and he does get back to them when asked. He stated he is available 24 hours a day and thanked Council Member Allion for his comments stating it is a two way street.

**Public Comment:** *None*

**Information Item only**

**City Manager Dawson Report:** Basically been working on cleaning of the budget. Cleaning up payables, sending out letters for the other agencies that have been carrying us. Reconciliations to do, continuing to work on the budget. Attended MBASIA sponsored him to go to the California Joint Powers Authority Conference in Tahoe. Smoke was thick because of the fire up there.

**City Council Reports:**

**Council Member Allion:** Great progress is being made with Monterey ground water resources and the agricultural community regarding ground water replenishment. They are working on an agreement will allow the GWR to proceed. This is a great opportunity for the county to do the right thing. Thanked City Manager Dawson for the budget report and still wants this on the next council meeting to have a thorough discussion about the cities financial state.

**Council Member Cecilio:** Seaside Sanitation and Mosquito attended no report.

**Vice Mayor Clark:** Was in Europe so didn't get to attend any of her meetings.

**Council Member Ventimiglia:** AMBAG attended and left reports for review. Monterey Bay Marine Sanctuary has had several Panga drug boats wash ashore from Santa Cruz to San Simeon. September 25<sup>th</sup> there is a Community Human services celebration at Salinas train station.

**Mayor Edelen:** Coast Guard is up on the Panga boats also. Great job on the \$3,000,000! Had the city picnic this past weekend and we have a lot of new blood but with David Kimball as the chair it went off without a hitch. Thanked Officer Ingersoll for being there

and helping out. He listed all the other people that helped out. The whole picnic, Christmas party, garage sale are all paid for by the DROCAG and stated that not one penny came from the city. Chaired the colloquium at FORA where Rick Burnhart did a presentation on the Orlando train station transformation, the presentation is on [www.fora.org](http://www.fora.org). Michael Houlemard announced the deposit of 1.2 million by DRO into FORA account and the place exploded with applause. Basically we pay our debts unlike some cities to FORA. Leadership luncheon at the Hyatt is coming up. He stated that the state of California is one of the only states that doesn't require a safe boating course before going out on the water. He stated that he spoke with State Assemblyman Bill Monning about this lack of training and he supported legislation to require a safe boating course. It was passed and will be implemented starting with 18-year-olds. Lives will be saved!

**7:02 p.m.: Meeting adjourned to the next regular meeting on Tuesday, October 28<sup>th</sup>, 2014 at 6:00 p.m. There was no closed session.**

**Approved:**

**Date:**

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**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING  
COMMISSION WEDNESDAY, SEPTEMBER 10, 2014 AT 6:00 P.M.  
CHARLIE BENSON MEMORIAL HALL**

**Present:** Commissioner Goetzelt, Reikes, Jaksha, Weir, Hayworth, Green and  
Chairman Gaglioti  
**Absent:** None  
**Also Present:** City Manager Dawson, City Attorney Trujillo and Deputy City Clerk  
Minami

**PLEDGE OF ALLEGIANCE:**

**CONSENT AGENDA:**

The Commission considered **ITEM 3.A.**, Planning Commission Meeting Minutes,  
June 11, 2014

*Motion by Commissioner Jaksha to approve, seconded by Commissioner Weir*

*No comments*

*6-0*

**PUBLIC COMMENT:**

**Sharon Morelli, 963 Paloma Rd:** Wants residents to stop paying \$150.00 to people that  
mow and blow their yards. The "T" of Rosita and Paloma is very dangerous and  
walking on Rosita is more dangerous. Wants speed bumps, a sign, anything will help.  
Rosita needs a stop sign.

**BUILDING REPORT:**

The Commission considered **ITEM 5.A.**, Building Activity Report, August 2014

**NEW BUSINESS:**

The Commission considered **ITEM 6.A.**,

**Project Name:** Sam Alladeen/Del Rey Oaks Car Wash  
**File Number:** ARC #14-05  
**Site Location:** 810 Canyon Del Rey Rd  
**Planning Area:** APN #012-471-017  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review to install a  
self service vacuum station for the exterior express component of the car  
wash facility. The proposed vacuum station will consist of four stations,

with umbrella arches and vacuum hoses, and the motor with exhaust silencer will be enclosed with same material as other exterior enclosures on property.

**Recommended Action:** Analyze provided material, make appropriate findings and give direction to staff.

**Bill Thayer, Representative for Applicant:** Explains that the reclaiming area that was required by the EPA and the State of California was removed by them and concrete was poured. Now with the vacuum, it will coincide with express wash and the flow of traffic on the property.

**Chairman Reikes:** Already poured cement?

**Bill Thayer, Representative for Applicant:** Cut the curbs and reclaimed the land.

**Commissioner Reikes:** Will it be 480, 20 horses? Is that what was left?

**Sam Alladeen, Applicant:** Won't go over 18 horse power.

**Commissioner Weir:** Replacing the present cleaning system?

**Bill Thayer, Representative for Applicant:** No, it will add a free self service vacuum to the express wash service.

**Commissioner Weir:** Traffic issues in parking lot? It's such a mess now with Safeway.

**Bill Thayer, Representative for Applicant:** None, they did several drive through tests to make sure there wouldn't be any issues. Used big trucks and simulated situations.

**Commissioner Weir:** That's good, so it won't make the mess any worse.

**Commissioner Jaksha:** Will it be 24 hours a day, like the pumps?

**Sam Alladeen, Applicant:** No, it will be off when the carwash closes, 6:00pm.

**Commissioner Hayworth:** Noise?

**Commissioner Green:** Decibel level?

**Bill Thayer, Representative for Applicant:** Read's off plans and explains that it will be lower than a skill saw.

**Chairman Gaglioti:** Will it take room away from pumps?

**Sam Alladeen, Applicant:** Plenty of space, even with Bill's big truck at the pump.

**Commissioner Weir:** City income?

**Sam Alladeen, Applicant:** No fee for vacuum, but more people will surely use express carwash because now they can have access to free vacuum system.

*Motion by Commissioner Riekes to approve ARC #14-05 as presented, seconded by Commissioner Jaksha.*

*No public comment was received.*

*Motion passed 7-0*

**OLD BUSINESS:** None

**ANNOUNCEMENTS/COMMENTS:**

**Chairman Gaglioti:** Welcomes new Planning Commissioner.

**Commissioner Goetzelt:** Thank you. Stationed at Fort Ord, and bought an Oaks condo in 1992 and after retirement moved permanently into the condo.

**Commissioner Weir:** Shed in the front yard of the Rosa house on Carlton, is it allowed?

**Commissioner Jaksha:** DROCAG picnic will be on Sept. 20<sup>th</sup>.

**Commissioner's Hayworth and Green:** Follow up on wood cutting business on Carlton Drive.

**Deputy City Clerk Minami:** Apologized, response with follow up will be email to all in the morning.

**City Manager Dawson:** There will be a 5:00 study session on September 23<sup>rd</sup> that all should attend, wants to get the temperature of the Commission and Council for a Medical Marijuana Dispensary in Del Rey Oaks. There are twelve in Santa Cruz County and zero in Monterey County.

**Commissioner Green:** Has to drive to Aptos at the Santa Cruz Mountain Natural's and would love to have something closer. Has a card for Rheumatoid Arthritis and Monterey County needs it!

**Chairman Gaglioti:** Who is putting on the Study Session?

**City Manager Dawson:** We are, because of interest in a DRO location. Robert Jacob's who is the Mayor of Sebastopol will be a guest and others will be there for information.

**Chairman Gaglioti:** Are they income generators?

**City Manager Dawson:** Lots of fees: use fee, business license fees and any tax we set. Santa Cruz is 10% and Oregon is 40%.

**Commissioner Reikes:** Family members that have needed it and benefitted from it.

**NEXT MEETING:** Wednesday, November 12, 2014 at 6:00 p.m.

**6:30 p.m.** Meeting Adjourned

Approved:

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**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING  
COMMISSION WEDNESDAY, OCTOBER 8, 2014 AT 6:00 P.M.  
CHARLIE BENSON MEMORIAL HALL**

**Present:** Commissioner Reikes, Jaksha, Weir, Hayworth, Green and Chairman  
Gaglioti

**Absent:** Commissioner Goetzelt

**Also Present:** City Manager Dawson, City Attorney Trujillo and Deputy City Clerk  
Minami

**PLEDGE OF ALLEGIANCE:**

**CONSENT AGENDA:**

The Commission considered **ITEM 3.A.**, Planning Commission Meeting Minutes,  
September 10 2014

*Deputy City Clerk Minami: Commissioner Goetzelt asked via e-mail that the date of  
the next meeting is changed to Oct. 8, 2014*

*Motion by Commissioner Jaksha to approve, seconded by Commissioner Hayworth*

*No comments*

*6-0*

**PUBLIC COMMENT:**

**George Riley, Public Water Now:** Reads “Water Update 1, Protest CDO fine” flyer  
from September 2014, hands it out to Commission, public and puts into record.

\*History of Cal Am to reduce pumping from the Carmel River.

\*Cal Am won’t meet deadline of 2016, will be fined and passing it off to consumers, will  
vigorously protest.

\*Demands that the PUC hold a public hearing on the Monterey Peninsula if Cal Am  
attempts to charge the fine to ratepayers.

**BUILDING REPORT:**

The Commission accepted **ITEM 5.A.**, Building Activity Report, Sept. 2014

**NEW BUSINESS:**

The Commission considered **ITEM 6.A.**,

- A. Owner/Applicant's Name:** Scott Donaldson  
**File Number:** ARC#14-06/CUP#14-15  
**Site Location:** 1007 Portola Drive  
**Planning Area:** APN# 012-491-010  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review to remodel and build addition to existing 1148 square foot single family dwelling to include the following: add 325 square feet to house, convert the existing 223 square foot garage to kitchen, add 820 square foot garage and hobby shop, add 110 square foot deck above shop area at the rear of garage and add 124 square foot covered front porch that will be open on front and side of house. Use permit to be decided on at the time of meeting for 42 square feet of new front porch that extends 3 feet in the front yard setback. Materials and colors to coincide with the Del Rey Oaks Municipal Code.  
**Recommended Action:** Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

**Scott Donaldson, Applicant:** Remain one story and existing roof line.

**City Manager Dawson:** Reads letter out loud from Mrs. Bettiga into record.

**Commissioner Green:** What is the propose of the observation deck?

**Scott Donaldson, Applicant:** Sun deck.

**Commissioner Green:** It doesn't look into houses?

**Scott Donaldson, Applicant:** No, yards only.

**Commissioner Hayworth:** Talked to neighbors?

**Scott Donaldson, Applicant:** Yes, before and after the netting was up, The Benoits are in favor of it.

**Commissioner Weir:** Variance needed for front porch?

**Scott Donaldson, Applicant:** Staff advised to apply for a Conditional Use Permit. 30 feet from road, it was surveyed.

**City Attorney Trujillo:** Yes, variance is needed.

**City Manager Dawson:** Asks Frank Lucido, Surveyor to explain. Set back and property line.

**Frank Lucido, Surveyor:** Discussion with staff and concluded variance wasn't needed because it isn't an enclosed deck. The houses along Portola, built in the 40's and 50's are anywhere from 20 to 30 feet from the road.

**City Manager Dawson:** Non-conforming. Is it higher than 18"? If not, then it doesn't need a variance.

**PUBLIC COMMENT:**

**Mikki Breenan, Wallace Place:** Too massive for the lot, 820 square foot garage is too big, wants the Commission to make a condition that the residents not park on the street and use the garage.

**Commissioner Weir:** How much car space in garage?

**Scott Donaldson, Applicant:** Enough for 2 cars plus shop.

**Commissioner Jaksha:** The description sounds huge, but it fits on the property and will look good. Rather have a big garage, then cars on the street.

**Commissioner Hayworth:** Rain runoff issue is a problem with the neighbors house, how will that be mitigated.

**Deputy City Clerk Minami:** Discovered during the Plan Check process, and will have to coincide with the Storm Water Ordinance. Asks for Commissioner Goetzolt, inside or outside access to deck.

**Scott Donaldson, Applicant:** Exterior.

*Motion by Commissioner Jaksha to approve ARC #14-06 & CUP#14-15 with the condition that the front deck height is less than 18" or will need a variance, seconded by Commissioner Reikes.*

*No public comment was received.*

*Motion passed 6-0*

The Commission considered ITEM 6.B.,

<b>Owner/Applicant's Name:</b>	Lonna Lewis-Blodgett Monterey Bay Alternative Medicine
<b>File Number:</b>	CUP#14-16
<b>Site Location:</b>	800 Portola Drive
<b>Planning Area:</b>	APN# 012-471-015
<b>Environmental Status:</b>	Categorically Exempt
<b>Project Description:</b>	Requesting Conditional Use Permit to operate a Medical Cannabis Dispensary.
<b>Recommended Action:</b>	Analyze provided material, make appropriate findings, and give direction to staff.

**Chairman Gaglioti:** The role of the Commission is to look at the application and not to analyze the ordinance. Accepts the letters that were received in opposition to this item: David and Mary Purvis of 821 Portola Drive, Del Rey Oaks, Larry and Colleen Bettiga of 988 Portola Drive, Del Rey Oaks, and Laura Dadiw of Pacific Grove.

**Lonna Lewis-Blodgett, Applicant:** Thanks staff, wants to have the best place in the State of California.

**Commission Green:** Very important to have good staff and product knowledge.

**Lonna Lewis-Blodgett, Applicant:** Counselors will be on staff and they will be trained in different strains.

**Commissioner Hayworth:** Other tenants?

**Lonna Lewis-Blodgett, Applicant:** Would like to have alternative sources, presently there is the chiropractor.

**Commissioner Hayworth:** How is product purchased, grown?

**Lonna Lewis-Blodgett, Applicant:** Expert growers that test product before it's accepted to sell on site.

**Commission Green:** Other businesses would have to have business licenses to do business in the City.

**Commissioner Hayworth:** How many patrons a day and time of day? How much is a patient allowed to have, and how often can they purchase.

**Lonna Lewis-Blodgett, Applicant:** Hard to say, they will be prepared before the doors are open. Volume isn't important. Wants a relaxing environment. The prescription is verified first and must be written by a certified licensed M.D. or O.D., and will make sure it's not abused.

**Commissioner Hayworth:** Staff and patrons have to be 18, why?

**Lonna Lewis-Blodgett, Applicant:** 18 year olds are adults.

**Commissioner Hayworth:** All smoked?

**Lonna Lewis-Blodgett, Applicant:** Different products, edibles in the future.

**Commissioner Hayworth:** Holding security tape for 72 hours?

**Chief Langford:** Agreed with the applicant to change the time to 30-60 days.

**Commissioner Hayworth:** What happens when it's legalized?

**Lonna Lewis-Blodgett, Applicant:** No one knows what exactly will happen.

**Commissioner Hayworth:** Monterey County issues cards?

**Commissioner Green:** No.

**City Attorney Trujillo:** Doctor gives a prescription but the County will be able to provide a medical I.D. with photo for law enforcement proposes.

**Commissioner Weir:** Advertisement. No dancing marijuana leaves? Likes the signage proposal.

**Commissioner Reikes:** Wants them to be successful, but is concerned about being overly busy. How many customers?

**Lonna Lewis-Blodgett, Applicant:** Rather than 8 employees, if it gets busy hiring more. Wants to handle it very professionally.

**Commissioner Reikes:** Parking and traffic.

**Chief Langford:** Simple traffic study on Portola, resident/commuter or carwash non resident. Will address as it comes up.

**Commissioner Hayworth:** After City Council approval, does it come back?

**City Manager Dawson:** No, this is it. The first reading will be on Oct. 28<sup>th</sup> City Council and the 2<sup>nd</sup> will be on Nov. 18<sup>th</sup>. The signage will meet ordinance 279 and our sign ordinance.

**Commissioner Green:** Letters of concern were about business hours.

**Lonna Lewis-Blodgett, Applicant:** Trying to accommodate working customers, that will need to come after work, after 5:00 pm or on the weekends.

**Chairman Gaglioti:** Hours are a problem for him, lives down the street.

**Lonna Lewis-Blodgett, Applicant:** Must be open during the time that is on the application. Most dispensaries are open until 9 or 10 at night, and didn't want to be open that late. Wants customers to turn left out of drive way and not go down Portola, and will incorporate the rule about turning left into the membership agreement. Pharmacies are open late.

**Chairman Gaglioti:** Nuisance? Shed patients, if the need comes up.

**City Manager Dawson:** The applicants have been more than cooperative and has no doubt that if need be, between the city and the applicant all situations will be rectified.

**Chairman Gaglioti:** Frequency of visits? And worried about being burglarized.

**Lonna Lewis-Blodgett, Applicant:** Some people buy monthly, weekly or daily. Think of it as a pharmacy. There is a regulation that the amount that a person can have on them legally.

**Chief Langford:** Much more concerned about satellite banks than this business.

**Chairman Gaglioti:** Loitering ordinance?

**Chief Langford:** Three ordinances have been given to the City Manager: 1) sit, lie, stand similar to the one that Monterey just passed. 2) No loitering around business with A.T.M.'s. 3) Work with owners of businesses to help with no trespassing issues. Recommends passing all three.

**Chairman Gaglioti:** Has the applicant agreed to do a traffic study?

**City Manager Dawson:** Yes.

**Chairman Gaglioti:** How does adding staff help with getting busier?

**Lonna Lewis-Blodgett, Applicant:** Each patient will have one employee with them. More patients, more employees.

**Chairman Gaglioti:** Is the PD sub station a condition of approval?

**Lonna Lewis-Blodgett, Applicant:** If it will benefit Del Rey Oaks, then yes. Loves the idea.

**Chief Langford:** The City Hall will always be the home of DROPD. They won't need the entire top floor. Meeting rooms are needed. How can you be more transparent, than to have the PD move in with them? Overlooks the biggest problem, Safeway as well as the entire intersections with two other jurisdictions.

**Commissioner Reikes:** Rent?

**Lonna Lewis-Blodgett, Applicant:** No.

**PUBLIC COMMENT:**

**Valentia Piccinini, Pebble Beach:** Thanks Del Rey Oaks and is encouraging the Commission and Council to approve the ordinance. A patient for over 25 years and wants Del Rey Oaks to be the first one in Monterey County. Never smoked a joint in her life, suckers or edibles. Believes there are more than 300 Monterey residents that go to Santa Cruz right now that will be patients in Del Rey Oaks.

**Antonella Randazzo, 837 Portola Drive:** 800 patients equal 800 cars, and that's a HUGE problem!!

**Mary Trucksis, 833 Portola Drive:** Should be a business park. Happy to see children again in the neighborhood. Not enough data about traffic and parking. Speed bumps are needed, and it's only going to get worse. When she was in Chicago the police department says the crime is for the cash, not the pot.

**Wendy (friend of Mary's):** Knows someone who has a dispensary in the industrial area of Oakland and there is no foot traffic. Industrial area is better. Don't have it in an area, were there is high traffic. Why does the Chief like that location?

**Chief Langford:** The location is ideal for a stand alone business such as this, and the service level is all ready a D, F being the worse. Comparing Chicago and Oakland to Del Rey Oaks is apples and oranges.

**Colin Disheroon, CEO of Santa Cruz Mountain Naturals and Association of Standardized Cannabis:** They are serving 2 to 3 thousand Monterey County patients presently in there Santa Cruz location. Great conversation between neighbors and the people who get relief from cannabis. Traffic will increase, consider between 100 and 200 patients and cars a day. One of his businesses has been broken in and vandalized three times but nothing was stolen. Didn't have support of the local Sheriff's Department. Glad to see the local PD is here and assisting with the process. Open and available to help with any aspect of this project.

**Pat Lintell, 860 Rosita Rd.:** Went to the Monterey Study session and sat with Dan. Asks the Commission and Council not to rush into this. Del Rey Oaks isn't the place for it, let it go into Monterey. Needs to see a business plan, there will be more traffic, accidents, and crime. Employees will be parking on the street in front of residential. If there are 2 "cannabis clubs", 1 in Monterey and 1 in Del Rey Oaks, our City won't make as much money. Totally supports the idea of Cannabis clubs, just not in DRO.

**Antonella Randazzo, 837 Portola Drive:** Asks if the Santa Cruz business is in a residential area? The lot across Portola is vacant and has concerns.

**Colin Disheroon:** Less than 300 feet away from residential area, and was granted a variance. And they are close to a middle school. Staff is very pro active and has no issues with students and parents in 3 years.

**Chairman Gaglioti:** These concerns need to be address when the City Council hears the first reading of the ordinance.

**Antonella Randazzo, 837 Portola Drive:** Seems like the decision has been made and applicant is being congratulated.

**Chairman Gaglioti:** It isn't the final meeting.

**Antonella Randazzo, 837 Portola Drive:** Seems like it is!

**Chairman Gaglioti:** It's not, the ordinance will be heard on Oct. 28<sup>th</sup> and then again in November. It's the second of at least 4 meetings. Shares her concerns.

**Jim Clark, Via Verde:** Bad location. Zoning issues, Stone Creek and lack of parking spaces is the previous Planning Commission fault. Seaside Planning Commission messed up on Chili's and Starbucks. Is it really medical "mary jane" only? That's like thinking that only people with handicaps have handicap parking plaques. And we all know that's not true! When it's legal, the applicant will sell "giggle smoke" to anyone for profit. And then we will have the element that we don't want in our City.

Neighbors Sand City and Seaside, who would sell their mothers pet poodles for tax dollars and they aren't opening one up. Now our City Council is talking about how much money we can make from "boo boo bush". Argument is that if this won't bring in an undesirable element, then why is a Police Department sub station needed?

**Aaron Johnson, L&G Attorneys:** A patient and advocate for medical cannabis due to neck injury. Represents several shop owners. Legal in Denver and they have cannabis shops with gels and edibles. Once it was legal, it's didn't turn into a "420 hemp fest". Take the C.O.P.'s advice, don't hide it on the out skirts of City. People that open these shops want regulation and want to be considered legitimate businesses in the City.

**Sam Raskin, Monterey:** Lighthouse shop wasn't handled correctly and was against it. In favor of Ordinance 279, staff report and location. Bench mark is nearly perfect. A one year permit is very important and powerful. It will be coming to every city soon.

**Public Comment Closed**

**Commissioner Hayworth:** Did the ordinance come around because of the applicant? Parking? Could this be appealed? Can license be revoked in a year or sooner?

**City Manager Dawson:** Yes, and the ordinance is from Santa Rosa with a few changes to meet DRO's needs. It's the model in the State. Parking isn't a problem, 15 parking spots, plenty for the use. Permit could be ministerial but since we are transparent there was a study session and now this meeting. Application matches the ordinance and the

City is well protected. Could be appealed, just like any other land use matter brought to Planning Commission for approval.

**Commissioner Hayworth:** Wants to keep the tone of the meetings and comments respectful. A few things have been said and done lately that are dis-respectful. It's to heal and help and not for recreational use.

**City Manager Dawson:** This is a non-profit business and any extra money must come back into the City. 40% tax in Colorado and it goes directly to schools. This use has been legal in the State of California since 1996.

**City Attorney Trujillo:** Ordinance is almost 10 years old. Spoke to code enforcement in Santa Rosa and from that stand point there weren't any nuisance issues when they implemented their ordinance. The ordinance addresses issues that might arise, plus it will help to have the other 3 ordinances in place that C.O.P. recommended.

**Commissioner Jaksha:** If someone reads the Ordinance, all most all of the questions will be answered. To Mr. Clark: Planning Commission decisions were in other cities and as far as Stone Creek parking is concerned, it much better than they first applied to build. Hope DRO isn't doing this for revenue only, because it is really going to help people. Thanks the speakers. Honesty about the problems in Santa Cruz area. Ordinance needed for loitering. Thinks a 6 month permit would help. Doesn't like the "not in my back yard" attitude, it's going to happen, might as well be out in the open on the corner of a major intersection. Speed bumps are a necessity and left hand turn only sign coming out of driveway. How much is the limit and can cards be "faked"?

**Colin Disheroon:** According to SB420, the standard amount a person can have on them is 8 ounces. There are probably fake ID's but the shops call to verify every ID.

**Commissioner Jaksha:** Mr. Clark's comment weren't fair, it's not a pot shop. How does Seaside feel about it, because the one side of the building is in Seaside jurisdiction? Signage?

**City Manager Dawson:** All of the concerns will be addressed in the new ordinance.

**Commissioner Jaksha:** How many members will you have?

**Lonna Lewis-Blodgett, Applicant:** 10 to 20 thousand, based on the numbers in Santa Cruz County, but hard to say because it's new here.

**City Manager Dawson:** As part of the ordinance in front of the Commission tonight, the city can limit the amount of members.

**Lonna Lewis-Blodgett, Applicant:** Explains the waiting area in the front of business, so not more than the allowed members will be in the shop at any one time.

**Commissioner Weir:** Great speakers, thanks all.

**Commissioner Reikes:** Was the industrial ever looked at, with the amount of members they referring to, they might need a different space.

**City Manager Dawson:** Yes, but 800 Portola is a legit business and a great location.

**Commissioner Weir:** Likes the location, being out in the open is best. Put old ideas and misconception to rest.

**Commissioner Jaksha:** Monterey will eventually open one and will be less of a burden on our location.

**Chairman Gaglioti:** Raised here and on Portola, traffic has always been bad and it defiantly will get worse once this business is open. Kids riding bikes. Traffic data is important and glad to hear the applicant will pay for the measures to mitigate adverse impacts. The Commission has done more homework on this type of business and hopes that they do the same with others. In regard to criminal activity, the data doesn't support the speculations that are brought up in these meetings. Banks are two fold in criminal activity. Free pass because of the ordinance, not like if it's a Starbuck or Chili's. Comfortable with the safeguards in the ordinance.

***Motion by Commissioner Weir to approve CUP 14-16 seconded by Commissioner Reikes.***

***No further public comment was received.***

***Motion passed 6-0***

**OLD BUSINESS:** None

**ANNOUNCEMENTS/COMMENTS:**

**Commissioner Jaksha:** Thank you for the street repair.

**NEXT MEETING:** Wednesday, November 12, 2014 at 6:00 p.m.

**8:15 p.m.** Meeting Adjourned

Approved:

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**CITY OF DEL REY OAKS**  
**Claims Report**  
**September 2014**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
<b>AFLAC</b>				
09/03/2014	14446	AFLAC	SEPT 14 EMPLOYEE PAID PREMIUM INV. 232891	281.80
Total AFLAC				281.80
<b>AMBAG</b>				
09/03/2014	14447	AMBAG	2014-15 DUES	888.00
Total AMBAG				888.00
<b>AMERICAN LOCK &amp; KEY</b>				
09/03/2014	14448	AMERICAN LOCK ...	inv 24131	3.21
Total AMERICAN LOCK & KEY				3.21
<b>AT&amp;T CAL NET 2</b>				
09/03/2014	14449	AT&T CAL NET 2	PHONE 6/19/14-7/18/14	225.22
Total AT&T CAL NET 2				225.22
<b>Bob Ingersoll</b>				
09/03/2014	14450	Bob Ingersoll	reim. for security equipment for camera installation	20.85
Total Bob Ingersoll				20.85
<b>BOUND TREE</b>				
09/03/2014	14451	BOUND TREE	MEDICAL SUPPLIES INV. 81481873	157.05
Total BOUND TREE				157.05
<b>BROWNELLS, INC.</b>				
09/03/2014	14452	BROWNELLS, INC.		381.12
Total BROWNELLS, INC.				381.12
<b>CALIFORNIA-AMERICAN WATER</b>				
09/03/2014	14453	CALIFORNIA-AME...	WATER 6/20/14-7/21/14	719.80
Total CALIFORNIA-AMERICAN WATER				719.80
<b>CALIFORNIA BUILDING STANDARDS COMMISSION</b>				
09/03/2014	14454	CALIFORNIA BUIL...	BUILDING STANDARD STATE FEE 4/1/14-6/30/14	15.30
Total CALIFORNIA BUILDING STANDARDS COMMISSION				15.30
<b>CALIFORNIA POLICE CHIEFS ASSOC.</b>				
09/03/2014	14455	CALIFORNIA POLL...	CPCA MEMBERSHIP DUES 7/1/14-6/30/15	315.00
Total CALIFORNIA POLICE CHIEFS ASSOC.				315.00
<b>CHRISTINA M. TRUJILLO, ATTORNEY AT LAW</b>				
09/03/2014	14456	CHRISTINA M. TR...		2,500.00
Total CHRISTINA M. TRUJILLO, ATTORNEY AT LAW				2,500.00
<b>CITY OF GONZALES</b>				
09/03/2014	14457	CITY OF GONZALES	SHARE FOR EVALUATION & ANALYSIS OF MO...	435.89
Total CITY OF GONZALES				435.89
<b>CITY OF MONTEREY</b>				
09/03/2014	14458	CITY OF MONTER...		33,278.23
Total CITY OF MONTEREY				33,278.23
<b>CITY OF SEASIDE</b>				
09/03/2014	14459	CITY OF SEASIDE		201,200.59
Total CITY OF SEASIDE				201,200.59
<b>CO-POWER</b>				
09/03/2014	14460	CO-POWER	SEPT 14 DELTA DENTAL PREMIUM	1,716.27
Total CO-POWER				1,716.27
<b>COMCAST HIGH SPEED INTERNET</b>				
09/03/2014	14461	COMCAST HIGH S...	T.V. AND INTERNET 8/10/14-9/9/14	97.42
Total COMCAST HIGH SPEED INTERNET				97.42
<b>COMMUNITY HOSPITAL OF MTY</b>				
09/03/2014	14462	COMMUNITY HOS...		80.00

**CITY OF DEL REY OAKS**  
**Claims Report**  
**September 2014**

Date	Num	Name	Memo	Amount
Total COMMUNITY HOSPITAL OF MTY				80.00
<b>CREEGAN &amp; D'ANGELO</b>				
09/03/2014	14463	CREEGAN & D'AN...		15,233.75
Total CREEGAN & D'ANGELO				15,233.75
<b>David Nguyen, Officer</b>				
09/03/2014	14464	David Nguyen, Officer	Reimbursement for P.D. vechile supplies	13.00
09/11/2014	14580	David Nguyen, Officer	Reimbursement for vechile fuel #63	40.00
09/30/2014	14584	David Nguyen, Officer	Reimbursement for vechile fuel #63	225.00
Total David Nguyen, Officer				278.00
<b>DENISE DUFFY &amp; ASSOCIATES</b>				
09/03/2014	14465	DENISE DUFFY & ...	PERMITTING ANALYSIS, RESEARCH AND ENV. ...	5,239.25
09/29/2014	14588	DENISE DUFFY & ...	PERMITTING ANALYSIS, RESEARCH AND ENV. ...	3,407.10
Total DENISE DUFFY & ASSOCIATES				8,646.35
<b>DEPT OF CONSERVATION</b>				
09/03/2014	14466	DEPT OF CONSER...	smip fee's for 4/1/14-6/30/14	26.54
Total DEPT OF CONSERVATION				26.54
<b>ENTERSECT CORPORATION</b>				
09/03/2014	14467	ENTERSECT CORP...		158.00
Total ENTERSECT CORPORATION				158.00
<b>FIRST AMERICAN REAL ESTATE SOLUTIONS</b>				
09/03/2014	14468	FIRST AMERICAN ...	METRO SCAN- ADDRESS SERVICE-JULY 2014	115.00
Total FIRST AMERICAN REAL ESTATE SOLUTIONS				115.00
<b>FORD MOTOR CREDIT COMPANY</b>				
09/03/2014	14469	FORD MOTOR CRE...	CM UNIT LEASE INV. #1090668	4,331.76
Total FORD MOTOR CREDIT COMPANY				4,331.76
<b>FORT ORD REUSE AUTHORITY</b>				
09/03/2014	14470	FORT ORD REUSE ...	INV. 15-06 FY 14-15 MEMBERSHIP DUES AND ...	14,112.37
Total FORT ORD REUSE AUTHORITY				14,112.37
<b>GLOBALSTAR USA</b>				
09/03/2014	14471	GLOBALSTAR USA	SATELITE PHONE JULY 2014	54.09
Total GLOBALSTAR USA				54.09
<b>GOLDFARB &amp; LIPMAN</b>				
09/03/2014	14472	GOLDFARB & LIP...	VOID:entered duplicate invoice K.M.	
09/03/2014	14472	GOLDFARB & LIP...	VOID:entered duplicate invoice K.M.	
09/03/2014	14577	GOLDFARB & LIP...	VOID:this amount will be taken out of escow, as per c...	
09/03/2014	14577	GOLDFARB & LIP...	VOID:this amount will be taken out of escow, as per c...	
09/12/2014	ESCROW1	GOLDFARB & LIP...		183,635.06
Total GOLDFARB & LIPMAN				183,635.06
<b>HAYASHI &amp; WAYLAND, INC.</b>				
09/03/2014	14473	HAYASHI & WAYL...		18,023.65
Total HAYASHI & WAYLAND, INC.				18,023.65
<b>I.M.P.A.C.GOVERNMT SER</b>				
09/03/2014	14474	I.M.P.A.C.GOVERN...	MANAGING ACCOUNT #: 4246-0445-5564-9924 A...	4,969.91
Total I.M.P.A.C.GOVERNMT SER				4,969.91
<b>IE SOLUTIONS</b>				
09/03/2014	14475	IE SOLUTIONS		750.00
Total IE SOLUTIONS				750.00
<b>JA FENCING</b>				
09/03/2014	14476	JA FENCING	REPAIR CHAIN LINK GATE AT BASEBALL FIEL...	300.00
Total JA FENCING				300.00
<b>JAMES DE CHALK</b>				
09/03/2014	14477	JAMES DE CHALK		675.00

**CITY OF DEL REY OAKS**  
**Claims Report**  
**September 2014**

Date	Num	Name	Memo	Amount
Total JAMES DE CHALK				675.00
<b>JOE JOHNSON</b>				
09/30/2014	14585	JOE JOHNSON	Wellness Benefit	341.86
Total JOE JOHNSON				341.86
<b>KELLY-MOORE PAINT CO.INC</b>				
09/03/2014	14478	KELLY-MOORE PA...		322.34
Total KELLY-MOORE PAINT CO.INC				322.34
<b>MCCLEOA</b>				
09/03/2014	14479	MCCLEOA	MEMBERSHIP DUES 2014-15	150.00
Total MCCLEOA				150.00
<b>MINAMI, KAREN L</b>				
09/09/2014	14578	MINAMI, KAREN L	Wellness Reimbursment	100.00
Total MINAMI, KAREN L				100.00
<b>MONTEREY AUTO SUPPLY INC.</b>				
09/03/2014	14480	MONTEREY AUTO...	SUPPLIES JULY 2014	50.20
Total MONTEREY AUTO SUPPLY INC.				50.20
<b>MONTEREY BAY AREA INSURANCE FUND</b>				
09/03/2014	14481	MONTEREY BAY ...		264,774.00
Total MONTEREY BAY AREA INSURANCE FUND				264,774.00
<b>MONTEREY BAY TECHNOLOGIES</b>				
09/03/2014	14482	MONTEREY BAY T...		1,050.00
Total MONTEREY BAY TECHNOLOGIES				1,050.00
<b>MONTEREY BAY UNIFIED AIR</b>				
09/03/2014	14483	MONTEREY BAY ...	2014-15 CONTRIBUTION	450.00
Total MONTEREY BAY UNIFIED AIR				450.00
<b>MONTEREY COUNTY AUDITOR/CONTROLLER</b>				
09/03/2014	14484	MONTEREY COUN...	LAFCO BUDGET ALLOCATION 2014-15 INVOIC...	1,549.57
Total MONTEREY COUNTY AUDITOR/CONTROLLER				1,549.57
<b>MONTEREY COUNTY CONVENTION &amp; VISITORS BUR</b>				
09/03/2014	14485	MONTEREY COUN...	MEMBERSHIP 2014-15	1,000.00
Total MONTEREY COUNTY CONVENTION & VISITORS BUR				1,000.00
<b>MONTEREY COUNTY HEALTH DEPARTMENT</b>				
09/03/2014	14486	MONTEREY COUN...	DRO-PD 14-15 RETAINER FEE INVOICE	2,000.00
Total MONTEREY COUNTY HEALTH DEPARTMENT				2,000.00
<b>MONTEREY COUNTY PARKS</b>				
09/03/2014	14487	MONTEREY COUN...		700.00
Total MONTEREY COUNTY PARKS				700.00
<b>MONTEREY COUNTY SHERIFF</b>				
09/03/2014	14488	MONTEREY COUN...		2,448.30
Total MONTEREY COUNTY SHERIFF				2,448.30
<b>MONTEREY PENINSULA ENGINEERING</b>				
09/03/2014	14489	MONTEREY PENIN...	INV 05-33 PATCH PAVING 4 TONS CDBG REIM...	2,898.84
Total MONTEREY PENINSULA ENGINEERING				2,898.84
<b>MRWPCA</b>				
09/03/2014	14490	MRWPCA		116.94
Total MRWPCA				116.94
<b>MTRY BAY OFFICE PRODUCTS</b>				
09/03/2014	14491	MTRY BAY OFFIC...		4,373.05
Total MTRY BAY OFFICE PRODUCTS				4,373.05
<b>MTRY COUNTY PEACE ASSOC,</b>				

**CITY OF DEL REY OAKS**  
**Claims Report**  
**September 2014**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
09/03/2014	14492	MTRY COUNTY PE...	SHOOTING RANGE USE 2/12,2/21,5/27,and 5/28/1...	1,250.00
Total MTRY COUNTY PEACE ASSOC,				1,250.00
<b>MTRY CTY EMERGENCY SERV</b>				
09/03/2014	14493	MTRY CTY EMER...	SHARE OF COST FOR 2013-14 DISPATCH SERVI...	39,680.01
Total MTRY CTY EMERGENCY SERV				39,680.01
<b>MTRY CTY INFORMATION TECH-TELECOMMUNITION</b>				
09/03/2014	14494	MTRY CTY INFOR...	RADIO REPAIR AND MAINTENANCE	735.00
Total MTRY CTY INFORMATION TECH-TELECOMMUNITION				735.00
<b>NEILL ENGINEERS CORP</b>				
09/03/2014	14495	NEILL ENGINEERS...		18,808.50
Total NEILL ENGINEERS CORP				18,808.50
<b>NEXTEL COMMUNICATION</b>				
09/03/2014	14496	NEXTEL COMMUN...	NEXTEL RADIO- PW/PD/CM 7/12/14-8/11/14	375.55
Total NEXTEL COMMUNICATION				375.55
<b>OFFICE DEPOT</b>				
09/03/2014	14497	OFFICE DEPOT		664.90
Total OFFICE DEPOT				664.90
<b>OFFICE EQUIPMENT FINANCE SERVICES</b>				
09/03/2014	14498	OFFICE EQUIPME...		565.16
Total OFFICE EQUIPMENT FINANCE SERVICES				565.16
<b>P.E.R.S.-HEALTH</b>				
09/03/2014	14499	P.E.R.S.-HEALTH	HEALTH PREMIUM SEPT 2014	12,532.57
Total P.E.R.S.-HEALTH				12,532.57
<b>PACHULSKI, STANG, ZIEHL &amp; JONES LLP</b>				
09/03/2014	14500	PACHULSKI, STAN...	Professional Services Rendered though 12/31/13 Fede...	6,944.00
Total PACHULSKI, STANG, ZIEHL & JONES LLP				6,944.00
<b>PERS</b>				
09/03/2014	14501	PERS		128,189.29
Total PERS				128,189.29
<b>PERS - 457 PLAN</b>				
09/30/2014	14586	PERS - 457 PLAN	Young 07/2014/1	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
09/30/2014	14586	PERS - 457 PLAN	Young 07/2014/2	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
09/30/2014	14586	PERS - 457 PLAN	Young 08/2014/1	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
09/30/2014	14586	PERS - 457 PLAN	Young 08/2014/2	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
09/30/2014	14586	PERS - 457 PLAN	Young 09/2014/1	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
09/30/2014	14586	PERS - 457 PLAN	Young 09/2014/2	500.00
09/30/2014	14586	PERS - 457 PLAN	Dawson	300.00
Total PERS - 457 PLAN				4,800.00
<b>PG&amp;E</b>				
09/03/2014	14502	PG&E		5,292.09
Total PG&E				5,292.09
<b>PG&amp;E-GJM&amp;218</b>				
09/03/2014	14503	PG&E-GJM&218	6817283169-2	98.92
Total PG&E-GJM&218				98.92
<b>PITNEY BOWES-QTLY INV</b>				
09/03/2014	14504	PITNEY BOWES-Q...	postage machine rental invoice #5427068-JN14	192.69
Total PITNEY BOWES-QTLY INV				192.69
<b>PITNEY BOWES PURCHASE POWER</b>				

**CITY OF DEL REY OAKS**

**Claims Report**

September 2014

Date	Num	Name	Memo	Amount
09/03/2014	14505	PITNEY BOWES P...	POSTAGE ACCT. 8000900003463050 JULY 2014	209.22
09/03/2014	14518	PITNEY BOWES P...	POSTAGE ACCT. 8000900003463050 AUG 2014	213.23
<b>Total PITNEY BOWES PURCHASE POWER</b>				<b>422.45</b>
<b>PNC Equipment Finance</b>				
09/03/2014	14506	PNC Equipment Fina...		5,667.59
<b>Total PNC Equipment Finance</b>				<b>5,667.59</b>
<b>PURE WATER</b>				
09/03/2014	14507	PURE WATER		119.39
<b>Total PURE WATER</b>				<b>119.39</b>
<b>QuickBooks Payroll Service</b>				
09/12/2014		QuickBooks Payroll ...	Fee for 10 direct deposit(s) at \$1.50 each	15.00
09/12/2014		QuickBooks Payroll ...	Fee for 12 employee(s) paid	18.00
09/12/2014		QuickBooks Payroll ...	Monthly processing fee for Sep 2014	89.00
09/12/2014		QuickBooks Payroll ...	No state fee for CA for Sep 2014	
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	2.15
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	3,513.00
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	415.48
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	415.48
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	22.15
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	22.15
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	1,182.89
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	231.41
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	20,312.73
09/12/2014		QuickBooks Payroll ...	Fee for 1 direct deposit(s) at \$1.50 each	1.50
09/12/2014		QuickBooks Payroll ...	Fee for 1 employee(s) paid	1.50
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	1,012.00
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	95.33
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	95.33
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	370.56
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	4,227.24
09/12/2014		QuickBooks Payroll ...	Fee for 4 direct deposit(s) at \$1.50 each	6.00
09/12/2014		QuickBooks Payroll ...	Fee for 5 employee(s) paid	7.50
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	281.00
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	66.31
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	66.31
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	72.36
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	13.92
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	4,139.13
09/12/2014		QuickBooks Payroll ...	Fee for 1 direct deposit(s) at \$1.50 each	1.50
09/12/2014		QuickBooks Payroll ...	Fee for 2 employee(s) paid	3.00
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	9.40
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	9.40
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	6.49
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	632.86
09/12/2014		QuickBooks Payroll ...	Fee for 1 direct deposit(s) at \$1.50 each	1.50
09/12/2014		QuickBooks Payroll ...	Fee for 2 employee(s) paid	3.00
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	3.01
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	3.01
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	2.08
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	202.51
09/12/2014		QuickBooks Payroll ...	Fee for 1 employee(s) paid	1.50
09/12/2014		QuickBooks Payroll ...	No fee for 0 direct deposit(s)	
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	0.01
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	0.01
09/12/2014		QuickBooks Payroll ...	Adjusted for voided paycheck(s)	
09/12/2014		QuickBooks Payroll ...	Fee for 1 direct deposit(s) at \$1.50 each	1.50
09/12/2014		QuickBooks Payroll ...	Fee for 1 employee(s) paid	1.50
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	27.45
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	27.45
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	1,865.79
09/12/2014		QuickBooks Payroll ...	Fee for 1 direct deposit(s) at \$1.50 each	1.50
09/12/2014		QuickBooks Payroll ...	Fee for 1 employee(s) paid	1.50
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	27.45
09/12/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/11/2014	27.45



**CITY OF DEL REY OAKS**  
**Claims Report**  
**September 2014**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
09/29/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/26/2014	12.34
09/29/2014		QuickBooks Payroll ...	Created by Payroll Service on 09/26/2014	3,974.84
Total QuickBooks Payroll Service				99,665.28
<b>SAFEWAY STORE</b>				
09/03/2014	14508	SAFEWAY STORE	SUPPLIES for STAFF LUNCH 8/6/14	19.06
Total SAFEWAY STORE				19.06
<b>SHELL OIL COMPANY</b>				
09/03/2014	14509	SHELL OIL COMPA...	FUEL JULY 2014	2,308.20
Total SHELL OIL COMPANY				2,308.20
<b>SHIELD INVESTIGATION SOLUTIONS</b>				
09/03/2014	14510	SHIELD INVESTIG...	POLICE ID CARD	45.25
Total SHIELD INVESTIGATION SOLUTIONS				45.25
<b>SILKE COMMUNICATIONS</b>				
09/03/2014	14511	SILKE COMMUNIC...	REPROGAMMED RADIOS	190.00
Total SILKE COMMUNICATIONS				190.00
<b>SPCA OF MONTEREY COUNTY</b>				
09/03/2014	14512	SPCA OF MONTER...		1,879.36
Total SPCA OF MONTEREY COUNTY				1,879.36
<b>TERMINIX</b>				
09/03/2014	14513	TERMINIX	6099531	195.00
Total TERMINIX				195.00
<b>TRANSP. AGENCY FOR MTY CO</b>				
09/03/2014	14514	TRANSP. AGENCY ...	Traffic Congestion Management Program 2014-15	544.00
Total TRANSP. AGENCY FOR MTY CO				544.00
<b>UNION BANK Charges</b>				
09/30/2014	EFT09302014	UNION BANK Char...	Bank Charges	178.82
Total UNION BANK Charges				178.82
<b>VALLEY SAW &amp; GARDEN EQUIP</b>				
09/03/2014	14515	VALLEY SAW & G...	WEED EATER, TREE BRANCH TRIMMER AND ...	884.79
Total VALLEY SAW & GARDEN EQUIP				884.79
<b>VSP</b>				
09/03/2014	14516	VSP		345.80
Total VSP				345.80
<b>WELLINGTON, ROBERT R.</b>				
09/03/2014	14517	WELLINGTON, RO...		2,960.00
Total WELLINGTON, ROBERT R.				2,960.00
<b>TOTAL</b>				<b>1,111,504.00</b>

**CITY OF DEL REY OAKS**  
**Unpaid Bills Detail**  
 All Transactions

Date	Name	Memo	Account	Class	Amount	Balance	Due Date
<b>AMERICAN LOCK &amp; KEY</b>							
03/31/2014	AMERICAN LOCK & KEY	inv 24131	60410 · MATERIALS/SUPPLY	172 POLICE	3.21	3.21	04/30/2014
Total AMERICAN LOCK & KEY					3.21	3.21	
<b>AT&amp;T CAL NET 2</b>							
09/19/2014	AT&T CAL NET 2	PHONE 8/19/14-9/18/14	60530 · TELEPHONE / INTERNET	172 POLICE	149.04	149.04	10/19/2014
09/19/2014	AT&T CAL NET 2	PHONE 8/19/14-9/18/14	60530 · TELEPHONE / INTERNET	General Gover...	68.02	217.06	10/19/2014
09/19/2014	AT&T CAL NET 2	PHONE 8/19/14-9/18/14	60530 · TELEPHONE / INTERNET	311 PUB WKS...	15.46	232.52	10/19/2014
Total AT&T CAL NET 2					232.52	232.52	
<b>CALIFORNIA-AMERICAN WATER</b>							
09/22/2014	CALIFORNIA-AMERICAN WA...	650 CANYON DEL REY RD. ACCT. 1015-210018...	60525 · UTILITIES/WATER	General Gover...	164.82	164.82	10/22/2014
09/22/2014	CALIFORNIA-AMERICAN WA...	950 ANGELUS WAY ACCT. 1015-210021327653 ...	60525 · UTILITIES/WATER	411 PARKS/R...	89.33	254.15	10/22/2014
09/22/2014	CALIFORNIA-AMERICAN WA...	8 LOS ENCINOS ACCT. 1015-210021397607 WAT...	60525 · UTILITIES/WATER	411 PARKS/R...	64.73	318.88	10/22/2014
09/22/2014	CALIFORNIA-AMERICAN WA...	59 LOS ENCINOS ACCT. 1015-210021396208 WA...	60525 · UTILITIES/WATER	411 PARKS/R...	25.89	344.77	10/22/2014
09/22/2014	CALIFORNIA-AMERICAN WA...	800 ROSITA RD. ACCT. 10152100221255352 WA...	60525 · UTILITIES/WATER	172 POLICE:1...	46.55	391.32	10/22/2014
09/22/2014	CALIFORNIA-AMERICAN WA...	899 ROSITA RD ACCT. 1015-21002651943 WAT...	60525 · UTILITIES/WATER	411 PARKS/R...	34.50	425.82	10/22/2014
Total CALIFORNIA-AMERICAN WATER					425.82	425.82	
<b>CHRISTINA M. TRUJILLO, ATTORNEY AT LAW</b>							
10/01/2014	CHRISTINA M. TRUJILLO, AT...	LEGAL SERVICES SEPT. 1-30, 2014	60655 · CONTRL RETAINER LEGAL	General Gover...	1,250.00	1,250.00	10/31/2014
Total CHRISTINA M. TRUJILLO, ATTORNEY AT LAW					1,250.00	1,250.00	
<b>CITY OF MONTEREY</b>							
10/06/2014	CITY OF MONTEREY	INV. 61835 AUG 2014 INSPECTION COSTS	60640 · CONTRACTUAL SVCS PLANNING	301 PUB WKS...	1,482.54	1,482.54	11/05/2014
Total CITY OF MONTEREY					1,482.54	1,482.54	
<b>COMMUNITY HOSPITAL OF MTY</b>							
09/15/2014	COMMUNITY HOSPITAL OF ...	BLOOD ALCOHOL DRAW FEE-8/9/14&8/23/14	60830 · FUND JAIL & PRISONER	172 POLICE	40.00	40.00	10/15/2014
10/13/2014	COMMUNITY HOSPITAL OF ...	BLOOD ALCOHOL DRAW FEE-9/10/14	60830 · FUND JAIL & PRISONER	172 POLICE	20.00	60.00	11/12/2014
Total COMMUNITY HOSPITAL OF MTY					60.00	60.00	
<b>GLOBALSTAR USA</b>							
09/16/2014	GLOBALSTAR USA	SATELITE PHONE SEPT 2014	60530 · TELEPHONE / INTERNET	172 POLICE	54.09	54.09	10/16/2014
Total GLOBALSTAR USA					54.09	54.09	
<b>GOLDFARB &amp; LIPMAN</b>							
03/19/2013	GOLDFARB & LIPMAN	INV -107918, CURRENT FEES THROUGH 2/28/13	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	25,042.49	25,042.49	03/29/2013
04/17/2013	GOLDFARB & LIPMAN	INV #108082-FEES THROUGH 3/31/13	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	38,874.26	63,916.75	04/27/2013
11/18/2013	GOLDFARB & LIPMAN	INV - 110408 CURRENT FEES 10/1/13-10/31/13	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	244.25	64,161.00	12/18/2013
12/16/2013	GOLDFARB & LIPMAN	INV - 110736 CURRENT FEE 11/21/13	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	225.00	64,386.00	01/15/2014
12/16/2013	GOLDFARB & LIPMAN	INV - 110737 CURRENT FEES 11/1/13-11/30/13	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	3,098.59	67,484.59	01/15/2014
02/19/2014	GOLDFARB & LIPMAN	INV - 111339 CURRENT FEES THROUGH 1/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	1,850.00	69,334.59	03/21/2014
02/19/2014	GOLDFARB & LIPMAN	INV - 111390 CURRENT FEES THROUGH 1/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	1,354.50	70,689.09	03/21/2014
03/18/2014	GOLDFARB & LIPMAN	INV 111623 -CURRENT FEE THROUGH 2/28/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	1,475.00	72,164.09	04/17/2014
04/14/2014	GOLDFARB & LIPMAN	INV 112024 -CURRENT FEE THROUGH 3/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	3,770.78	75,934.87	05/14/2014
04/14/2014	GOLDFARB & LIPMAN	INV 112023-CURRENT FEE THROUGH 3/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	1,773.60	77,708.47	05/14/2014
05/19/2014	GOLDFARB & LIPMAN	INV 112325 -CURRENT FEE THROUGH 4/30/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	2,675.00	80,383.47	06/18/2014
05/19/2014	GOLDFARB & LIPMAN	INV 112326 -CURRENT FEE THROUGH 4/30/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	7,182.51	87,565.98	06/18/2014
06/19/2014	GOLDFARB & LIPMAN	INV 112700 -CURRENT FEE THROUGH 5/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	7,595.19	95,161.17	07/19/2014
06/19/2014	GOLDFARB & LIPMAN	INV 112699 -CURRENT FEE THROUGH 5/31/14 (...)	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	1,350.00	96,511.17	07/19/2014
07/15/2014	GOLDFARB & LIPMAN	INV 112876 - CURRENT FEES THROUGH 6/30/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	2,174.00	98,685.17	08/14/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113221 - CURRENT FEES THROUGH 7/31/14	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	2,253.08	100,938.25	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222 - CURRENT FEES THROUGH 7/31/14 ...	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	2,610.00	103,548.25	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222-6- CURRENT FEES THROUGH 7/31/1...	16020 · DUE FROM DEVELOPER (DUE FROM D...	General Gover...	52.00	103,600.25	09/18/2014

## CITY OF DEL REY OAKS

## Unpaid Bills Detail

## All Transactions

Date	Name	Memo	Account	Class	Amount	Balance	Due Date
Total GOLDFARB & LIPMAN					103,600.25	103,600.25	
<b>IE SOLUTIONS</b>							
09/30/2014	IE SOLUTIONS	INV. 14-1103 REMOTE SESSION WITH KIM TO ...	60635 · DATA PROCESSING	General Gover...	37.50	37.50	10/30/2014
Total IE SOLUTIONS					37.50	37.50	
<b>MONTEREY BAY AREA INSURANCE FUND</b>							
10/01/2014	MONTEREY BAY AREA INSU...	OCT 2014 WORK COMP PREMIUM 2014-15 \$8,3...	60620 · LIABILITY/PROP NON-DPT	General Gover...	11,718.24	11,718.24	10/31/2014
Total MONTEREY BAY AREA INSURANCE FUND					11,718.24	11,718.24	
<b>MTRY CTY EMERGENCY SERV</b>							
09/12/2014	MTRY CTY EMERGENCY SERV	Q1 NGEN PROJECT EXTENSION COST SHARE (...)	60665 · RADIO DISPATCH POLICE	172 POLICE	1,806.19	1,806.19	10/12/2014
09/12/2014	MTRY CTY EMERGENCY SERV	Q1 NQEN O&M FOR FY 2014-15 RADIO COUNT...	60665 · RADIO DISPATCH POLICE	172 POLICE	1,890.00	3,696.19	10/12/2014
Total MTRY CTY EMERGENCY SERV					3,696.19	3,696.19	
<b>MTRY CTY INFORMATION TECH-TELECOMMUNITION</b>							
10/22/2014	MTRY CTY INFORMATION TE...	RADIO REPAIR AND MAINTENANCE 8/28/14	60665 · RADIO DISPATCH POLICE	172 POLICE	240.00	240.00	11/21/2014
Total MTRY CTY INFORMATION TECH-TELECOMMUNITION					240.00	240.00	
<b>PERS</b>							
09/15/2014	PERS	20140 9/1/14-9/15/14 Payroll 9-2014-1	20140 · PERS PAYABLE	172 POLICE	2,629.74	2,629.74	10/15/2014
09/15/2014	PERS	Dan Dawson 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	General Gover...	542.61	3,172.35	10/15/2014
09/15/2014	PERS	85%- Kim Carvalho 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	General Gover...	212.76	3,385.11	10/15/2014
09/15/2014	PERS	15% - Kim Carvalho 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	General Gover...	37.55	3,422.66	10/15/2014
09/15/2014	PERS	85% - Karen Minami 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	General Gover...	39.49	3,462.15	10/15/2014
09/15/2014	PERS	15% - Karen Minami 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	General Gover...	223.75	3,685.90	10/15/2014
09/15/2014	PERS	60% - Joe Johnson 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	311 PUB WKS...	128.72	3,814.62	10/15/2014
09/15/2014	PERS	40% - Joe Johnson 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	411 PARKS/R...	85.81	3,900.43	10/15/2014
09/15/2014	PERS	PD 9/1/14-9/15/14 Payroll 9-2014-1	60125 · PERS	172 POLICE	5,371.33	9,271.76	10/15/2014
09/30/2014	PERS	20140 9/16/14-9/30/14 Payroll 9-2014-2	20140 · PERS PAYABLE	172 POLICE	2,501.75	11,773.51	10/30/2014
09/30/2014	PERS	Dan Dawson 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	General Gover...	542.61	12,316.12	10/30/2014
09/30/2014	PERS	85%- Kim Carvalho 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	General Gover...	195.03	12,511.15	10/30/2014
09/30/2014	PERS	15% - Kim Carvalho 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	General Gover...	34.43	12,545.58	10/30/2014
09/30/2014	PERS	85% - Karen Minami 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	General Gover...	32.78	12,578.36	10/30/2014
09/30/2014	PERS	15% - Karen Minami 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	General Gover...	185.76	12,764.12	10/30/2014
09/30/2014	PERS	60% - Joe Johnson 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	311 PUB WKS...	115.85	12,879.97	10/30/2014
09/30/2014	PERS	9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	411 PARKS/R...	77.23	12,957.20	10/30/2014
09/30/2014	PERS	PD 9/16/14-9/30/14 Payroll 9-2014-2	60125 · PERS	172 POLICE	5,057.94	18,015.14	10/30/2014
10/15/2014	PERS	20140 10/1/14-10/15/14 Payroll 10-2014-1	20140 · PERS PAYABLE	172 POLICE	2,345.39	20,360.53	11/14/2014
10/15/2014	PERS	Dan Dawson 10/1/14-10/15/14 Payroll 10-2014-1	60125 · PERS	General Gover...	542.61	20,903.14	11/14/2014
10/15/2014	PERS	85%- Kim Carvalho 10/1/14-10/15/14 Payroll 10-201...	60125 · PERS	General Gover...	195.03	21,098.17	11/14/2014
10/15/2014	PERS	15% - Kim Carvalho 10/1/14-10/15/14 Payroll 10-20...	60125 · PERS	General Gover...	34.43	21,132.60	11/14/2014
10/15/2014	PERS	85% - Karen Minami 10/1/14-10/15/14 Payroll 10-201...	60125 · PERS	General Gover...	32.78	21,165.38	11/14/2014
10/15/2014	PERS	15% - Karen Minami 10/1/14-10/15/14 Payroll 10-201...	60125 · PERS	General Gover...	185.76	21,351.14	11/14/2014
10/15/2014	PERS	60% - Joe Johnson 10/1/14-10/15/14 Payroll 10-2014-1	60125 · PERS	311 PUB WKS...	106.84	21,457.98	11/14/2014
10/15/2014	PERS	40% - Joe Johnson 10/1/14-10/15/14 Payroll 10-2014-1	60125 · PERS	411 PARKS/R...	71.22	21,529.20	11/14/2014
10/15/2014	PERS	PD 10/1/14-10/15/14 Payroll 10-2014-1	60125 · PERS	172 POLICE	4,598.61	26,127.81	11/14/2014
Total PERS					26,127.81	26,127.81	
<b>YOUNG, MATT</b>							
10/21/2014	YOUNG, MATT	REIM. FOR PD VEHICLE EQUIPMENT	60710 · AUTO OPS - SUPPLIES / EQUIP	172 POLICE	155.29	155.29	11/20/2014
Total YOUNG, MATT					155.29	155.29	
<b>TOTAL</b>					<b>149,083.46</b>	<b>149,083.46</b>	

**CITY OF DEL REY OAKS**  
**FISCAL YEAR TO DATE 2014/2015 BUDGET VS. ACTUAL**  
 July through September 2014

	Jul - Sep 14	Budget	% of Budget
<b>Income</b>			
<b>40100 · PROPERTY TAXES</b>			
40110 · P/T-SECURED		350,000.00	
40120 · P/T-UNSECURED		13,500.00	
40130 · P/T-PRIOR SECURED		5,000.00	
40150 · P/T-UNITARY TAX		6,500.00	
40160 · P/T-SB813		6,000.00	
40170 · PROPERTY TAX - VLF		114,000.00	
40180 · P/T-INT/PENAL		200.00	
40190 · P/T - ADMINISTRATIVE FEE		(5,000.00)	
<b>Total 40100 · PROPERTY TAXES</b>		<b>490,200.00</b>	
<b>40200 · OTHER TAXES</b>			
40210 · SALES TAX	61,915.73	295,000.00	21%
40220 · SALES TAX - ADD ON	91,289.61	475,000.00	19%
40230 · SALES TAX IN LIEU - 3-FLIP		82,000.00	
40240 · COP MONIES	31,230.03	100,000.00	31%
40250 · PROPERTY TRANSFER TAX	0.27	4,500.00	0%
40260 · GAS FRANCHISES		4,500.00	
40265 · ELECTRIC FRANCHISES		17,000.00	
40270 · GARBAGE FRANCHISES	11,846.80	40,000.00	30%
40275 · CABLE TV FRANCHISES	6,356.07	30,000.00	21%
40280 · WATER FRANCHISES		13,000.00	
40290 · SEWER IMPACT		8,500.00	
<b>Total 40200 · OTHER TAXES</b>	<b>202,638.51</b>	<b>1,069,500.00</b>	<b>19%</b>
<b>40300 · LICENSES &amp; PERMITS</b>			
40310 · BUSINESS LICENSES	163,022.74	185,000.00	88%
40320 · BUILDING PERMITS	7,801.46	18,000.00	43%
40330 · PLAN CHECK FEES	3,664.77	10,000.00	37%
40340 · STREET OPENING PERMITS FEES	780.00	2,000.00	39%
40350 · PLUMBING PERMITS	120.00	1,500.00	8%
40360 · ELECTRICAL PERMITS	120.00	1,000.00	12%
40380 · SB 1473 STATE SURCHG ON PERMITS	15.00		100%
40390 · OTHER LICENSES/PERMITS	211.05	600.00	35%
40300 · LICENSES & PERMITS - Other	120.00		
<b>Total 40300 · LICENSES &amp; PERMITS</b>	<b>175,855.02</b>	<b>218,100.00</b>	<b>81%</b>
<b>40500 · FINES &amp; FORFEITURES</b>			
40510 · VEHICLE CODE FINES	1,951.92	14,000.00	14%
<b>Total 40500 · FINES &amp; FORFEITURES</b>	<b>1,951.92</b>	<b>14,000.00</b>	<b>14%</b>
<b>40700 · OTHER AGENCY REVENUE</b>			
40600 · INTEREST EARNED	85.26	100.00	85%
40710 · MOTOR VEHICLE LICENSE FEE(MVLF)		1,000.00	
40730 · HOPTR		1,200.00	
40740 · VEHICLE LICENSE COLLECTION		800.00	
40750 · PROP 172	2,109.34	10,000.00	21%
40760 · GRANTS	4,329.71	8,000.00	54%
40770 · TRAFFIC CONGESTION RELIEF-AB438		4,500.00	
40783 · GRANT OTHER AGENCIES	26,516.00		100%
<b>Total 40700 · OTHER AGENCY REVENUE</b>	<b>33,040.31</b>	<b>25,600.00</b>	<b>129%</b>
<b>40800 · CURRENT SERVICES</b>			
40805 · USE PERMITS	2,925.00	12,500.00	23%
40810 · MAPS/PUBLICATIONS		250.00	
40815 · RENTAL INCOME FORMER GOLF RANGE	1,050.00	5,000.00	21%
40820 · POLICE REPORTS	580.00	1,200.00	48%
40825 · PROPERTY INSPECTIONS	1,050.00	3,000.00	35%
40830 · POLICE SERVICES	3,900.00	6,000.00	65%
40835 · PUBLIC EVENTS	6,100.00	65,000.00	9%

**CITY OF DEL REY OAKS**  
**FISCAL YEAR TO DATE 2014/2015 BUDGET VS. ACTUAL**  
 July through September 2014

	Jul - Sep 14	Budget	% of Budget
40840 · MISCELLANEOUS SERVICES	2,451.19	6,500.00	38%
40845 · MISC REVENUE	1,350,970.83		100%
40850 · PD DONATIONS	1,000.00	5,000.00	20%
<b>Total 40800 · CURRENT SERVICES</b>	<b>1,370,027.02</b>	<b>104,450.00</b>	<b>1312%</b>
<b>40900 · PARKS/RECREATION</b>			
40910 · PARK RENTAL	1,410.00	5,200.00	27%
40920 · RV RENTAL PARKS	7,910.00	31,000.00	26%
<b>Total 40900 · PARKS/RECREATION</b>	<b>9,320.00</b>	<b>36,200.00</b>	<b>26%</b>
<b>41000 · OTHER</b>			
41010 · GAS TAX 2103	3,869.97	15,000.00	26%
41020 · GAS TAX 2105	1,582.53	6,000.00	26%
41030 · GAS TAX 2106	1,426.28	6,250.00	23%
41040 · GAS TAX 2107	2,183.94	9,000.00	24%
41050 · GAS TAX 2107.5	1,000.00	1,000.00	100%
<b>Total 41000 · OTHER</b>	<b>10,062.72</b>	<b>37,250.00</b>	<b>27%</b>
<b>Total Income</b>	<b>1,802,895.50</b>	<b>1,995,300.00</b>	<b>90%</b>
<b>Expense</b>			
<b>60100 · PAYROLL &amp; BENEFITS</b>			
60105 · PAYROLL	243,434.42	780,000.00	31%
60110 · OVERTIME	2,002.58	15,000.00	13%
60115 · COUNCIL MEMBER STIPEND	1,500.00	6,000.00	25%
60120 · RESERVES PAYROLL	2,791.25	20,000.00	14%
60125 · PERS	37,579.09	165,000.00	23%
60130 · MEDICARE	3,845.52	13,000.00	30%
60135 · DENTAL EXPENSE	5,325.88	23,000.00	23%
60140 · HEALTH INS	36,954.45	160,000.00	23%
60145 · VISION INS	518.70	2,000.00	26%
60150 · WORKERS COMP	511.00	159,440.00	0%
60155 · WELLNESS PROGRAM	1,566.86	8,000.00	20%
60160 · UNIFORM ALLOWANCE	1,250.00	5,500.00	23%
60172 · GF PAYROLL/COPS GRANT	15,944.40		100%
60195 · Reimbursements - Exp (Reimbursements - Exp)	13.00		100%
<b>Total 60100 · PAYROLL &amp; BENEFITS</b>	<b>353,237.15</b>	<b>1,356,940.00</b>	<b>26%</b>
60200 · PAYROLL EXPENSES	621.04	7,500.00	8%
60300 · BANK SERVICE CHARGES	469.02	2,500.00	19%
<b>60400 · SUPPLIES</b>			
60410 · MATERIALS/SUPPLY	9,523.60	17,500.00	54%
60430 · OFFICE SUPPLIES	2,307.11	15,000.00	15%
60440 · SPECIAL SUPPLY POLICE	11,858.34	40,000.00	30%
<b>Total 60400 · SUPPLIES</b>	<b>23,689.05</b>	<b>72,500.00</b>	<b>33%</b>
<b>60500 · UTILITIES &amp; SERVICES</b>			
60505 · REPAIR/MAINTENANCE	3,044.31	30,000.00	10%
60510 · STREET SWEEPING	6,219.28	27,000.00	23%
60515 · GABILAN CREW		9,000.00	
60520 · UTILITIES/PGE	3,623.52	10,000.00	36%
60525 · UTILITIES/WATER	1,578.41	7,500.00	21%
60530 · TELEPHONE / INTERNET	2,795.38	9,000.00	31%
60535 · WEBSITE DESIGN & MAINTENANCE	2,734.00	500.00	547%
60540 · POSTAGE / SHIPPING	983.54	3,000.00	33%
60545 · TRAVEL/CONFERENCE	850.48	9,000.00	9%

**CITY OF DEL REY OAKS**  
**FISCAL YEAR TO DATE 2014/2015 BUDGET VS. ACTUAL**  
 July through September 2014

	Jul - Sep 14	Budget	% of Budget
60550 · MEMBER/DUES/CONTRIBUTIONS	2,488.00	52,000.00	5%
60555 · AD/PROMOTION CITY CNCL	375.00	7,500.00	5%
60560 · LEGAL ADVERT NON-DEPT	439.95	1,000.00	44%
60565 · BOOK/PERIODICAL	20.93	150.00	14%
60570 · MEETING CITY CNCL	478.87	1,000.00	48%
60575 · PRINTING / PUBLICATIONS	743.31		100%
60500 · UTILITIES & SERVICES - Other	36.39		100%
<b>Total 60500 · UTILITIES &amp; SERVICES</b>	<b>26,411.37</b>	<b>166,650.00</b>	<b>16%</b>
<b>60600 · OUTSIDE SERVICES</b>			
60605 · TRAINING POLICE	300.00	12,000.00	3%
60610 · OTHER PERMITS PW/ENGNR	300.00	5,000.00	6%
60620 · LIABILITY/PROP NON-DPT	48,118.22	38,045.00	126%
60625 · CONTRACTUAL AUDIT	18,023.65	30,000.00	60%
60635 · DATA PROCESSING	1,137.50	5,000.00	23%
60640 · CONTRACTUAL SVCS PLANNING	580.50	12,500.00	5%
60650 · CONTRACTUAL SVCS - LEGAL	3,407.10	25,000.00	14%
60655 · CONTRL RETAINER LEGAL	2,500.00	15,000.00	17%
60660 · JANITORIAL FUND	675.00	3,500.00	19%
60665 · RADIO DISPATCH POLICE	43,376.20	47,000.00	92%
60670 · COMM HUM SERV NON-DEPT		3,200.00	
<b>Total 60600 · OUTSIDE SERVICES</b>	<b>118,418.17</b>	<b>196,245.00</b>	<b>60%</b>
<b>60700 · AUTO OPERATION</b>			
60710 · AUTO OPS - SUPPLIES / EQUIP	50.20	1,000.00	5%
60720 · AUTO OPS - FUEL	7,295.96	22,000.00	33%
60730 · AUTO REPAIR/MAINTENANCE		9,000.00	
60740 · AUTO LEASE PAYMENTS	4,331.76	14,800.00	29%
<b>Total 60700 · AUTO OPERATION</b>	<b>11,677.92</b>	<b>46,800.00</b>	<b>25%</b>
<b>60800 · POLICE AND FIRE</b>			
60810 · FIRE SEASIDE	33,750.00	120,000.00	28%
60820 · ANIMAL REGULATION FIRE	2,029.80	3,500.00	58%
60830 · FUND JAIL & PRISONER	2,347.00	1,000.00	235%
60840 · ACJIS SYSTEM POLICE	1,018.23	4,000.00	25%
<b>Total 60800 · POLICE AND FIRE</b>	<b>39,145.03</b>	<b>128,500.00</b>	<b>30%</b>
<b>60900 · STREETS &amp; STORM WATER</b>			
60910 · STREET LIGHTING	4,559.81	13,000.00	35%
60920 · STORM WATER PROJECT - PHASE 4	39.66	8,000.00	0%
60930 · S.M.L.P.	26.54	150.00	18%
60940 · SB 1473	15.30		100%
60900 · STREETS & STORM WATER - Other	435.89		
<b>Total 60900 · STREETS &amp; STORM WATER</b>	<b>5,077.20</b>	<b>21,150.00</b>	<b>24%</b>
69800 · Uncategorized Expenses (Expenses not categorized elsewhere)	213.58		
<b>70100 · MISC EXPENSES</b>			
70110 · RECONCILIATION DISCREPENCIES	(65.00)		
<b>Total 70100 · MISC EXPENSES</b>	<b>(65.00)</b>		<b>100%</b>
<b>Total Expense</b>	<b>578,894.53</b>	<b>1,998,785.00</b>	<b>29%</b>
<b>Total Revenue</b>	<b>\$1,802,895.50</b>	<b>\$1,995,300.00</b>	<b>90%</b>
<b>Total Expenditures</b>	<b>\$578,894.53</b>	<b>\$1,998,785.00</b>	<b>29%</b>
<b>date</b>	<b>\$1,224,000.97</b>	<b>-\$3,485.00</b>	<b>61%</b>

10:48 AM  
10/14/14  
Accrual Basis

**CITY OF DEL REY OAKS**  
**CASH BALANCES**  
As of September 30, 2014

	<u>Sep 30, 14</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
10100 · GENERAL CHECKING	517044.69
10110 · LAIF CITY - 246	<u>15,578.54</u>
<b>Total Checking/Savings</b>	<u>532623.23</u>
<b>Total Current Assets</b>	<u>532623.23</u>
<b>TOTAL ASSETS</b>	<u><u>532623.23</u></u>
<b>LIABILITIES &amp; EQUITY</b>	

**CITY OF DEL REY OAKS**  
**FISCAL YEAR 2013/2014 BUDGET VS ACTUAL**  
 Quarter Ended Sep 30, 2013

	Actual Total FY 2013-2014	Budget FY2013-2014	% of Amount Budget
<b>Revenue</b>			
<b>PROPERTY TAXES</b>			
P/T-SECURED	\$ 0.00	\$ 335,000.00	0%
P/T-UNITARY TAX	\$ -	\$ 6,100.00	0%
P/T-UNSECURED	\$ -	\$ 13,500.00	0%
P/T-SB813	\$ -	\$ 5,000.00	0%
P/T-PRIOR SECURED	\$ -	\$ 6,000.00	0%
PROPERTY TAX - VLF	\$ -	\$ 112,000.00	0%
P/T-INT/PENAL	\$ -	\$ 200.00	0%
P/T - ADMINISTRATIVE FEE	\$ -	\$ (5,000.00)	0%
<b>TOTAL PROPERTY TAXES</b>	<b>0.00</b>	<b>472,800.00</b>	<b>0%</b>
<b>OTHER TAXES</b>			
SALES TAX	\$ 58,740.05	\$ 285,000.00	21%
SALES TAX - ADD ON	\$ 93,302.27	\$ 445,000.00	21%
SALES TAX IN LIEU - 3-FLIP	\$ -	\$ 82,000.00	0%
COP MONIES	\$ 25,000.00	\$ 100,000.00	25%
PROPERTY TRANSFER TAX	\$ 2,684.82	\$ 4,500.00	60%
GAS FRANCHISES	\$ -	\$ 4,500.00	0%
ELECTRIC FRANCHISES	\$ -	\$ 17,000.00	0%
GARBAGE FRANCHISES	\$ 4,819.43	\$ 40,000.00	12%
CABLE TV FRANCHISES	\$ 6,107.97	\$ 25,000.00	24%
WATER FRANCHISES	\$ -	\$ 12,000.00	0%
SEWER IMPACT	\$ -	\$ 8,500.00	0%
<b>TOTAL OTHER TAXES</b>	<b>190,654.54</b>	<b>1,023,500.00</b>	<b>19%</b>
<b>LICENSES &amp; PERMITS</b>			
BUSINESS LICENSES	\$ 181,804.83	\$ 185,000.00	98%
BUILDING PERMITS	\$ 4,819.03	\$ 18,000.00	27%
PLAN CHECK FEES	\$ 2,955.00	\$ 10,000.00	30%
STREET OPENING PERMITS FEES	\$ 1,760.00	\$ 2,000.00	88%
PLUMBING PERMITS	\$ 240.00	\$ 1,500.00	16%
ELECTRICAL PERMITS	\$ 720.00	\$ 1,000.00	72%
SB 1473 STATE SURCHG ON PERMITS	\$ 9.50	\$ -	
OTHER LICENSES/PERMITS	\$ 194.13	\$ 600.00	32%
<b>TOTAL LICENSES &amp; PERMITS</b>	<b>192,502.49</b>	<b>218,100.00</b>	<b>88%</b>
<b>FINES &amp; FORFEITURES</b>			
VEHICLE CODE FINES	\$ 4,293.11	\$ 14,000.00	31%
<b>TOTAL FINES &amp; FOREITURES</b>	<b>4,293.11</b>	<b>14,000.00</b>	<b>31%</b>
<b>INTEREST EARNED</b>			
INTEREST EARNED	\$ -	\$ 100.00	0%
<b>TOTAL INTEREST EARNED</b>	<b>0.00</b>	<b>100.00</b>	<b>0%</b>

**CITY OF DEL REY OAKS**  
**FISCAL YEAR 2013/2014 BUDGET VS ACTUAL**  
Quarter Ended Sep 30, 2013

<b>OTHER AGENCY REVENUE</b>			
MOTOR VEHICLE LICENSE FEE(MVLF)	\$ -	\$ 1,000.00	0%
VEHICLE LICENSE COLLECTION	\$ -	\$ 800.00	0%
HOPTR	\$ -	1,200.00	0%
PROP 172	\$ 3,102.27	10,000.00	31%
GRANTS	\$ -	\$ 8,000.00	0%
TRAFFIC CONGESTION RELIEF-AB438	\$ -	\$ 4,500.00	0%
<b>TOTAL OTHER AGENCY REVENUE</b>	<b>3,102.27</b>	<b>25,500.00</b>	<b>12%</b>
<b>CURRENT SERVICES</b>			
USE PERMITS	\$ 4,680.00	\$ 8,500.00	55%
MAPS/PUBLICATIONS	\$ 8.20	\$ 250.00	3%
RENTAL INCOME	\$ 2,245.00	\$ 20,000.00	11%
POLICE REPORTS	\$ 280.00	\$ 1,200.00	23%
PROPERTY INSPECTIONS	\$ 1,050.00	\$ 3,000.00	35%
POLICE SERVICES	\$ 1,250.00	\$ 22,000.00	6%
PUBLIC EVENTS	\$ 38,300.00	\$ 65,000.00	59%
MISCELLANEOUS SERVICES	\$ 95.81	22,000.00	0%
PD DONATIONS	\$ 79.78	\$ 5,000.00	2%
<b>TOTAL CURRENT SERVICES</b>	<b>47,988.79</b>	<b>146,950.00</b>	<b>33%</b>
<b>PARKS/RECREATION</b>			
PARK RENTAL	\$ 1,600.00	\$ 5,200.00	31%
RV RENTAL PARKS	\$ 8,030.00	\$ 31,000.00	26%
<b>TOTAL PARKS &amp; RECREATION</b>	<b>9,630.00</b>	<b>36,200.00</b>	<b>27%</b>
<b>OTHER</b>			
GAS TAX 2107	\$ 2,010.25	\$ 9,000.00	22%
GAS TAX 2106	\$ 1,403.45	\$ 6,250.00	22%
GAS TAX 2107.5	\$ 1,000.00	\$ 1,000.00	100%
GAS TAX 2105	\$ 1,251.80	6,000.00	21%
GAS TAX 2103	\$ 3,689.31	15,000.00	25%
<b>TOTAL OTHER</b>	<b>9,354.81</b>	<b>37,250.00</b>	<b>25%</b>
<b>Total Revenue</b>	<b>\$ 457,526.01</b>	<b>1,974,400.00</b>	<b>23%</b>

**CITY OF DEL REY OAKS**  
**FISCAL YEAR 2013/2014 BUDGET VS ACTUAL**

Quarter Ended Sep 30, 2013

<b>Expenditures</b>					
<b>PAYROLL &amp; BENEFITS</b>					
PAYROLL	\$	220,785.13	\$	730,000.00	30%
OVERTIME	\$	6,459.23	\$	25,000.00	26%
COUNCIL MEMBER STIPEND	\$	1,500.00	\$	6,000.00	25%
RESERVES PAYROLL	\$	9,557.27	\$	23,356.00	41%
PERS	\$	36,446.95	\$	154,296.00	24%
MEDICARE	\$	3,563.91	\$	13,000.00	27%
DENTAL EXPENSE	\$	5,342.98	\$	20,000.00	27%
HEALTH INS	\$	36,851.35	\$	170,000.00	22%
VISION INS	\$	487.44	\$	2,000.00	24%
WORKERS COMP	\$	17,001.11	\$	157,260.00	11%
WELLNESS PROGRAM	\$	1,775.19	\$	5,500.00	32%
UNIFORM ALLOWANCE	\$	2,800.00	\$	8,000.00	35%
<b>TOTAL PAYROLL &amp; BENEFITS</b>		<b>342,570.56</b>		<b>1,314,412.00</b>	<b>26%</b>
<b>PAYROLL EXPENSES</b>					
PAYROLL EXPENSES	\$	515.01	\$	2,750.00	19%
<b>TOTAL PAYROLL EXPENSES</b>	\$	<b>515.01</b>	\$	<b>2,750.00</b>	<b>19%</b>
<b>BANK SERVICE CHARGES</b>					
BANK SERVICE CHARGES	\$	552.76	\$	2,000.00	28%
<b>TOTAL BANK SERVICE CHARGES</b>	\$	<b>552.76</b>	\$	<b>2,000.00</b>	<b>28%</b>
<b>SUPPLIES</b>					
SPECIAL SUPPLY POLICE	\$	21,684.01	\$	40,000.00	54%
MATERIALS/SUPPLY	\$	4,580.82	\$	15,000.00	31%
OFFICE SUPPLIES	\$	1,444.07	\$	10,000.00	14%
<b>TOTAL SUPPLIES</b>	\$	<b>27,708.90</b>	\$	<b>65,000.00</b>	<b>43%</b>
<b>UTILITIES &amp; SERVICES</b>					
REPAIR/MAINTENANCE	\$	5,973.59	\$	30,000.00	20%
STREET SWEEPING	\$	1,323.84	\$	27,000.00	5%
GABILAN CREW	\$	-	\$	4,000.00	0%
UTILITIES/PGE	\$	3,397.87	\$	10,000.00	34%
UTILITIES/WATER	\$	1,047.95	\$	7,500.00	14%
TELEPHONE / INTERNET	\$	2,540.91	\$	9,000.00	28%
WEBSITE DESIGN & MAINTENANCE	\$	221.25	\$	500.00	44%
POSTAGE / SHIPPING	\$	708.56	\$	3,000.00	24%
TRAVEL/CONFERENCE	\$	5,660.17	\$	5,000.00	113%
MEMBER/DUES/CONTRIBUTIONS	\$	2,660.79	\$	52,000.00	5%
AD/PROMOTION CITY CNCL	\$	375.00	\$	7,500.00	5%
LEGAL ADVERT NON-DEPT	\$	-	\$	1,000.00	0%
MEETING CITY CNCL	\$	-	\$	1,000.00	0%
BOOK/PERIODICAL	\$	-	\$	150.00	0%
<b>TOTAL UTILITIES &amp; SERVICES</b>	\$	<b>23,909.93</b>	\$	<b>157,650.00</b>	<b>15%</b>

**CITY OF DEL REY OAKS**  
**FISCAL YEAR 2013/2014 BUDGET VS ACTUAL**  
**Quarter Ended Sep 30, 2013**

<b>OUTSIDE SERVICES</b>			
TRAINING POLICE	650.00	5,000.00	13%
OTHER PERMITS PW/ENGR	\$ 300.00	\$ 5,000.00	6%
LIABILITY/PROP NON-DPT	\$ 46,979.81	\$ 35,000.00	134%
CONTRACTUAL AUDIT	\$ 2,672.05	\$ 25,000.00	11%
CONTRACTUAL SVCS PLANNING	\$ 405.00	\$ 12,500.00	3%
CONTRACTUAL SVCS - LEGAL	\$ 7,997.50	\$ 30,000.00	27%
CONTRL RETAINER LEGAL	\$ 13,594.67	\$ 13,000.00	105%
JANITORIAL FUND	\$ 675.00	\$ 3,500.00	19%
RADIO DISPATCH POLICE	\$ 41,517.00	\$ 42,000.00	99%
COMM HUM SERV NON-DEPT	\$ 3,200.00	\$ 3,200.00	100%
<b>TOTAL OUTSIDE SERVICES</b>	<b>\$ 119,983.01</b>	<b>\$ 177,700.00</b>	<b>68%</b>
<b>AUTO OPERATION</b>			
AUTO OPS - SUPPLIES / EQUIP	\$ 117.75	\$ 1,000.00	12%
AUTO OPS - FUEL	\$ 3,173.91	\$ 27,500.00	12%
AUTO REPAIR/MAINTENANCE	\$ 2,534.29	\$ 9,000.00	28%
AUTO LEASE PAYMENTS	\$ (265.61)	\$ 14,800.00	-2%
<b>TOTAL AUTO OPERATION</b>	<b>\$ 5,560.34</b>	<b>\$ 52,300.00</b>	<b>11%</b>
<b>POLICE AND FIRE</b>			
FUND JAIL & PRISONER	\$ 20.00	\$ 1,000.00	2%
ACJIS SYSTEM POLICE	\$ 1,574.14	\$ 4,000.00	39%
ANIMAL REGULATION FIRE	\$ 1,698.00	\$ 3,000.00	57%
FIRE SEASIDE	\$ 26,335.32	\$ 120,000.00	22%
<b>TOTAL POLICE AND FIRE</b>	<b>\$ 29,627.46</b>	<b>\$ 128,000.00</b>	<b>23%</b>
<b>STREETS &amp; STORM WATER</b>			
S.M.I.P.	\$ -	\$ 150.00	0%
STREET LIGHTING	\$ 4,084.02	\$ 15,000.00	27%
STORM WATER PROJECT - PHASE 4	\$ 4,864.00	\$ 8,000.00	61%
<b>TOTAL STREETS &amp; STORM WATER</b>	<b>\$ 8,948.02</b>	<b>\$ 23,150.00</b>	<b>39%</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 559,375.99</b>	<b>\$ 1,922,962.00</b>	<b>29%</b>
<b>Total Revenue</b>	<b>\$ 457,526.01</b>		
<b>Total Expenditures</b>	<b>\$ 559,375.99</b>		
<b>Total Operating Revenue Less Expenditures this fiscal year to date</b>	<b>\$ (101,849.98)</b>		

**CITY OF DEL REY OAKS  
CASH FUNDS BALANCE REPORT  
AS OF SEPTEMBER 30, 2013**

<b>CITY OF DEL REY OAKS</b>		
<b>CASH BALANCES AS OF SEPTEMBER 30, 2013</b>		
		1000 · GENERAL CHECKING
		\$61,444.68
		1008 · LAIF CITY - 246
		\$75,050.77
		1011 · DEV - BRANDENBURG
		\$19,215.43
		<b>Total City Checking/Savings</b>
		<b>\$155,710.88</b>
		<b>GRAND TOTAL CASH BALANCES</b>
		<b>\$155,710.88</b>



**FIRE DEPARTMENT**

1635 Broadway Avenue  
Seaside, CA 93955

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

October 2, 2014

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, 2014 through September 30, 2014.

The Seaside Fire Department responded to the following incidents in the month of September:

<u>Incident #</u>	
14-1753	14-1865
14-1765	14-1885
14-1766	14-1887
14-1774	14-1892
14-1803	14-1929
14-1811	14-1938
14-1814	14-1942
14-1842	

There are a total of fifteen (15) fire calls for the month of September. If you have any questions, please contact me.

Sincerely,

Melissa Failauga  
Office Assistant  
CC: File





Del Rey Oaks Police Department  
 Monthly Report of Activity  
 SEPT - 2014  
 Completed By: Ron Langford, COP

**ARRESTS:**

YEAR TO DATE

<i>Felony Arrests</i>		
<i>Misdemeanor Arrests</i>	08	
<i>Warrant Arrests (OJ)</i>		
<b>TOTAL ARRESTS</b>	<b>08</b>	<b>63</b>

**ASSAULTS:**

YEAR TO DATE

<i>Simple Assault</i>	01	
<i>Domestic Violence</i>		
<i>Weapon Involved</i>		
<b>TOTAL ASSAULTS</b>	<b>01</b>	<b>08</b>

**REPORTS FILED:**

<b>29</b>	<b>169</b>
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**TRAFFIC ACCIDENTS:**

<i>Non-Injury Accidents</i>	02	
<i>Injury Accidents</i>	01	
<b>TOTAL ACCIDENTS</b>	<b>03</b>	<b>23</b>

**BURGLARIES:**

<i>Residential</i>		
<i>Commercial</i>		
<i>From Locked Vehicle</i>		
<i>Other</i>	01	
<b>TOTAL BURGLARIES</b>	<b>01</b>	<b>09</b>

**TOWED & STORED VEHICLES:**

<b>02</b>	<b>16</b>
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**ALARMS:**

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

**DUI ENFORCEMENT:**

<b>02</b>	
<b>02</b>	<b>16</b>

**GRAND & PETTY THEFTS:**

<i>Residential</i>		
<i>Commercial</i>		
<i>Shoplifting</i>	07	
<i>From Motor Vehicle</i>		
<i>Other</i>		
<b>TOTAL THEFTS</b>	<b>07</b>	<b>25</b>

**CITATIONS ISSUED:**

<i>Traffic Citations Issued</i>	27	
<i>Parking Citations Issued</i>		
<i>Admin Citations Issued</i>		
<b>TOTAL CITATION ISSUED</b>	<b>27</b>	<b>354</b>



# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
PHONE (831) 394-8511 • FAX (831) 394-6421  
**Office of the City Manager – Daniel J. Dawson**

October 28, 2014

Honorable City Council Members,

I am sure you are all well aware that the sale of 73 Acres of our Former Fort Ord Property came after a lot of hard work by the staff working toward a way to keep the City out of imminent Bankruptcy while allowing a potential developer some margin of risk reduction.

Although the net proceeds were not a windfall by any means, the cash infusion allowed us to become current on all of our major Accounts Payable. The only exception is the past due amount to FORA and we are working on a mutually agreeable plan to allow us to pay 21% now and the remaining 79% upon the sale of the remaining Fort Ord Property. I am confident that an agreement on this repayment plan will be forthcoming.

I would like to use a small percentage of the proceeds to make a one-time payment to all employees with the exception of Chief Langford and myself who are both currently under Contract.

We could reward the sacrifices and hard work, not to mention the lack of salary or COLA increases for the past 4 years by making a one-time 100 hour contribution to the time-off bank of each employee.

The total cost of this one-time payment would be \$28,000 and would likely be paid out over time, as each employee chooses to use time off, or cash out the hours over the rest of the Fiscal Year. I strongly encourage all of you to take care of your loyal and dedicated "Del Rey Oaks Family". Thank you for your consideration.

Sincerely,

Daniel Dawson  
City Manager

Cc: City Attorney

## Dog Park Committee Recommendations to City Council

- Dog Park Committee met on two occasions prior to this City Council meeting. The committee consisted of 13 individuals who attended one or both meeting to discuss the issues.
- All revenue generated by, dog park fees, license registrations, and special fund raisers shall be placed in a special fund to maintain the dog park.
- Dog Park annual use fee of \$30 per dog will be charged for use of the dog park upon showing proof of dog licensing from any jurisdiction a \$10 credit will be taken off the annual fee per dog.
- Parkview Veterinary Hospital is donating additional dog bag sanitation stations.
- The City of Del Rey Oaks is to re-establish its dog licensing fee and issue dog license to its residents. A license fee of \$10 for neuter dogs and \$25 for unneutered dogs shall be charged.
- The City has applied for a grant to the Monterey Peninsula Foundation requesting \$16,575 for renovation of the Dog Park.
- The grant includes a controlled access gate which an entry card will be given to a used upon payment of the annual fee. The control accesses will also provide entry to the Dog Park by issuing a one day pass.
- A dog chip scanner is part of the grant to fine owners of lost dogs in the city and if cannot be located to provided information of re-imburement from the owner when the dog is taken to the county pound.
- Volunteer waivers have been signed and city badges issued to those who wish to work on Dog Park Projects.
- The above conditions are contingent upon the renovation of the Dog Park and dog park fees shall not be collected until there is a means of making it fair and equitable for all.

### Dog Park Committee

Andy Randazzo, Bill Minafra, Diane McWhorter, Don Gruber, Judy Palshaw, Kathy Golden, Mike Fessler, Susan Reikes, Angela Burroughs, Lisa Stuber, Debbie Blakesley, Cathryn True Varlet, Russell Albright Park View Veterinarian Hospital, Councilman Mike Ventimiglia



**“Del Rey Oaks will get \$3 Million for Land”** Monterey Herald 7/22/14

- Gives the Public a false perception that the City is able to “Pave the Streets with Gold”.
- **Reality.** All Land Sales Proceeds are split with FORA 50/50.
- Del Rey Oaks actual NET PROCEEDS: **\$1,350,971**

Del Rey Oaks actual Net Proceeds: **\$1,350,971**

**Outstanding Accounts Payable: \$977,000**

**PLL Insurance arrears due to FORA: \$756,000**  
**\$162,000**

**Balance of “\$3 Million Windfall”:**  
**Worst case scenario pending FORA Board decision: **-\$(\$382,029)****

**Best case scenario pending FORA Board decision: **\$211,971****

**Revenue vs Expenses (Audited)**

FY	Revenue	Expenses	Difference
2010-11	Act \$1,891,469	\$2,142,087	
	Bud \$1,918,290	\$1,887,300	
			-\$(\$281,608)
2011-12	Act \$1,918,532	\$2,069,081	
	Bud \$1,899,723	\$1,901,149	
			-\$(\$149,123)
2012-13	\$1,843,806	\$2,214,626	
	\$1,953,005	\$1,931,415	
			-\$(\$392,410)

**Major Expense Drivers(Past 4 FYs)**

Seaside Fire Contract – Per Call basis prior to negotiating a flat rate contract for FY 2014 (120 calls x \$2,250 = \$270k cost versus Budget of \$135K)

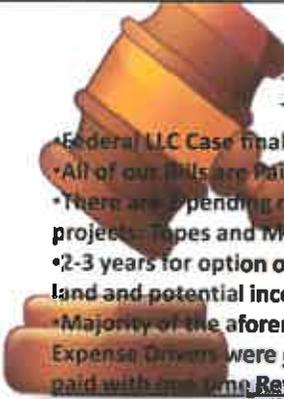
Workers Compensation Premium Costs: Negotiated a \$215K Loan to avoid loss of coverage

Emergency Communications Digital Radios and System Costs: \$120K

Legal Costs for Federal LLC Litigation: \$380K

FORA Interest and Principle on PLL Insurance: \$50K



### The Good News!

- Federal LLC Case finally settled!
- All of our bills are paid (except FORA)!
- There are 2 pending revenue generating projects: Taxes and Medical Dispensary
- 2-3 years for option on remainder of land and potential income streams!
- Majority of the aforementioned Major Expense Drivers were one time costs and paid with one time Revenue.

### Into the Future

- Sales Tax is up 5% over this time last year
- Property Tax is expected to meet or exceed 100 year
- Revenue producing businesses are in the works
- Double Franchise Fee with Green Maps in 2015

However:

Our ability to meet our Capital Improvement needs continues to lag

**CURRENT UNMET CAPITAL NEEDS:**  
**\$ 445,000**

- Streets \$250,000 min per City Engineer
- Police Vehicles \$ 104,000
- City Buildings repair and upgrades \$65,000
- Computer Upgrades \$25,000

### Insurance and Retirement costs will continue to increase:

Health: 33% since FY 2011-12  
 Vision: 6% since FY 2011-12  
 Dental: 3% since FY 2011-12

Public Safety PERS: 25.4% in FY 2009-10  
 26.5% in FY 2013-14

Non Public Safety PERS:  
 7.3% in FY 2009-10  
 8.3% in FY 2013-14

### As other Agencies Raise Costs ours will rise along with them!

**911 Emergency Communications Costs** If Salinas builds a new Public Safety Building and 911 Center the remaining jurisdictions will have to absorb the costs now paid by Salinas! Total System Operating Expenses are \$9M/year and our current share is 0.45% or \$40K. If Salinas drops out their 32% share of costs would be redistributed and our share becomes \$162K!!

The Bottom Line

We don't have an Expense  
Problem, We continue to have a  
Revenue Problem.

**TO:** Honorable Mayor Edelen and City Council  
**DATE:** October 28, 2014  
**FROM:** Daniel Dawson, City Manager  
**SUBJECT:** Background on Ordinance 279 “Medical Cannabis Dispensaries”

### **RECOMMENDATION**

The recommendation from the City Manager and City Attorney is to review and take Public Comment on the proposed Ordinance 279 “Medical Cannabis Dispensaries” and to seek clarification from Staff as needed.

### **BACKGROUND**

The Mayor and City Manager jointly decided to create a very open and transparent forum for Public deliberation on the merits and potential pitfalls of becoming the first Medical Cannabis Dispensary in Monterey County. This was accomplished by holding a ***Public Workshop/Study Session an hour prior to the regular City Council meeting on September 23, 2014***. Public comment was taken at that meeting and as a reliable and respected source of information the Mayor of Sebastopol, California Mr. Robert Jacob called in via conference call to answer questions from a political perspective as well as from a dispensary owner perspective. There were attorneys and patient advocates on hand to offer testimony as well as concerned residents. The Chief of Police, Mr. Ron Langford was available to address issues of security and potential criminal activity.

After taking Public testimony the City Council voted 4-1 to allow the application for a Medical Cannabis Dispensary at 800 Portola Drive and Ordinance 279 as edited and refined by the City Attorney and City Manager, to proceed to the Planning Commission for review and decision based on their findings.

On ***October 8, 2014 the Planning Commission*** reviewed the application submitted for a Medical Cannabis Dispensary at 800 Portola Drive by Lonna Lewis-Blodgett, as well as the draft Ordinance 279, took Public testimony and asked numerous questions of the applicant and City Staff, which included the City Manager, City Attorney and Chief of Police.

Based on findings and after considering Public and Staff comments, the Planning Commission voted unanimously (6-0 with 1 member absent) to approve the application for the Medical Cannabis Dispensary at 800 Portola Drive and to send Ordinance 279 as amended by the comments and suggestions received at the meeting, back to the City Council for another Public hearing and approval.

## **Chapter 4.00 Medical Cannabis Dispensaries, to be added to the Del Rey Oaks City Municipal Code**

### **ORDINANCE NO. 279**

ORDINANCE OF THE COUNCIL OF THE CITY OF DEL REY OAKS ADDING CHAPTER 4.00, TITLED MEDICAL CANNABIS DISPENSARIES, TO THE DEL REY OAKS CITY CODE

THE PEOPLE OF THE CITY OF DEL REY OAKS DO ENACT AS FOLLOWS:

Section 1. Chapter 4.00 entitled "Medical Cannabis Dispensaries," is added to the Del Rey Oaks City Code to read as follows:

#### **CHAPTER 4.00 Medical Cannabis Dispensaries**

##### **4.01 Findings.**

The City Council adopts this chapter based upon the following findings:

- (A) The voters of the State of California approved proposition 215 (codified as Health and Safety Code Section 11362.5 et seq.) entitled "The Compassionate Use Act of 1996" (Act).
- (B) The intent of Proposition 215 was to enable persons residing in the City of Del Rey Oaks and surrounding areas, who are in need of cannabis for medical purposes, to be able to obtain and use it without fear of criminal prosecution under limited, specified circumstances.
- (C) The State enacted SB 420 in 2004, being sections 11362.7, et seq., of the Health and Safety Code, being identified as the Medical Cannabis Program, (Program), to clarify the scope of the Compassionate Use Act of 1996 and to allow cities and other governing bodies to adopt and enforce rules and regulations consistent with the Program
- (D) To protect the public health, safety, and welfare, it is the desire of the City Council to modify the City Code consistent with the Program, regarding the location and operation of Medical Cannabis Dispensaries.
- (E) It is the City Council's intention that nothing in this Chapter shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. Section 841, to otherwise permit any activity that is lawfully and constitutionally prohibited under that Act.
- (F) It is the City Council's intention that nothing in this chapter shall be construed to (1) allow persons to engage in conduct that endangers others or causes a public nuisance, (2) allow the use of cannabis for non-medical purposes, or (3) allow any activity relating to the cultivation, distribution, or consumption of cannabis that is otherwise illegal.
- (G) Pursuant to California Health and Safety Code Section 11362.71 et seq., the State Department of Health through the state's counties, is to be responsible for establishing and maintaining a voluntary medical cannabis identification card program for qualified patients and primary caregivers.
- (H) California Health and Safety Code Section 11362.71(b) requires every county health department, or its designee, to implement a procedure to accept and process applications from those seeking to join the identification program in the matters set forth in Section 11362.71 et seq. (I) This ordinance is hereby found to be categorically exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

(3) in that the Council finds and determines that there is nothing in this ordinance or its implementation that could foreseeably have any significant effect on the environment.

### 4.02 Purpose and Intent

It is the purpose and intent of this chapter to regulate Medical Cannabis Dispensaries in order to promote the health, safety, morals, and general welfare of residents and businesses within the City. It is neither the intent nor the effect of this chapter to condone or legitimize the use of cannabis.

### 4.03 Definitions.

For the purpose of this chapter, the following words and phrases shall mean:

- (A) "Applicant" means a person who is required to file an application for a permit under this chapter, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of a dispensary.
- (B) "City" means the City of Del Rey Oaks.
- (C) "City Manager" means the City Manager of the City of Del Rey Oaks or the authorized representative thereof
- (D) "Drug paraphernalia" shall have the same definition as California Health and Safety Code Section 11362.5, and as may be amended.
- (E) "Identification card" shall have the same definition as California Health and Safety Code Section 11362.5 et seq., and as maybe amended.
- (F) "Medical cannabis dispensing collective," hereinafter "dispensary," shall be construed to include any association, cooperative, affiliation, or collective of persons where multiple "qualified patients" and/or "primary care givers," are organized to provide education, referral, or network services, and facilitation or assistance in the lawful, "retail" distribution of medical cannabis. "Dispensary" means any facility or location where the primary purpose is to dispense medical cannabis (ie., marijuana) as a medication that has been recommended by a physician and where medical cannabis is made available to and/or distributed by or to two or more of the following: a primary caregiver and/or a qualified patient, in strict accordance with California Health and Safety Code Section 11362.5 et seq. A "dispensary" shall not include dispensing by primary caregivers to qualified patients in the following locations and uses, as long as the location of such uses are otherwise regulated by this Code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code, a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code, a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code, residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code, a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code Section 11362.5 et seq., or a qualified patient's or caregiver's place of residence.
- (G) "Moral turpitude" means "act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and man."
- (H) "Permittee" means the person (A) to whom a dispensary permit is issued and (B) who is identified in California Health and Safety Code Section 11362.7, subdivision (c) or (d), or (e), or (f).

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

- (I) "Person" means any individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company or combination of the above in whatever form or character.
- (J) "Person with an identification card" shall have the same definition as set forth in California Health and Safety Code sections 11362.5 et seq., and as they may be amended from time to time.
- (K) "Primary caregiver" shall have the same definition as set forth in California Health and Safety Code Section 11362.5 et seq., and as may be amended.
- (L) "Qualified patient" shall have the same definition as set forth California Health and Safety Code sections 11362.5 et seq., and as they may be amended from time to time.
- (M) "School" means an institution of learning for minors, whether public or private, offering a regular course of instruction required by the California Education Code, or any child. This definition includes an elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, or any other college or university.
- (N) "Youth-Oriented Facility" shall mean elementary school, middle school, high school, public park, and any establishment that advertises in a manner that identifies the establishment as catering to or providing services primarily intended for minors, or; the individuals who regularly patronize, congregate or assemble at the establishment are predominantly minors. This shall not include a daycare or preschool facility that provides supervision of 8 or fewer minor children, or children under 10 years of age.

### **4.04 Dispensary Permit Required to Operate.**

It shall be unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the City the operation of a dispensary unless the person first obtains and continues to maintain in full force and effect a dispensary permit from the City as herein required.

### **4.05 Annual Term of Permits and Renewals Required.**

- (A) Permits issued under this chapter shall expire one (1) year following the date of their issuance.
- (B) Permits may be renewed by the City Manager for additional one (1) year periods upon application by the permittee, unless the permit is suspended or revoked in accordance with the provisions of this chapter.
- (C) Applications for renewal shall be made at least forty-five (45) days before the annual expiration date of the permit and shall be accompanied by the nonrefundable application fee referenced herein. Applications for renewal shall be acted on as provided herein for action upon applications for permits.
- (D) Applications for renewal made less than forty-five (45) days before the annual expiration date shall not stay the annual expiration date of the permit.
- (E) Permits may be revoked or suspended by the City Manager at any time, as provided in this chapter and City Code.

### **4.06 General Tax Liability.**

An operator of a dispensary shall also be required to apply for and obtain a general City tax certificate or exemption as a prerequisite to obtaining a permit pursuant to the terms hereof as required by the State Board of Equalization and to pay any special City tax as enacted by the City Council.

### **4.07 Imposition of Fees.**

Every application for a permit or renewal shall be accompanied by a nonrefundable fee of \$5,000 (Five Thousand

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

Dollars). This application or renewal fee shall not include fingerprinting, photographing, and background check costs and shall be in addition to any other business license fee or permit fee imposed by this code or other governmental agencies. Fingerprinting, photographing, and background check fees are \$500 per person. Such Fees will become part of the Fee Schedule adopted annually by the City Council.

### 4.08 Limitations on Number Dispensaries.

(A) The City may not grant or cause to be granted more than one (1) permit for a Medical Cannabis Dispensary in compliance with the provisions of this chapter. The City reserves the right to limit the number of patients who utilize the dispensary to alleviate traffic, nuisance and other issues of concern, should they occur.

### 4.09 Limitation on Location of Dispensary.

(A) A dispensary may only be located within commercial and industrial designated areas, ie., General Plan and zoning districts.

(B) A dispensary shall be in a highly visible location that provides good views of the dispensary entrance, windows and premises from the public street.

(C) A dispensary shall not be allowed in the following areas at the time of its permitted establishment:

(1) Within 600-feet of a "youth-oriented facility," a "school," a smoke-shop which sells paraphernalia for consuming drug or tobacco products, or another dispensary, or

(2) Within any residential zoned parcel or primary land use, or any property with an underlying "residential" General Plan land use designation.

(D) A waiver of the provisions in Subsection C above may be granted if the applicant demonstrates on plans and materials presented for review and the Planning Commission determines that a physical barrier or similar condition exists which achieves the same purpose and intent as the distance separation requirements established herein.

### 4.10 Operating Requirements.

Dispensary operations shall be established and managed only in compliance with the following standards:

(A) **Criminal History.** Any applicant, his or her agent or employees, or any person exercising managerial authority of a dispensary on behalf of the applicant shall not have been convicted of a felony, or of a misdemeanor involving moral turpitude, or engaged in misconduct related to the qualifications, functions or duties of a permittee.

(B) **Minors.**

(1) It shall be unlawful for any permittee, operator, or other person in charge of any dispensary to employ any person who is not at least eighteen (18) years of age.

(2) Persons under the age of eighteen (18) shall not be allowed on the premises of a dispensary unless they are a qualified patient or a primary caregiver and they are in the presence of their parent or guardian.

(3) The entrance to a dispensary shall be clearly and legibly posted with a notice indicating that person under the age of eighteen (18) are precluded from entering the premises unless they are a qualified patient or a primary caregiver and they are in the presence of their parent or guardian.

Chapter 4.00 Medical Cannabis Dispensaries - Continued

(C) **Operating Hours of Operation.** A dispensary shall only be operated during the following days and hours:

**Monday thru Friday - 9 a.m. to 8 p.m.**

**Saturday - 9 a.m to 8 p.m.**

**Sunday – 10a.m. to 6 p.m.**

**Legal Holidays - Closed**

(D) **Dispensary Size and Access.**

(1) Dispensary size shall be limited, as deemed appropriate and necessary, to best serve patient needs within the intent of this chapter and reduce potential adverse impacts that might otherwise occur on surrounding neighborhoods, businesses and demands on City services.

(2) A dispensary shall not be increased in size (ie., floor area utilized for Dispensary Operations) without prior approval to amend the existing dispensary permit.

(3) The entrance into the dispensary building shall be locked at all times with entry strictly controlled; e.g., a “buzz-in” electronic/mechanical entry system. A viewer shall be installed in the door that allows maximum angle of view of the exterior entrance.

(4) Security personnel or local law enforcement under contract, shall be employed to monitor site activity, control loitering and site access and to serve as a visual deterrent to unlawful activities.

(5) Only dispensary staff; primary caregivers, qualified patients and persons with bona-fide purposes for visiting the site shall be permitted at a dispensary.

(6) Potential patients or caregivers shall not visit a dispensary without first having obtained a valid written recommendation from their physician recommending use of Medical Cannabis.

(7) Only a primary caregiver and qualified patient shall be permitted in the designated dispensing area with dispensary personnel. All other authorized visitors shall remain in the designated waiting area in the front entrance/lobby.

(8) Restrooms shall remain locked and under the control of management.

(E) **Dispensary Supply.** A dispensary may possess no more than eight (8) ounces of dried cannabis per qualified patient or primary caregiver, and maintain no more than six (6) mature or twelve (12) immature cannabis plants per qualified patient or primary caregiver. However, if a qualified patient or primary caregiver has a physician's recommendation that this quantity does not meet the qualified patient's medical needs, the dispensary may possess an amount of cannabis consistent with the patient's needs.

(F) **Dispensing Operations.**

(1) A dispensary shall dispense medical cannabis to meet monthly medication needs of qualified patients, similar to typical pharmacy operations. The dispensary shall strongly discourage and avoid daily or weekly visits by patients as a routine practice.

(2) There shall not be a physician located at the dispensary who evaluates patients prior to issuance of a Medical Cannabis Card.

(3) A dispensary shall only dispense to qualified patients or caregivers with a currently valid physicians approval or recommendation in compliance with the criteria in California Health and Safety Code sections 11362.5. et seq.

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

- (4) Prior to dispensing Medical Cannabis, the dispensary shall obtain verbal and signed verification from the recommending Physician that the individual requesting Medical Cannabis is a qualified patient.
- (5) Patient records shall be maintained on-site and verified as needed, and at least every 6 months with the qualifying patient's physician or Doctor of Osteopathy.
- (6) Information on prior years' operations shall be provided annually, as required in this chapter. The operator shall adjust the operations as necessary to address any identified issues.

### **(G) Consumption Restrictions.**

- (1) Cannabis shall not be consumed on the premises of the dispensary. The term "premises" includes the actual building, as well as any accessory structures, parking areas, or other surroundings within 200 feet of the dispensary's entrance.
- (2) Dispensary operations shall not result in illegal redistribution of medical cannabis obtained from the dispensary, or use in any manner that violates local, state or City Codes.
- (3) Patients shall not openly medicate in public places

### **(H) Retail Sales and Cultivation Prohibited.**

- (1) No cannabis shall be cultivated on the premises of the dispensary, except in compliance with Health and Safety Code 11362.5. et seq.
- (2) A dispensary shall not cultivate, distribute or sell medical cannabis for a profit.
- (3) A dispensary shall not pay any suppliers of medical cannabis more than the costs incurred for cultivation and preparation.
- (4) A dispensary shall meet all the operating criteria for the dispensing of medical cannabis as is required pursuant to California Health and Safety Code sections 11362.5. et seq.

### **(I) Operating Plans.**

- (1) Floor plan. A dispensary shall have a lobby "waiting area" at the entrance to receive clients, and a separate and secure designated area for Dispensing Medical Cannabis to qualified patients or designated caregivers. The primary entrance shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.
- (2) Storage. A dispensary shall have a suitable locked safe on premises, identified as a part of the security plan, for after-hours storage of Medical Cannabis.
- (3) Minimum staffing levels. The premises shall be staffed with at least one person, during hours of operation, who is not responsible for dispensing medical cannabis.
- (4) Odor control. A dispensary shall have an air treatment system that ensures off-site odors shall not result.
- (5) Security plans. A dispensary shall provide adequate security on the premises, as approved by the City Manager, including lighting and alarms, to insure the safety of persons and to protect the premises from theft.
- (6) Security cameras. Security surveillance cameras shall be installed to monitor the main entrance and exterior of the premises to discourage loitering, crime, illegal or nuisance activities.
- (7) Security video retention. Security video shall be maintained for a minimum of 45 days.

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

(8) **Alarm system.** A professionally monitored robbery alarm system shall be installed and maintained in good working condition.

(9) **Emergency contact.** A dispensary shall provide the City Manager with the name, phone number and cellular phone number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the dispensary. The dispensary shall make every good faith effort to encourage neighborhood residents to call this person to try to solve operating problems, if any, before any calls or complaints are made to the City.

### (J) **Signage and Notices.**

(1) The building entrance to a dispensary shall be clearly and legibly posted with a notice indicating that smoking, ingesting or consuming cannabis on the premises or in the vicinity of the dispensary is prohibited.

(2) Signs on the premises shall not obstruct the entrance or windows.

(3) Address identification shall comply with City and Fire Department Standards.

(4) Business identification signage shall be limited to that needed for identification only. Signs shall comply with all ordinances and not contain any logos or information that identifies, advertises or lists the services offered.

(K) **Employee Records.** Each owner or operator of a dispensary shall maintain a current register of the names of all employees currently employed by the dispensary, and shall disclose such registration for inspection by any City officer or official for purposes of determining compliance with the requirements of this section.

(L) **Patient Records.** A dispensary shall maintain records of all patients and primary caregivers using only the identification card number issued by the county, or its agent, pursuant to California Health and Safety Code Section 11362.71 et seq., as a protection of the confidentiality of the cardholders, or a copy of the written recommendation from a physician or Doctor of Osteopathy stating the need for medical cannabis.

(M) **Staff Training.** Dispensary staff shall receive appropriate training for their intended duties to ensure understanding of rules and procedures regarding dispensing in compliance with state and local law, and properly trained or professionally-hired security personnel.

### (N) **Site Management.**

(1) The operator of the establishment shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject dispensary.

(a) "Reasonable steps" shall include calling the police in a timely manner, and requesting those engaging in objectionable activities to cease those activities, unless personal safety would be threatened in making the request.

(b) "Nuisance" includes but is not limited to disturbances of peace, open public consumption of

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

cannabis or alcohol, excessive pedestrian or vehicular traffic, illegal drug activity, harassment of passerby, excessive littering, excessive loitering, illegal parking, loud noises, especially late at night or early in the morning hours, lewd conduct or police detentions and arrests.

- (2) The operator shall take all reasonable steps to reduce loitering in public areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours.
- (3) The operator shall ensure that the hours of operation shall not be a detriment to the surrounding area.
- (4) The operator shall provide patients with a list of the rules and regulations governing medical cannabis use and consumption within the City and recommendations on sensible cannabis etiquette.

### (O) **Trash, Litter, Graffiti**

- (1) The operator shall clear the sidewalks adjoining the premises plus 10 feet beyond property lines along the street as well as any parking lots under the control of the operator as needed to control litter, debris and trash.
- (2) The operator shall remove all graffiti from the premises and parking lots under the control of the operator within 48 hours of its application

(P) **Compliance with Other Requirements.** The operator shall comply with all provisions of all local and state laws, regulations or orders, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.

(Q) **Confidentiality.** The information provided for purposes of this section shall be maintained by the City Manager as confidential information, and shall not be disclosed as public records unless pursuant to subpoena issued by a court of competent jurisdiction.

(R) **Display of Permit.** The dispensary shall display, at all times during business hours, the permit issued pursuant to the provisions of this chapter for such dispensary in a conspicuous place so that the same may be readily seen by all persons entering the dispensary.

(S) **Reporting and Payment of Fees.** Each permittee shall file a sworn statement with the City Manager indicating the number of patients served by the dispensary within the previous calendar year, and pay all annual permit fees.

## 4.11 Application Preparation and Filing.

**Application Filing.** A complete application submittal packet shall be submitted including all necessary fees and all other information and materials required by the City and this chapter. All applications for permits shall be filed with the City Manager, using forms provided by the City. It is the responsibility of the applicant to provide information required for approval of the permit. The application shall be made under penalty of perjury.

(A) **Eligibility for Filing.** Applications may only be filed by the owner of the subject property, or person with a lease signed by the owner or duly authorized agent allowing them to occupy the property for the intended use.

Chapter 4.00 Medical Cannabis Dispensaries - Continued

(B) **Filing Date.** The filing date of any application shall be the date when the City receives the last submission of information or materials required in compliance with the submittal requirements specified herein.

(C) **Effect of Incomplete Filing.** Upon notification that an application submittal is incomplete, the applicant shall be granted an extension of time to submit all materials required to complete the application within ten (10) days. If the application remains incomplete in excess of ten (10) days the application shall be deemed withdrawn and new application submittal shall be required in order to proceed with the subject request. The time period for granting or denying a permit shall be stayed during the period in which the applicant is granted an extension of time.

(D) **Effect of Other Permits or Licenses.** The fact that an applicant possesses other types of state or City permits or licenses does not exempt the applicant from the requirement of obtaining a dispensary permit.

(E) **Submittal Requirements.** Any application for a permit shall include the following information:

- (1) Applicant's name. The full name (including any current or prior aliases, or other legal names the applicant is or has been known by, including maiden names), present address, and telephone number of the applicant;
- (2) Applicant's mailing address. The address to which notice of action on the application is to be mailed;
- (3) Previous addresses. Previous addresses for the past five years immediately prior to the present address of the applicant;
- (4) Verification of age. Written proof that the applicant is over the age of eighteen (18) years of age;
- (5) Physical description. Applicant's height, weight, color of eyes and hair;
- (6) Photographs. Passport quality photographs for identification purposes;
- (7) Employment history. All business, occupation, or employment of the applicant for the five years immediately preceding the date of the application;
- (8) Tax history. The dispensary business tax history of the applicant, including whether such person, in previously operating in this or another city, county or state under license has had a business license revoked or suspended, the reason therefore, and the business or activity or occupation subsequent to such action of suspension or revocation;
- (9) Management information. The name or names and addresses of the person or persons having the responsibility for management or supervision of applicant's business;
- (10) Criminal background. A background investigation verifying whether the person or persons having the management or supervision of applicant's business has been convicted of a crime(s), the nature of such offense(s), and the sentence(s) received therefore;
- (11) Employee information. Number of employees, volunteers, and other persons who will work at the dispensary;
- (12) Statement of dispensary need. A statement and/or information to establish the need for the additional dispensary to serve qualified patients in the area;
- (13) Plan of Operations. A plan of operations describing how the dispensary will operate consistent with the intent of state law and the provisions of this ordinance, including but not limited to:
  - (a) Ensuring cannabis is not purchased or sold by the dispensary in a manner that would generate a profit.

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

- (b) Controls that will assure medical cannabis will be dispensed to qualifying patients or caregivers only.
  - (c) Controls that will ensure that the limitations on numbers of patients is adhered to.
  - (d) Controls that will ensure access to dispensary premises is adequately monitored and restricted to pre-approved qualified patients and caregivers.
  - (e) Method for ensuring that a qualified patient's physician is not recommending cannabis for less than medically appropriate reasons.
- (14) Written Project Description. A written description summarizing the proposed dispensary use size, number of patients, characteristics and intent.
- (15) Written response to dispensary standards. The applicant shall provide a comprehensive written response identifying how the dispensary plan complies with each of the standards for review in this chapter, specifically the Limitation on Number and Size, Limitation on Location, and Operating Requirements sections.
- (16) Written response to Criteria for Review section. The applicant shall provide a written response indicating how each of the criteria for review has been satisfied.
- (17) Security plan. A detailed security plan outlining the proposed security arrangements for insuring the safety of persons and to protect the premises from theft. The plan shall include installation of security cameras, a robbery alarm system monitored by a licensed operator, and a security assessment of the site conducted by a qualified professional;
- (18) Floor plan. A sketch or diagram showing the interior configuration of the premises, including a statement of the total floor area occupied by the dispensary. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus one (1) foot;
- (19) Site plan. A sketch or diagram showing exterior configuration of the premises, including the outline of all structures, parking and landscape areas, and property boundaries. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions to an accuracy of plus or minus one (1) foot;
- (20) Neighborhood context map. An accurate straight-line drawing depicting the building and the portion thereof to be occupied by the dispensary, all properties and uses within 300 feet of the boundaries of the property on which the dispensary permit is requested, and the property lines of any school, park, or residential zone or use within 300 feet of the primary entrance of the dispensary;
- (21) Lighting plan. A lighting plan showing existing and proposed exterior premise and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use;
- (22) City authorization. Written authorization for the City, its agents and employees to seek verification of the information contained within the application;
- (23) Statement of owner's consent. A statement in writing by the applicant that he or she certifies under penalty of perjury that the applicant has the consent of the Property Owner and Landlord to operate a dispensary at the location (if applicable);
- (24) Applicant's certification. A statement in writing by the applicant that he or she certifies under penalty of perjury that all the information contained in the application is true and correct.
- (25) Other information. Such other identification and information as deemed necessary by the City Manager to demonstrate compliance with this chapter and City Codes, including operating

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

requirements established herein;

(F) **Annual Renewal.** Applications for annual renewal shall be accompanied by the following information:

- (1) The operator shall report the number of patients served and pay applicable fees, as required by this chapter.
- (2) The operator shall provide a detailed description of any adjustments and changes proposed or that have occurred in dispensary operations to address issues, or comply with laws.
- (3) The operator shall identify any problems encountered during operations and how they have been addressed.
- (4) The operator shall identify how the dispensary has managed its operations to comply with the Operating requirements of this chapter and with state law.

### 4.12 Criteria for Review.

The review authority shall consider the following criteria in determining whether to grant or deny a dispensary permit, and annual renewals:

- (A) That the dispensary permit is consistent with the intent of Proposition 215 and related state law, the provisions of this chapter and the City Code, including the Application submittal and Operating requirements herein.
- (B) That an applicant or employee is not under eighteen (18) years of age.
- (C) That all required application materials have been provided and/or the dispensary has operated successfully in a manner that shows it would comply with the Operating Requirements and standards specified in this chapter.
- (D) That all required application or annual renewal fees have been paid and reporting requirements have been satisfied in a timely manner.
- (E) That an appropriate limit on size of the dispensary has been established and the requested permit would not exceed limitations on number of patients and/or permits allowed by this chapter.
- (F) That issuance of a dispensary permit for the size requested is justified to meet needs of area residents.
- (G) That issuance of the dispensary permit would serve needs of area residents at this location.
- (H) That the location is not prohibited by the provisions of this chapter or any local or state law, statute, rule or regulation and no significant nuisance issues or problems are anticipated.
- (I) That the site plan, floor plan, and security plan have incorporated features necessary to assist in reducing potential crime-related problems and as specified in the Operating Requirements section. These features may include, but are not limited to, security on-site; procedure for allowing entry, openness to surveillance and control of the premises; the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.
- (J) That no dispensary use, owner, permittee, agent, or employee has violated any provision of this chapter including grounds for suspension, modification or revocation of a permit.
- (K) That all reasonable measures have been incorporated into the plan and/or consistently taken to successfully control the establishment's patrons' conduct resulting in disturbances, vandalism, crowd control

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

inside or outside the premises, traffic control problems, ingesting cannabis in public, or creation of a public or private nuisance, or interference of the operation of another business.

(L) That the dispensary would not adversely affect the health, peace or safety of persons living or working in the surrounding area, overly burden a specific neighborhood with special needs or high impact uses, or contribute to a public nuisance; or that the dispensary has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, ingesting cannabis in public, harassment of passerby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests.

(M) That any provision of the City Code or condition imposed by a City issued permit, or any provision of any other local, State or Federal law, regulation, or order, or any condition imposed by permits issues in compliance with those laws has not been violated.

(N) That the applicant has not violated any local or state law, statute, rule or regulation respecting the distribution, possession, or consumption of cannabis.

(O) That the applicant has not knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application for a permit.

(P) That the applicant, his or her agent or employees, or any person who is exercising managerial authority on behalf of the applicant has not been convicted of a felony, or of a misdemeanor involving moral turpitude, or has engaged in misconduct related to the qualifications, functions or duties of a permittee. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.

(Q) That the applicant has not engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

(R) That Criminal statistics be taken into account when proposing to locate a dispensary.

### **4.13 Investigation and Action on Application.**

After the making and filing of a complete application for the dispensary permit and the payment of the fees, the City Manager shall conduct a background check of the applicant and all employees and conduct an investigation of the application, and forward the application and staff report to the Planning Commission.

(A) The Planning Commission shall either grant or deny the application in accordance with the provisions of this chapter.

(B) In approving a dispensary permit, the Planning Commission may impose conditions, restrictions or require revisions to the proposal to comply with the purpose and intent of this chapter.

(C) The Planning Commission shall cause a written notice of a decision to issue or deny a permit to be mailed to the applicant by U.S. mail via the City Manager.

(D) Notwithstanding the provisions of this Section, the City Manager, in his or her discretion, may refer an application for a permit to the City Council.

### **4.14 Appeal from Planning Commission Determination.**

(A) An applicant, aggrieved by the Planning Commission's decision to issue or deny a permit, may appeal such decision to the City Council by filing a written notice stating all grounds on which the appeal is based and paying applicable appeal fee with the City Clerk within ten (10) working days of the written notice of decision. If an appeal is not taken within such time, the Planning Commission's decision shall be final.

(B) The City Council shall consider the appeal within 30 days of the date of filing the appeal. The City Clerk

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

shall give 10 days notice to the person filing the appeal of the time and place of the meeting scheduled on the appeal by serving notice personally or by depositing it in the United States Post Office at Seaside, California, postage prepaid, addressed as shown on the appeal papers. The Council shall have the authority to determine all questions raised on such appeal. No such determination shall conflict with any substantive provision of this chapter.

### **4.15 Effect of Denial.**

When the Planning Commission shall have denied or revoked any permit provided for in this Chapter and the time for appeal to the Council shall have elapsed, or, if after appeal to the Council, the decision of the Planning Commission has been affirmed by the Council, no new application for a permit shall be accepted from the applicant and no such permit shall be issued to such person or to any corporation in which he shall have any beneficial interest for a period of three years after the action denying or revoking the permit.

### **4.16 Suspension and Revocation**

(A) The Permit may be revoked if the dispensary is operated in a manner that violates the provisions of this chapter, including the Criteria for Review and Operating Requirements sections, or conflicts with state law.

(B) Except as otherwise provided in this chapter, no permit shall be revoked or suspended by virtue of this section until written notice of the intent to consider revocation or suspension of the permit has been served upon the person to whom the permit was granted at least five (5) days prior to the date set for such review. Such notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending such permit. Notice may be given either by personal delivery to the person to be notified, or by depositing it in the U.S. mail in a sealed envelope, postage prepaid, return receipt requested, addressed to the person to be notified at his/her address as it appears in his/her application for a permit.

(C) If any person holding a permit or acting under the authority of such permit under this article is convicted of a public offense in any court for the violation of any law which relates to his or her permit, the City Manager may revoke said permit forthwith without any further action thereof; other than giving notice of revocation to the permittee.

### **4.17 Transfer of Permits**

(A) A permittee shall not operate a dispensary under the authority of a dispensary permit at any place other than the address of the dispensary stated in the application for the permit.

(B) A permittee shall not transfer ownership or control of a dispensary or transfer a dispensary permit to another person unless and until the transferee obtains an amendment to the permit from the City Manager stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the City Manager in accordance with this all provisions of this Chapter accompanied by a transfer fee in an amount set by resolution of the City Council, and the City Manager determines in accordance this chapter that the transferee would be entitled to the issuance of an original permit.

(C) No permit may be transferred when the City Manager has notified the permittee that the permit has been or may be suspended or revoked.

(D) Any attempt to transfer a permit either directly or indirectly in violation of this section is hereby

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

declared void, and the permit shall be deemed revoked.

### **4.18 Violations.**

(A) It is unlawful for any person, individual, partnership, co-partnership, firm, association, joint stock company, corporation, limited liability company or combination of the above in whatever form or character to violate any provision or not to comply with any of the requirements of this ordinance.

(B) A violation of this chapter shall be punished in accordance with City Code.

### **4.19 Remedies Cumulative.**

All remedies prescribed under this chapter shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions hereof

### **4.20 Separate Offense for Each Day.**

Any person that violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof and shall be penalized accordingly.

### **4.21 Public Nuisance.**

Any use or condition caused or permitted to exist in violation of any of the provisions of this chapter shall be and is hereby declared a public nuisance and may be summarily abated by the City.

### **4.22 Criminal Penalties.**

Any person who violates, causes, or permits another person to violate any provision of this chapter commits a misdemeanor.

### **4.23 Civil Injunction.**

The violation of any provision of this chapter shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of City Manager, create a cause of action for injunctive relief

### **4.24 Severability.**

The provisions of this chapter are hereby declared to be severable. If any provision, clause, word, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Chapter.

### **4.25 Judicial Review.**

Judicial review of a decision made under this chapter may be had by filing a petition for a writ of mandate with the superior court in accordance with the provisions of the California Code of Civil Procedure Section 1094.5. Any such petition shall be filed within ninety (90) days after the day the decision becomes final as provided in California Code of Civil Procedure Section 1094.6 which shall be applicable for such actions.

**4.26 General Plan Consistency.** The proposed amendment is consistent with the goals and policies of all elements of the General Plan in that the proposed licensing of the proposed use is considered to be consistent with an underlying pharmacy or medical service use which would be consistent with the commercial and industrial

## Chapter 4.00 Medical Cannabis Dispensaries - Continued

General Plan land use classifications that apply to the areas in which the use would be licensed.

**4.27 Public Interest Health, Safety, Convenience or Welfare.** The proposed Ordinance would not be detrimental to the public interest, health, safety, convenience or welfare of the City in that the amendment implements State Health and Safety Code Section 11362.5, et. Seq., and serves an identified need of residents of the City with appropriate limitations and restrictions established therein that are intended to ensure such facilities that may be operated within the City should not have adverse effects in this regard.

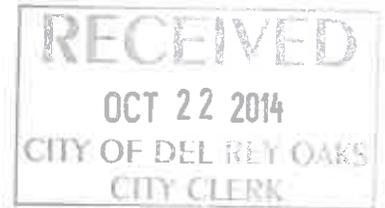
**4.28 Environmental Determination.** The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act, pursuant to CEQA Guidelines Section 15060(c)(2) in that the Council finds there is no foreseeable possibility that the implementation of this ordinance to add a new medical service land use classification and specific land use standards to regulate the land use would have any direct or indirect significant effects on the environment.

**4.29 Term of Ordinance.** This ordinance shall remain in effect until amended or repealed by the City Council.

**4.30 Fee Schedule.** The City Manager shall initiate a fee schedule to establish dispensary permit application fee, renewal fee and transfer fee amounts and these will be added to the Fee Schedule as adopted by the City Council each year with the Annual Budget.

**4.31 Forms.** The City Manager shall initiate preparation of any application forms and materials required to implement the dispensary permit process.

**4.32 Severability.** If any action, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.



October 13, 2014

Jerry Edelen, Mayor  
City of Del Rey Oaks  
650 Canyon Del Rey  
Del Rey Oaks, CA 93940

Dear Mayor Edelen:

I want to commend the Del Rey Oaks Police Department for the outstanding job they have done and continue to do. I especially would like to thank Sergeant Bourquin and Officer Ingersoll for a job well done. Their quick response to the fire alarm at my home on Thursday, October 9th helped save my house from catching on fire while also saving the lives of my two cats. I know I can count on you to give them the public recognition they deserve,

My thanks again to the Del Rey Oaks Police and Seaside Fire Department and best wishes for continued health and safety.

Sincerely,

A handwritten signature in blue ink, appearing to read "Irene Barlich". The signature is fluid and cursive, with a long horizontal stroke at the end.

Irene Barlich  
15 Hillwil  
Del Rey Oaks, CA 93940

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COUNSEL

# MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

*Home of the Last Chance Mercantile*

October 16, 2014

Daniel Dawson  
City Manager  
City of Del Rey Oaks  
650 Canyon Del Rey Oaks  
Del Rey Oaks, CA 93940

RE: MRWMD Capital Project Financing

Dear Mr. Dawson:

*Daniel*

This letter is sent as a follow-up to the meeting convened on June 9, 2014 with the Monterey Regional Waste Management District (District) member agency managers at Monterey City Hall. The purpose of the meeting was to allow District staff the opportunity to outline the need for the upcoming capital improvement projects, including:

- The Materials Recovery Facility (MRF) improvement project
- The Truck Parking and Maintenance Facility and Compressed Natural Gas (CNG) Fueling Station for the franchise collection trucks under the new 15 year franchise agreements for the seven Peninsula member agencies.

The meeting conversation focused on the District's existing Monterey Regional Waste Management Joint Powers Authority (JPA) Agreement and the need to amend that agreement to accommodate the proposed \$30 million bond financing for these projects.

There is a sense of urgency on the matter of moving forward with these capital projects. Seven of the District member agencies have recently approved a new 15 year refuse and recycling collection services franchise agreement with Green Waste Recovery (GWR). The new franchise contract will begin during the first half of 2015. One of the provisions of the new contract is that the trucks will be parked and maintained at a new truck yard located on District property. The collection vehicles will be fueled at the yard with CNG produced from biogas from the landfill and will use PG&E pipeline gas during the start-up phase and as a backup fuel source later on.

Since our meeting in June, District staff has concluded that an amendment to the existing JPA Agreement is appropriate. The amendment will update the wording on waste flow control provisions so the JPA is consistent with the recently approved local franchise agreements as well as the existing, continuing franchise agreements.

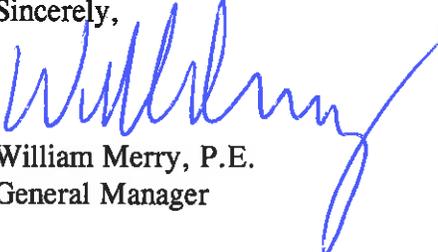
The District Board will consider approval of the Amendment to the JPA Agreement at its October 17<sup>th</sup> meeting. Following that, the governing bodies of the District member agencies will be requested to approve the amendment in November and December. Such approval will be a necessary component to facilitate the bond documents. By approving the amendment, the member agencies will be approving the updated wording. The member agencies will not be taking on any liability (other than continuing to deliver waste to the District under the flow control provisions) for repayment of the \$30 million bond financing; that responsibility will remain fully with the Authority.

Eight of the District member agencies were signatory to the JPA Agreement in 1993. The County elected to not join at that time. With the proposed amendment to the JPA, we believe it would now be prudent and advisable that the County become signatory to the JPA Agreement, so that all nine member agencies are fully represented.

The new franchise collection agreements, along with the proposed capital improvements at the District, will position our member agencies well for the foreseeable future. I am requesting the opportunity to make a brief presentation on the JPA amendment and capital improvement projects to your Council/Board during November or December. Following this, it will be appropriate for the Council/Board to consider approval of the JPA amendment.

Thank you for your attention to this matter; please call me at (831) 384-5313 if you have any questions.

Sincerely,



William Merry, P.E.  
General Manager

cc: Dennis Allion (District Board Chair)