CITY OF DEL REY OAKS

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AGENDA
REGULAR MEETING OF THE
CITY OF DEL REY OAKS CITY COUNCIL
TUESDAY, MAY 24, 2016 AT 6:00 P.M.
CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. **6:00 P.M. - ROLL CALL** – *Council*

2. **PLEDGE OF ALLEGIANCE**

3. **INVOCATION:** Reverend Bob Hellam of Church of the Oaks

4. **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.*

5. **CONSENT AGENDA:** *Action Items*

   A. MINUTES:

   1. April 26, 2016 City Council Meeting

   B. MONTHLY REPORTS:

   1. Claims, April 2016
   2. Unpaid Bills Detail, All
   3. Financials, April 2016 vs. April 2015
   4. Fire Department Response Report, April 2016
   5. Police Activity Report, April 2016

   C. MISCELLANEOUS

   1. Substantial Amendment to Annual Action Plan FY 2015-2016 for HUD Community Development Block Grant (CDBG) Program

6. OLD BUSINESS:

A. Traffic Calming on Portola, Carlton and Quendale *Discussion/Action*

7. NEW BUSINESS:

A. Consider Resolution No. 2016-06, A Resolution of the City Council of the City of Del Rey Oaks Ordering an Election, Requesting County Elections to Conduct the Election, Requesting Consolidation of the General Municipal Election in the City of Del Rey Oaks, and Requesting that the Consolidated General Municipal Election include a Ballot Measure for the City of Del Rey Oaks Proposing that a Cannabis Business Tax be Adopted as General Tax on Tuesday, November 8, 2016 *Action Item*

B. Consider Resolution No. 2016-07, A Resolution of the City Council of the City of Del Rey Oaks certifying the Monument RV Petition Signature Count. *Action Item*

C. Consider Resolution No. 2016-08, A Resolution of the City Council of the City of Del Rey Oaks Adopting the Monument RV Resort Initiative Measure Amending the General Plan, a Voter Initiative Project for the City of Del Rey Oaks, or Alternatively Submit Ordinance to Voters or Request Further Report on Initiative. *Action Item*

D. Consider Ordinance 284 Amending the Zoning Code Chapter 17.32, without alteration, and consistent with the adoption of the Monument RV Resort Initiative Measure. (*First Reading*) *Action Item*

8. STAFF REPORTS:

A. City Manager Report

9. MAYOR AND COUNCIL REPORTS

10. CORRESPONDENCE:

A. None

11. CLOSED SESSION:

A. None

PUBLIC COMMENTS:

Anyone wishing to address the City Council on matters to be heard under closed session may do so now.

12. SET NEXT MEETING DATE:

Establish Tuesday, June 28, 2016, at **6:00 P.M.** as the date and time of the Council's next regular meeting.

13. ADJOURNMENT

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

CITY OF DEL REY OAKS CITY COUNCIL REGULAR MEETING CONVENED AT 6:00 P.M. ON TUESDAY, APRIL 26, 2016 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Councilmembers Ventimiglia, Lintell, Allion, Mayor Edelen

Absent: Vice Mayor Clark

Also present: City Attorney Trujillo, City Manager Dawson and Assistant to the City Manager/Deputy City Clerk Carvalho

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

PLEDGE OF ALLEGIANCE: Led by Council member

INVOCATION: Reverend Bob Hellam of Church of the Oaks Thursday May 5th is national day of prayer noon at the flagpole.

PUBLIC COMMENT:
Caitlin Baczuk: Reported climbing mechanism broken in tot lot. Requested a way to address concerns during public comment.
Mayor Edelen: Short answers handled at the time, otherwise need time to research.

CONSENT AGENDA:

A. MINUTES

1. March 22, 2016 City Council Meeting
2. March 9, 2016 Planning Commission

B. MONTLY REPORTS

1. Claims, March 2016
2. Unpaid Bills Detail, All
3. Financials, March 2016 vs. March 2015
4. Fire Department Response Report, March 2016
5. Police Activity Report, March 2016

C. MISCELLANEOUS

1. Consider Resolution 2016-04, A Resolution authorizing submittal of application for payment programs and related authorization for administration of CalRecycle payment programs.

Mayor Edelen: Last meeting's comments about meeting with Hatch McDonald, were incorrect. Checked tape and found he was wrong. Apologized to Councilmember Allion and Deputy City

Clerk Carvalho, honestly thought he had said something different. Talked to Hatch McDonald and was pleased. Will discuss more during item later in the meeting.

Motion to approve:	***Councilmember Ventimiglia***
Second:	***Councilmember Allion***
Public Comment:	***None***
Passed:	***4-0***

OLD BUSINESS:

The Council considered **ITEM 6.A.** Traffic Calming on Portola, Carlton and Quendale.

City Manager Dawson: Currently testing design features using sandbags. Speed study to test effect of temporary measures. Nothing new on the stop signs on Portola. Mayor and he went over data with Keith Higgins of Hatch, Mott, McDonald.

Mayor Edelen: Study is underway, traffic committee will meet soon.

Councilmember Lintell: Peninsulas not serving the purpose, wants islands. Mr. Buckley sent locations for Portola stop signs to City Manager. Surprised they are not there.

Councilmember Allion: Feedback indicates peninsulas are slowing people down.

Councilmember Edelen: Will discuss with Mr. Higgins at next meeting.

City Manager Dawson: Taking measured approach will decide after study is complete.

Councilmember Lintell: Will it be another 6-9 months?

City Manager Dawson: Delayed due to illness. Meeting with Mr. Higgins will answer a lot of these questions.

Mayor Edelen: Will meet with traffic engineers after study complete, then with traffic committee.

Councilmember Lintell: By city council meeting next month?

Mayor Edelen: Yes. Also Mr. Buckley was out of the country then City Manager was sick so ships passing in the night.

Public Comment:

Layne Buckley: Asked for feedback on the pilot program. Carlton needs one more peninsula, and something more focused to slow down the speed. Feedback on the stop signs is mixed. Concerned stop signs might increase traffic to other streets in Del Rey Oaks. Residents have raised concern speed censors locations. Wants notice sent with map of locations.

Caitlin Baczuk: Speed censors are different from strips, will get different readings.

Alice Green: Agrees with another peninsula and feels they need to be more obvious.

Beth Benoit: Suggested a crosswalk at the intersection (Carlton/Saucito) and maybe a barrier to protect pedestrians and slow down people coming around the corner.

Mayor Edelen: Suggested Mr. Buckley make an appointment with City Manager.

Councilmember Allion: Crosswalks in front of city hall and the other 218 locations need to be upgraded with flashing crosswalks. Very upset about people still passing in the bike lane.

Mayor Edelen: Summarizing: Results of study, meet with Mr. Higgins, traffic committee meeting, options for council by next month.

Layne Buckley: There was an action item to contact Caltrans about people passing in the bike lane.
Debbie Hale, TAMC: Applied for and got a grant from Caltrans to study corridor in Pacific Grove. This is a similar situation.
City Manager Dawson: How long did it take to do that study?
Debbie Hale, TAMC: About 18 months.

NEW BUSINESS:
Mayor Edelen moved TAMC item to first position

The Council considered **ITEM 7.B.**, Consider Resolution 2016-05, A Resolution approving the Transportation Safety & Investment Plan presented by the Transportation Agency for Monterey County and requesting it to be placed on a future agenda.
Mayor Edelen: Introduced Debbie Hale and Theresa Wright of the Transportation Agency for Monterey County (TAMC) and went over what the process is and why we need the 3/8th cent sales tax. If the county is a self-help county then we get more money. Thinks we have lost a billion dollars in available funding.
Debbie Hale and Theresa Wright: Deferred maintenance in Monterey County is over a million dollars. See attached slides as shown at meeting. Discussed necessity for 3/8th cent sales tax to fund these types of repairs on roads, bridges, etc. since reduction in gas tax because of more fuel efficient cars.
Councilmember Allion: How was it determined how much we would be getting?
Debbie Hale: There were different methods looked at.
Councilmember Allion: Were the differences between streets that run through non-volume cities and was 218 included?
City Manager Dawson: 218 is not included.
Debbie Hale: Thought 218 was counted but it being a state highway Caltrans would have to take care of it.
Motion to approve Resolution 2015-05: Councilmember Ventimiglia
Second: Councilmember Lintell
Public Comment: None
Councilmember Allion: What will this raise our tax to?
Mayor Edelen: The max 9.5%
Motion passed: 4-0
Councilmember Allion: Thanked everyone on the TAMC board. Infrastructure costs are ignored. And that deferred maintenance falls onto the next generation. Thanked TAMC for doing this.
Councilmember Ventimiglia: How do we get money from energy efficient cars?
Debbie Hale: There is a "miles traveled" measure being talked about, can go to www.califoriaroadcharge.org to see long range solutions. Potentially a special vehicle registration

fee for electric vehicles. The state legislature is working on it. Del Rey Oaks is 10th city to approve this then it goes to TAMC board.

The Council considered **ITEM 7.A.**, Strategic Planning Follow-up
City Manager Dawson: Great strategic planning meeting. He was able to speak freely. He read into the record the core values and the 3-year goals. At the next council meeting he was tasked with sharing the 6 month objectives. Update at each meeting what's been accomplished. Info is on website.
Councilmember Allion: Good session
Councilmember Lintell: Excellent outcome.
Mayor Edelen: Best thing we've ever done. This is a team that makes decision. We've made a lot of progress. Gave examples of things accomplished. Feels we are a stronger city and council because of these.
Public Comment:
Caitlyn Baczuk: Glad they feel it was productive. Wants to review what the public feels about the accomplishments, several accomplishments were bristled at by residents especially "responsiveness". It's a strength to respond the alternative is to ignore it. "Responsiveness" implies a quick and positive reaction to a question. Questioned when has the council been quick and positive to react to community questions? It's the City Manager's job as the leader to set the tone of transparency. The Council needs to monitor if this is happening. It needs to be a concerted focused effort, it doesn't just happen.
Mayor Edelen: The strategic planning committee in 6 months on October 4th and we will be as transparent at possible.

STAFF REPORTS:
City Manager Dawson: On the dais there is a copy of the Monument RV project measure. The signatures will be turned into the elections department and if they are verified in time we will hear this in May. Waste hauling increase request coming up next month. Thanked everyone for coming to the one year anniversary celebration at Monterey Bay Alternative Medicine

COUNCIL REPORTS:
Councilmember Allion: Attended Water Pollution board last night striving to complete the pure water measure about the polluted water in Salinas River. Trying to make more water, which in turn cleans up reclamation ditch, the Blanco Drain but the state has other ideas. This could be done by 2018 which will be years before desalination project. MERF is moving forward, some rates will go up.
Councilmember Lintell: Seaside Sanitation meeting attended and approved conflict of interest. Received a letter that will reduce west Broadway from 4 to 2 lanes at Alhambra Street. Attended the RTA (Regional Taxi Authority) meeting for Kristin (Vice Mayor Clark) and many cab companies are upset about UBER. They have a representative who wants a non-voting position on the board. It was suggested that they take a look at the fair trade commission and see what can

be done. Dan and she did a walkabout on the path from Safeway. It's basically a non-existent pathway which you have to go through the garden center to get to. Dan (City Manager Dawson) suggested moving the sign and she wants the gate left open. In the garden center there was a lot of obstacles on that path. The garden center opened in January 2015 and Mr. Mori has not lived up to his agreement. ACORN about pathway with hours, access location, etc. Also would like to see it in the weekly.

Councilmember Ventimiglia: Community Human Services and AMBAG attended. Community human service will make improvement on Genesis House incrementally so as not to jeopardize funding from other sources. Had the opportunity to attend the MBAM celebration.

Mayor Edelen: One of the reasons we are here is to make positive changes. In FORA there was a contract passed to go local rather than a national firm saving $30,000. Stopped by the MBAM celebration, it was a class act and feels we made the right decision supporting these folks. DROCAG worked with Michigan State University Alumni to beautify the park and they did a fantastic job. May 15th is the Ice cream social from noon to 3. Notices will be delivered. Water authority meeting talked about water we are trying to get before the PUC. Told there is a year delay by the PUC to review the EIR but the other state agency is saying we have a deadline or they will cut off funding, they are working to balance this. Feels like the state does everything they can to stop us.

CORRESPONDENCE:

Mayor Edelen: Announced the correspondence

Megan Fitzsimmons: Notified the Council that her father, Mike Fitzsimmons is in critical condition at Natividad Medical Center in critical condition after being hit on his bicycle by a car riding in Carmel Valley.

Councilmember Lintell: The ice cream is for adults too.

CLOSED SESSION: None

7:23 p.m.: Adjourned to next meeting date of Tuesday, May 24th, 2016 at 6 pm.

Attest: **Date:**

_____ _____

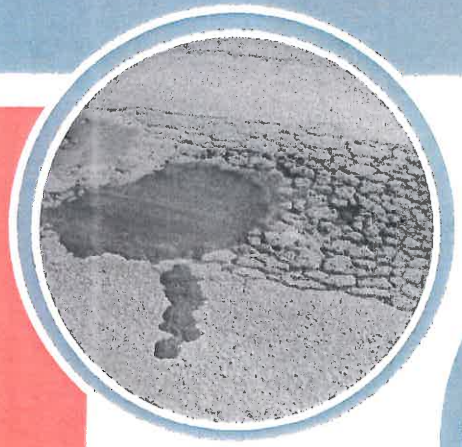
Transportation Safety & Investment Plan

April 2016

TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

The Problem:

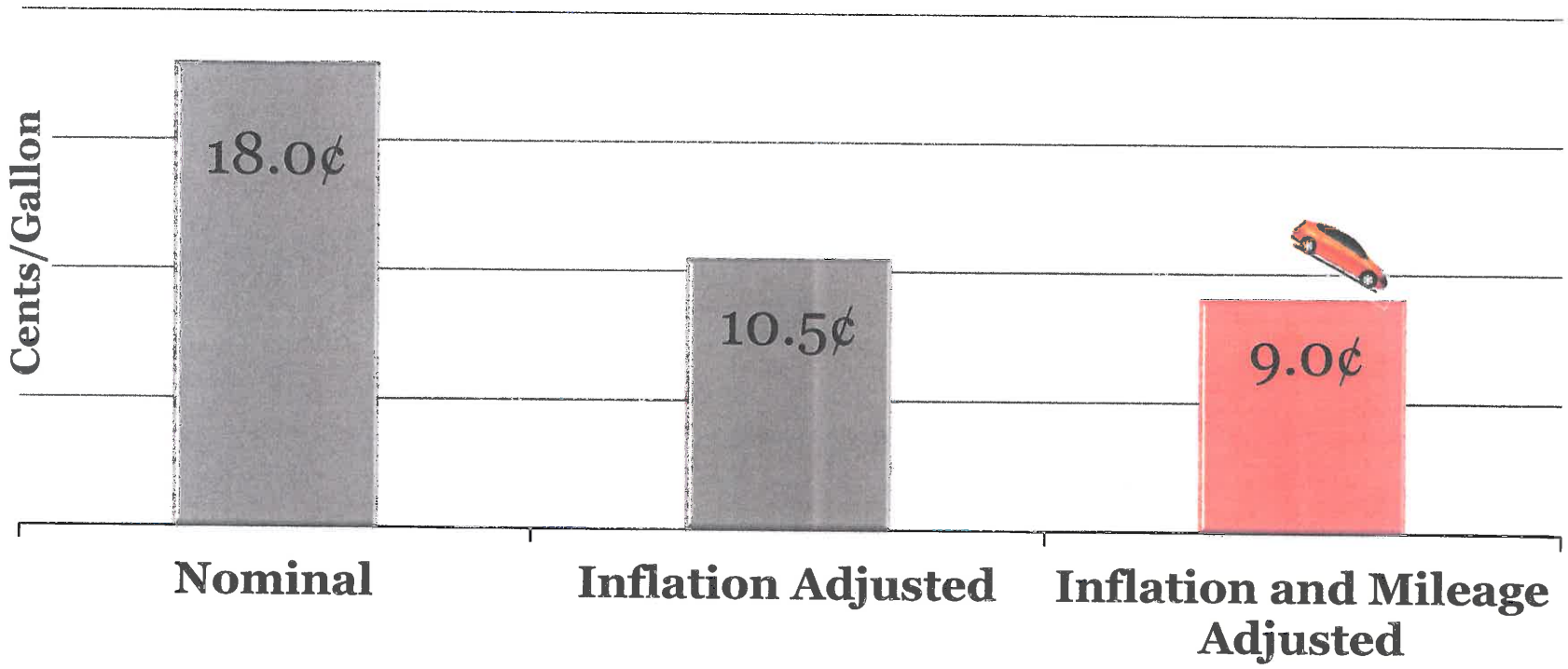
- Aging Roads & Bridges
- Road Repair Needs
- Traffic Congestion
- Overcrowded Buses
- Safety Concerns
- Lack of options for seniors, disabled, youth & working families



TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Gas Tax Hasn't Been Raised Since 1994

Real Revenues have dropped by 50%



It's time to help ourselves

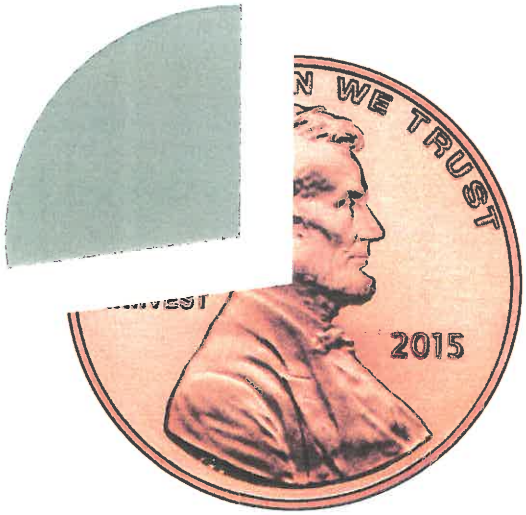
Self Help =

- Local Control – we decide
- State can't take the money
- Matching funds

TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Local Money for Local Projects

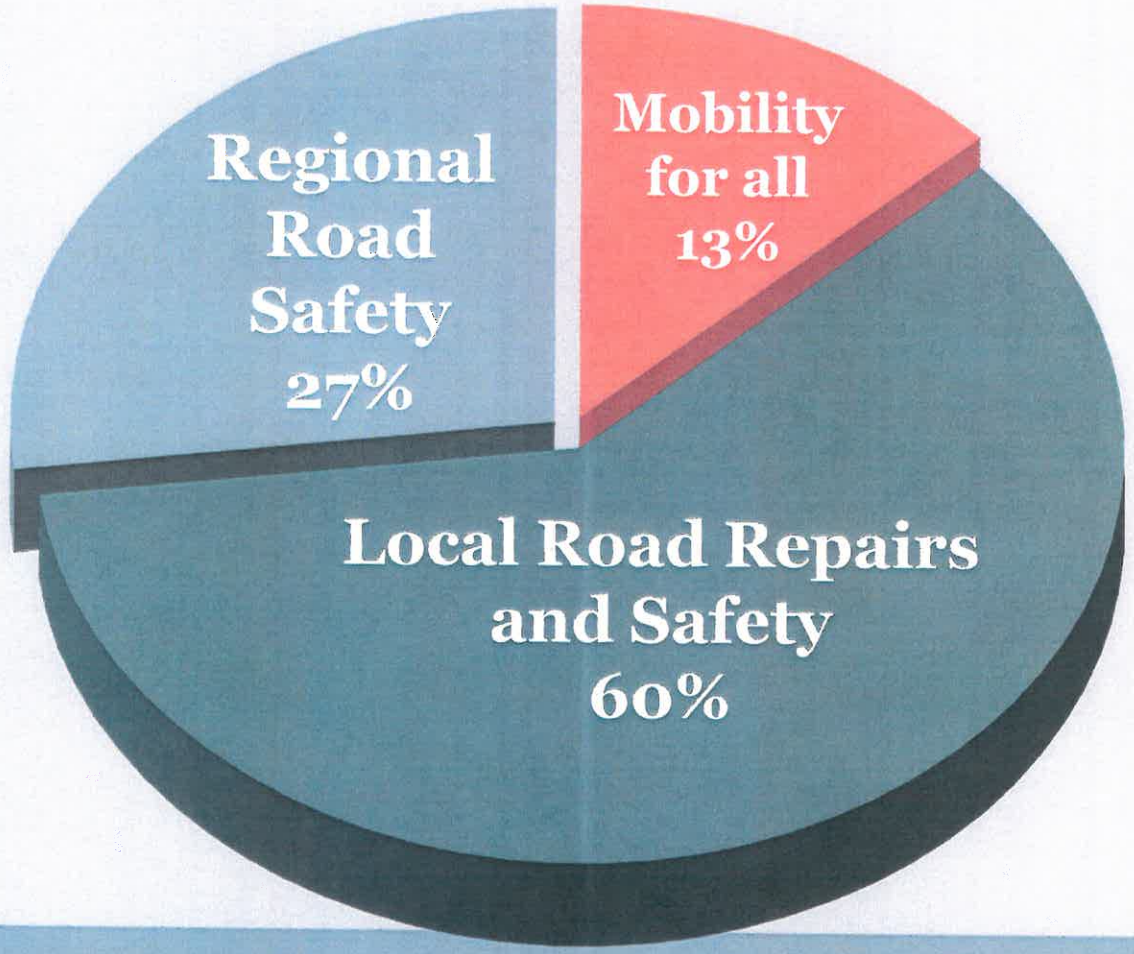
3/8%
= a fraction
of a penny



= $600 Million over 30 years

TAMC
TRANSPORTATION AGENCY
FOR MONTEREY COUNTY

Balanced Plan



TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Flexible Local Road Funds
$360 Million

- Re-design Intersections
- Bicycle & Pedestrian Trail
- Roundabout Study

Regional Road Safety Projects

Highway/Road Safety & Traffic Flow	$160 million
Highway 68 – Monterey to Salinas	$50 million
US 101– South County	$30 million
Highway 156/Castroville Boulevard	$30 million
Imjin Road/Parkway	$20 million
Highway 1 Traffic Relief – Rapid Bus Corridor	$15 million
Highway 68– Holman Highway	$10 million
Habitat Preservation/Advance Mitigation	$5 Million

Regional Mobility Projects

Mobility for All	$80 million
Commuter Bus Service Salinas Valley Transit Centers Vanpools	$20 million
Fort Ord Regional Trail & Greenway – Paved Pathway	$20 million
Safe Routes to Schools	$20 million
Senior & Disabled Transportation	$15 million

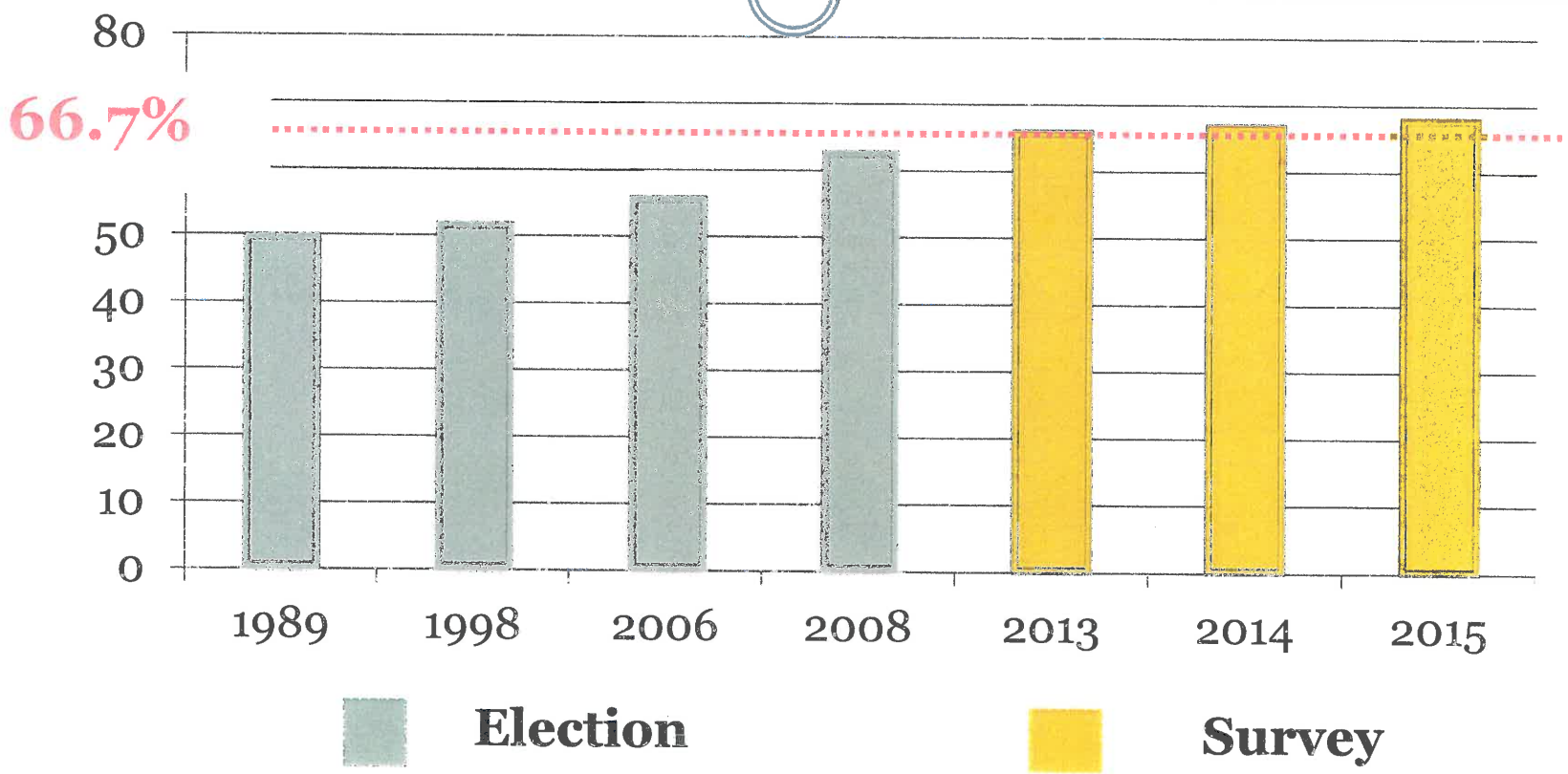
TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Taxpayer Safeguards

- Annual Audits
- Citizens' Oversight Committee
- Transportation Projects only
- No Fund Shifting
- Firm Sunset Date
- State Cannot Take Money!

TAMC
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Growing Support



Its time to Fix Our Roads

Keep Monterey County *Moving!*

CITY OF DEL REY OAKS
Claims Report
April 2016

Date	Num	Name	Memo	Amount
CHEVRON				
04/14/2016	15657	CHEVRON	3/11/16-4/10/16 FUEL	2,145.77
Total CHEVRON				2,145.77
CHRISTINA M. TRUJILLO, ATTORNEY AT LAW				
04/14/2016	15658	CHRISTINA M. TRUJILLO, ATTOR...	LEGAL SERVICES FEB 1-31 2016	1,250.00
Total CHRISTINA M. TRUJILLO, ATTORNEY AT LAW				1,250.00
Christopher Lawson				
04/29/2016	15672	Christopher Lawson	Wellness	179.99
Total Christopher Lawson				179.99
CO-POWER				
04/14/2016	15659	CO-POWER	APRIL 16 DELTA DENTAL PREMIUM	1,459.43
Total CO-POWER				1,459.43
COMCAST HIGH SPEED INTERNET				
04/25/2016	EFT	COMCAST HIGH SPEED INTERNET	T.V. AND INTERNET 3/10/16-4/9/16	112.70
Total COMCAST HIGH SPEED INTERNET				112.70
David Nguyen, Officer				
04/15/2016	15656	David Nguyen, Officer	Wellness	300.00
Total David Nguyen, Officer				300.00
DEL REY OAKS GARDEN				
04/14/2016	15660	DEL REY OAKS GARDEN	TRIMMER PARTS AND REPAIR INV. 843	120.00
Total DEL REY OAKS GARDEN				120.00
HOME DEPOT CRC				
04/14/2016	15661	HOME DEPOT CRC	ACCT. # 6035 3220 0248 6219 SUPPLIES AND MATERIA...	1,767.82
Total HOME DEPOT CRC				1,767.82
M.L. Carter				
04/29/2016	15673	M.L. Carter	Wellness	289.21
Total M.L. Carter				289.21
Malware Bytes				
04/04/2016	EFTPP	Malware Bytes		49.90
Total Malware Bytes				49.90
MONTEREY RADIATOR				

CITY OF DEL REY OAKS
Claims Report
April 2016

Date	Num	Name	Memo	Amount
04/14/2016	15662	MONTEREY RADIATOR	INSTALL PULL BAR #80	380.00
Total MONTEREY RADIATOR				380.00
MONTEREY TIRE SERVICE				
04/14/2016	15663	MONTEREY TIRE SERVICE	acct. 1-2990 TIRE REPAIR #63	20.72
Total MONTEREY TIRE SERVICE				20.72
OFFICE DEPOT				
04/14/2016	15664	OFFICE DEPOT		226.00
Total OFFICE DEPOT				226.00
PG&E				
04/14/2016	15665	PG&E	GAS & ELECTRIC 2/23/16-3/22/16	2,489.99
Total PG&E				2,489.99
PG&E-GJM&218				
04/14/2016	15666	PG&E-GJM&218	6817283169-2	53.03
Total PG&E-GJM&218				53.03
QuickBooks Payroll Service				
04/14/2016		QuickBooks Payroll Service	Fee for 10 direct deposit(s) at $1.75 each	17.50
04/14/2016		QuickBooks Payroll Service	Fee for 12 employee(s) paid	18.00
04/14/2016		QuickBooks Payroll Service	Monthly processing fee for Apr 2016	99.00
04/14/2016		QuickBooks Payroll Service	No state fee for CA for Apr 2016	
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	2.34
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	4,152.00
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	556.00
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	556.00
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	24.23
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	24.23
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	1,550.21
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	345.10
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	27,347.50
04/14/2016		QuickBooks Payroll Service	Fee for 1 direct deposit(s) at $1.75 each	1.75
04/14/2016		QuickBooks Payroll Service	Fee for 1 employee(s) paid	1.50
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	156.00
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	38.65
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	38.65
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	31.15
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	23.99
04/14/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/12/2016	2,415.43
04/28/2016		QuickBooks Payroll Service	Fee for 2 direct deposit(s) at $1.75 each	3.50
04/28/2016		QuickBooks Payroll Service	Fee for 5 employee(s) paid	7.50
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	3.75
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	91.45

CITY OF DEL REY OAKS
Claims Report
April 2016

Date	Num	Name	Memo	Amount
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	9.06
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	9.06
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	38.75
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	38.75
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	5.63
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	297.22
04/28/2016		QuickBooks Payroll Service	Fee for 11 direct deposit(s) at $1.75 each	19.25
04/28/2016		QuickBooks Payroll Service	Fee for 13 employee(s) paid	19.50
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	6.30
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	4,555.00
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	582.14
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	582.14
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	65.07
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	65.07
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	1,687.64
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	361.32
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	28,122.72
04/28/2016		QuickBooks Payroll Service	Fee for 1 direct deposit(s) at $1.75 each	1.75
04/28/2016		QuickBooks Payroll Service	Fee for 1 employee(s) paid	1.50
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	156.00
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	38.64
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	38.64
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	31.15
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	23.99
04/28/2016		QuickBooks Payroll Service	Created by Payroll Service on 04/26/2016	2,415.42
Total QuickBooks Payroll Service				76,677.14
UNION BANK Charges				
04/30/2016	EFT	UNION BANK Charges	Bank fees	451.01
Total UNION BANK Charges				451.01
VALLEY SAW & GARDEN EQUIP				
04/14/2016	15667	VALLEY SAW & GARDEN EQUIP	INVOICE 92995 BUSH MOWER	3,491.99
Total VALLEY SAW & GARDEN EQUIP				3,491.99
TOTAL				**91,464.70**

CITY OF DEL REY OAKS
Unpaid Bills Detail
All Transactions

Date	Name	Memo	Account	Class	Amount	Balance	Due Date
FORD MOTOR CREDIT COMPANY							
05/01/2016	FORD MOTOR CREDIT ...	unit #68 Interceptor Sedan #7687906 (1 o...	60740 · AUTO LEASE PAYMENTS-P...	172 POLICE	5,412.15	5,412.15	07/01/2016
Total FORD MOTOR CREDIT COMPANY					5,412.15	5,412.15	
GOLDFARB & LIPMAN							
03/19/2013	GOLDFARB & LIPMAN	INV -107918, CURRENT FEES THROU...	16020 · DUE FROM DEVELOPER	General Go...	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	General Go...	38,874.26	63,916.75	04/27/2013
11/18/2013	GOLDFARB & LIPMAN	INV - 110408 CURRENT FEES 10/1/13-...	16020 · DUE FROM DEVELOPER	General Go...	244.25	64,161.00	12/18/2013
12/16/2013	GOLDFARB & LIPMAN	INV - 110736 CURRENT FEE 11/21/13	16020 · DUE FROM DEVELOPER	General Go...	225.00	64,386.00	01/15/2014
12/16/2013	GOLDFARB & LIPMAN	INV - 110737 CURRENT FEES 11/1/13-...	16020 · DUE FROM DEVELOPER	General Go...	3,098.59	67,484.59	01/15/2014
02/19/2014	GOLDFARB & LIPMAN	INV - 111339 CURRENT FEES THROU...	16020 · DUE FROM DEVELOPER	General Go...	1,850.00	69,334.59	03/21/2014
02/19/2014	GOLDFARB & LIPMAN	INV - 111390 CURRENT FEES THROU...	16020 · DUE FROM DEVELOPER	General Go...	1,354.50	70,689.09	03/21/2014
03/18/2014	GOLDFARB & LIPMAN	INV 111623 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	1,475.00	72,164.09	04/17/2014
04/14/2014	GOLDFARB & LIPMAN	INV 112024 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	3,770.78	75,934.87	05/14/2014
04/14/2014	GOLDFARB & LIPMAN	INV 112023-CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	1,773.60	77,708.47	05/14/2014
05/19/2014	GOLDFARB & LIPMAN	INV 112325 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	2,675.00	80,383.47	06/18/2014
05/19/2014	GOLDFARB & LIPMAN	INV 112326 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	7,182.51	87,565.98	06/18/2014
06/19/2014	GOLDFARB & LIPMAN	INV 112700 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	7,595.19	95,161.17	07/19/2014
06/19/2014	GOLDFARB & LIPMAN	INV 112699 -CURRENT FEE THROUG...	16020 · DUE FROM DEVELOPER	General Go...	1,350.00	96,511.17	07/19/2014
07/15/2014	GOLDFARB & LIPMAN	INV 112876 - CURRENT FEES THROU...	20021 · ACCOUNTS PAYABLE-PEND...		(2,174.00)	94,337.17	08/14/2014
07/15/2014	GOLDFARB & LIPMAN	INV 112876 - CURRENT FEES THROU...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	2,174.00	96,511.17	08/14/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113221 - CURRENT FEES THROU...	20021 · ACCOUNTS PAYABLE-PEND...		(2,253.08)	94,258.09	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113221 - CURRENT FEES THROU...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	2,253.08	96,511.17	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222- CURRENT FEES THROU...	20021 · ACCOUNTS PAYABLE-PEND...		(2,610.00)	93,901.17	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222- CURRENT FEES THROU...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	2,610.00	96,511.17	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222-6- CURRENT FEES THRO...	20021 · ACCOUNTS PAYABLE-PEND...		(52.00)	96,459.17	09/18/2014
08/19/2014	GOLDFARB & LIPMAN	INV 113222-6- CURRENT FEES THRO...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	52.00	96,511.17	09/18/2014
11/17/2014	GOLDFARB & LIPMAN	INV 114124 CURRENT FEES THROUG...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	595.27	97,106.44	12/17/2014
01/22/2015	GOLDFARB & LIPMAN	INV 114626 CURRENT FEES THROUG...	60650 · CONTRACTUAL SVCS - LEG...	General Go...	156.00	97,262.44	02/21/2015
Total GOLDFARB & LIPMAN					97,262.44	97,262.44	
MONTEREY BAY AREA INSURANCE FUND							
05/01/2016	MONTEREY BAY ARE...	2015-16 WORK COMP PREMIUM $8,3...	60150 · WORKERS COMP	General Go...	11,132.33	11,132.33	05/31/2016
05/01/2016	MONTEREY BAY ARE...	2015-16 WORK COMP PREMIUM $8,3...	60150 · WORKERS COMP	311 PUB ...	585.91	11,718.24	05/31/2016
05/31/2016	MONTEREY BAY ARE...	2015-16 WORK COMP PREMIUM $8,3...	60150 · WORKERS COMP	General Go...	11,132.33	22,850.57	06/30/2016
05/31/2016	MONTEREY BAY ARE...	2015-16 WORK COMP PREMIUM $8,3...	60150 · WORKERS COMP	311 PUB ...	585.91	23,436.48	06/30/2016
Total MONTEREY BAY AREA INSURANCE FUND					23,436.48	23,436.48	
MONTEREY COUNTY PARKS							
05/09/2016	MONTEREY COUNTY P...	RENTAL OF RIFLE RANGE AT LAGU...	60605 · TRAINING POLICE	172 POLICE	200.00	200.00	06/08/2016
Total MONTEREY COUNTY PARKS					200.00	200.00	
MTRY BAY OFFICE PRODUCTS							
05/02/2016	MTRY BAY OFFICE PR...	CONTRACT INVOICE #272591 CHAR...	60430 · OFFICE SUPPLIES	General Go...	765.00	765.00	06/01/2016
05/02/2016	MTRY BAY OFFICE PR...	CONTRACT OVERAGE 2/4/16-5/3/16	60430 · OFFICE SUPPLIES	General Go...	24.21	789.21	06/01/2016

CITY OF DEL REY OAKS
Unpaid Bills Detail
All Transactions

Date	Name	Memo	Account	Class	Amount	Balance	Due Date
05/02/2016	MTRY BAY OFFICE PR...	FRIEGHT SURCHARGE	60505 · REPAIR/MAINTENANCE	General Go...	39.46	828.67	06/01/2016
05/02/2016	MTRY BAY OFFICE PR...	TAX	60505 · REPAIR/MAINTENANCE	General Go...	25.21	853.88	06/01/2016
Total MTRY BAY OFFICE PRODUCTS					853.88	853.88	
TERMINIX							
05/05/2016	TERMINIX	PEST CONTROL AND MAINTENANC...	60505 · REPAIR/MAINTENANCE	311 PUB ...	35.50	35.50	06/04/2016
05/05/2016	TERMINIX	PEST CONTROL AND MAINTENANC...	60505 · REPAIR/MAINTENANCE	411 PARK...	35.50	71.00	06/04/2016
Total TERMINIX					71.00	71.00	
TOTAL					**127,235.95**	**127,235.95**	

CITY OF DEL REY OAKS

CURRENT FISCAL YEAR BUDGET VS. ACTUAL

July 1, 2015 - April 30, 2016

	Jul '15 - Apr 16	Budget	% of Budget
Income			
40100 · PROPERTY TAXES			
40110 · P/T-SECURED	393,047.35	365,000.00	108%
40120 · P/T-UNSECURED	14,809.52	14,000.00	106%
40130 · P/T-PRIOR SECURED	144.97	4,000.00	4%
40150 · P/T-UNITARY TAX	7,321.92	6,500.00	113%
40160 · P/T-SB813	7,889.80	6,000.00	131%
40170 · PROPERTY TAX - VLF	130,170.00	120,000.00	108%
40180 · P/T-INT/PENAL	316.41	200.00	158%
40190 · P/T - ADMINISTRATIVE FEE	0.00	(5,000.00)	0%
Total 40100 · PROPERTY TAXES	553,699.97	510,700.00	108%
40200 · OTHER TAXES			
40210 · SALES TAX	239,554.17	295,000.00	81%
40220 · SALES TAX - ADD ON	587,276.42	580,000.00	101%
40230 · LESS SALES TAX IN LIEU - 3-FLIP	23,376.32	74,000.00	32%
40240 · COP MONIES	97,951.59	100,000.00	98%
40250 · PROPERTY TRANSFER TAX	4,812.49	8,500.00	57%
40260 · GAS FRANCHISES	4,524.51	4,500.00	101%
40265 · ELECTRIC FRANCHISES	17,052.71	17,000.00	100%
40270 · GARBAGE FRANCHISES	60,935.68	75,000.00	81%
40275 · CABLE TV FRANCHISES	19,364.29	30,000.00	65%
40280 · WATER FRANCHISES	12,310.39	15,000.00	82%
40290 · SEWER IMPACT	0.00	12,000.00	0%
Total 40200 · OTHER TAXES	1,067,158.57	1,211,000.00	88%
40300 · LICENSES & PERMITS			
40310 · BUSINESS LICENSES	232,793.60	185,000.00	126%
40320 · BUILDING PERMITS	19,962.55	24,000.00	83%
40330 · PLAN CHECK FEES	9,153.43	10,000.00	92%
40340 · STREET OPENING PERMITS FEES	1,225.00	2,000.00	61%
40350 · PLUMBING PERMITS	845.00	1,500.00	56%
40360 · ELECTRICAL PERMITS	625.00	1,000.00	63%
40370 · ENVIRON ASSESS FEES/PERMIT	0.00	1,500.00	0%
40380 · SB 1473 STATE SURCHG ON PERMITS	38.56	0.00	100%
40390 · OTHER LICENSES/PERMITS	407.90	1,000.00	41%
40300 · LICENSES & PERMITS - Other	125.00	0.00	100%
Total 40300 · LICENSES & PERMITS	265,176.04	226,000.00	117%
40500 · FINES & FORFEITURES			
40510 · VEHICLE CODE FINES	7,422.13	14,000.00	53%
Total 40500 · FINES & FORFEITURES	7,422.13	14,000.00	53%

	Jul '15 - Apr 16	Budget	% of Budget
40700 · OTHER AGENCY REVENUE			
40600 · INTEREST EARNED	27.06	1,200.00	2%
40710 · MOTOR VEHICLE LICENSE FEE(MVLF)	0.00	1,000.00	0%
40730 · HOPTR	1,125.76	1,200.00	94%
40740 · VEHICLE LICENSE COLLECTION	0.00	800.00	0%
40750 · PROP 172	9,613.90	12,500.00	77%
40760 · GRANTS	64,078.82	75,000.00	85%
40770 · TRAFFIC CONGESTION RELIEF-AB438	0.00	4,500.00	0%
Total 40700 · OTHER AGENCY REVENUE	74,845.54	96,200.00	78%
40800 · CURRENT SERVICES			
40805 · USE PERMITS	14,335.00	12,500.00	115%
40810 · MAPS/PUBLICATIONS	182.00	250.00	73%
40815 · RENTAL INCOME FORMER GOLF RANGE	30,300.00	36,000.00	84%
40820 · POLICE REPORTS	780.00	1,200.00	65%
40825 · PROPERTY INSPECTIONS	1,900.00	3,000.00	63%
40830 · POLICE SERVICES	1,500.00	13,000.00	12%
40835 · PUBLIC EVENTS	17,275.00	45,000.00	38%
40840 · MISCELLANEOUS SERVICES	12,861.74	9,000.00	143%
40846 · ALARM - FALSE ALARM FIRE	(300.00)	0.00	100%
40850 · PD DONATIONS	30,000.00	50,000.00	60%
Total 40800 · CURRENT SERVICES	108,833.74	169,950.00	64%
40900 · PARKS/RECREATION			
40910 · PARK RENTAL	8,594.14	5,500.00	156%
40920 · RV RENTAL PARKS	26,610.00	31,000.00	86%
Total 40900 · PARKS/RECREATION	35,204.14	36,500.00	96%
41000 · OTHER			
41010 · GAS TAX 2103	10,333.90	15,000.00	69%
41020 · GAS TAX 2105	8,562.17	8,000.00	107%
41030 · GAS TAX 2106	7,980.70	7,500.00	106%
41040 · GAS TAX 2107	11,105.73	10,000.00	111%
41050 · GAS TAX 2107.5	2,000.00	2,000.00	100%
Total 41000 · OTHER	39,982.50	42,500.00	94%
Total Income	2,152,322.63	2,306,850.00	93%
Expense			
60000 · INTEREST EXPENSE - ND	(11.04)	0.00	100%

	Jul '15 - Apr 16	Budget	% of Budget
60100 · PAYROLL & BENEFITS			
60105 · PAYROLL	800,256.61	892,100.00	90%
60110 · OVERTIME	32,529.14	8,000.00	407%
60115 · COUNCIL MEMBER STIPEND	5,000.00	6,000.00	83%
60120 · RESERVES PAYROLL	14,212.85	10,000.00	142%
60125 · PERS	199,975.79	155,000.00	129%
60130 · MEDICARE	12,392.33	15,000.00	83%
60135 · DENTAL EXPENSE	15,350.59	23,000.00	67%
60140 · HEALTH INS	118,163.03	160,000.00	74%
60145 · VISION INS	1,387.23	2,000.00	69%
60150 · WORKERS COMP	95,309.43	185,300.00	51%
60155 · WELLNESS PROGRAM	7,606.82	8,000.00	95%
60160 · UNIFORM ALLOWANCE	5,750.00	5,500.00	105%
Total 60100 · PAYROLL & BENEFITS	1,307,933.82	1,469,900.00	89%
60200 · PAYROLL EXPENSES	5,129.23	3,000.00	171%
60300 · BANK SERVICE CHARGES	2,878.68	2,000.00	144%
60400 · SUPPLIES			
60410 · MATERIALS/SUPPLY	40,767.58	34,000.00	120%
60430 · OFFICE SUPPLIES	18,458.59	15,000.00	123%
60440 · SPECIAL SUPPLY POLICE	37,977.31	40,000.00	95%
Total 60400 · SUPPLIES	97,203.48	89,000.00	109%
60500 · UTILITIES & SERVICES			
60505 · REPAIR/MAINTENANCE	105,138.18	40,000.00	263%
60510 · STREET SWEEPING	5,215.68	25,000.00	21%
60515 · GABILAN CREW	10,344.43	7,500.00	138%
60520 · UTILITIES/PGE	9,542.35	12,000.00	80%
60525 · UTILITIES/WATER	4,772.54	7,000.00	68%
60530 · TELEPHONE / INTERNET	9,756.26	9,500.00	103%
60535 · WEBSITE DESIGN & MAINTENANCE	2,933.87	4,500.00	65%
60540 · POSTAGE / SHIPPING	3,055.59	2,500.00	122%
60545 · TRAVEL/CONFERENCE	5,667.74	15,000.00	38%
60550 · MEMBER/DUES/CONTRIBUTIONS	33,157.85	52,000.00	64%
60555 · AD/PROMOTION CITY CNCL	1,250.00	7,500.00	17%
60560 · LEGAL ADVERT NON-DEPT	862.50	1,000.00	86%
60565 · BOOK/PERIODICAL	360.84	150.00	241%
60570 · MEETING CITY CNCL	9,434.16	6,500.00	145%
Total 60500 · UTILITIES & SERVICES	201,491.99	190,150.00	106%
60600 · OUTSIDE SERVICES			
60605 · TRAINING POLICE	9,144.42	9,000.00	102%
60610 · OTHER PERMITS PW/ENGNR	1,150.00	1,200.00	96%
60615 · EQUIPMENT MAINT	748.16	0.00	100%
60620 · LIABILITY/PROP NON-DPT	41,502.20	38,045.00	109%
60625 · CONTRACTUAL AUDIT	5,688.00	30,000.00	19%
60635 · DATA PROCESSING	11,084.69	5,000.00	222%
60640 · CONTRACTUAL SVCS PLANNING	10,035.00	14,000.00	72%
60650 · CONTRACTUAL SVCS - LEGAL	425.00	10,000.00	4%
60655 · CONTRL RETAINER LEGAL	12,951.00	20,000.00	65%

	Jul '15 - Apr 16	Budget	% of Budget
60660 · JANITORIAL FUND	3,510.00	3,500.00	100%
60665 · RADIO DISPATCH POLICE	41,527.04	52,000.00	80%
60670 · COMM HUM SERV NON-DEPT	3,382.00	3,200.00	106%
Total 60600 · OUTSIDE SERVICES	141,147.51	185,945.00	76%
60700 · AUTO OPERATION			
60710 · AUTO OPS - SUPPLIES / EQUIP	15,537.18	2,500.00	621%
60720 · AUTO OPS - FUEL	20,443.13	28,000.00	73%
60730 · AUTO REPAIR/MAINTENANCE	20,048.79	10,000.00	200%
60740 · AUTO LEASE PAYMENTS-PRINCIPAL	6,140.90	7,500.00	82%
Total 60700 · AUTO OPERATION	62,170.00	48,000.00	130%
60800 · POLICE AND FIRE			
60810 · FIRE SEASIDE	138,750.00	160,000.00	87%
60820 · ANIMAL REGULATION FIRE	128.54	3,500.00	4%
60830 · FUND JAIL & PRISONER	285.00	1,200.00	24%
60840 · ACJIS SYSTEM POLICE	4,758.86	6,100.00	78%
Total 60800 · POLICE AND FIRE	143,922.40	170,800.00	84%
60900 · STREETS & STORM WATER			
60910 · STREET LIGHTING	21,082.44	13,000.00	162%
60920 · STORM WATER PROJECT - PHASE 4	20,975.28	20,000.00	105%
60930 · S.M.I.P.	103.55	150.00	69%
60940 · SB 1473	35.20	0.00	100%
Total 60900 · STREETS & STORM WATER	42,196.47	33,150.00	127%
70100 · MISC EXPENSES			
Total Expense	2,001,062.54	2,191,945.00	91%
Total Revenue	**2,152,322.63**	**2,306,850.00**	**93%**
Total Expenses	**2,001,062.54**	**2,191,945.00**	**91%**
Total Revenue less Expense	**151,260.09**	**114,905.00**	**2%**

CITY OF DEL REY OAKS
CASH BALANCES
As of April 30, 2016

10:03 AM
05/17/2016
Accrual Basis

	Apr 30, 16
ASSETS	
Current Assets	
Checking/Savings	
10100 · GENERAL CHECKING	325,156.52
10102 · RESERVE FUND	151,260.09
10110 · LAIF CITY - 246	15,654.73
10180 · DEV - MONTEREY PENI	58,940.41
Total Checking/Savings	551,011.75
Total Current Assets	551,011.75
TOTAL ASSETS	551,011.75

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

	Jul '14 - Apr 15	Budget	% of Budget
CITY OF DEL REY OAKS			
FISCAL YEAR TO DATE 2014/2015 BUDGET VS. ACTUAL			
July 2014 through April 2015			
Ordinary Income/Expense			
Income			
40100 · PROPERTY TAXES			
40110 · P/T-SECURED	362,619.85	350,000.00	104%
40120 · P/T-UNSECURED	14,185.66	13,500.00	105%
40130 · P/T-PRIOR SECURED	3,759.33	5,000.00	75%
40150 · P/T-UNITARY TAX	6,667.45	6,500.00	103%
40160 · P/T-SB813	6,371.35	6,000.00	106%
40170 · PROPERTY TAX - VLF	119,855.00	114,000.00	105%
40180 · P/T-INT/PENAL	176.57	200.00	88%
40190 · P/T - ADMINISTRATIVE FEE	(4,959.00)	(5,000.00)	99.18%
Total 40100 · PROPERTY TAXES	508,676.21	490,200.00	104%
40200 · OTHER TAXES			
40210 · SALES TAX	203,668.14	295,000.00	69%
40220 · SALES TAX - ADD ON	335,500.46	475,000.00	71%
40230 · LESS SALES TAX IN LIEU - 3-FLIP	73,376.09	82,000.00	89%
40240 · COP MONIES	81,230.01	100,000.00	81%
40250 · PROPERTY TRANSFER TAX	7,651.31	4,500.00	170%
40260 · GAS FRANCHISES	4,414.81	4,500.00	98.11%
40265 · ELECTRIC FRANCHISES	15,962.87	17,000.00	93.9%
40270 · GARBAGE FRANCHISES	26,735.64	40,000.00	67%
40275 · CABLE TV FRANCHISES	18,781.03	30,000.00	63%
40280 · WATER FRANCHISES	14,646.51	13,000.00	112.67%
40290 · SEWER IMPACT		8,500.00	
Total 40200 · OTHER TAXES	781,966.87	1,069,500.00	73%
40300 · LICENSES & PERMITS			
40310 · BUSINESS LICENSES	172,816.99	185,000.00	93%
40320 · BUILDING PERMITS	19,848.72	18,000.00	110%
40330 · PLAN CHECK FEES	8,579.51	10,000.00	86%
40340 · STREET OPENING PERMITS FEES	1,759.00	2,000.00	88%
40350 · PLUMBING PERMITS	600.00	1,500.00	40%
40360 · ELECTRICAL PERMITS	960.00	1,000.00	96%
40370 · ENVIRON ASSESS FEES/PERMIT	1,947.50		100%
40380 · SB 1473 STATE SURCHG ON PERMITS	38.40		100%
40390 · OTHER LICENSES/PERMITS	1,004.17	600.00	167%
40786 · DEVELOPER PYMT FEES/PERMITS	30,000.00		
40300 · LICENSES & PERMITS - Other	120.00		
Total 40300 · LICENSES & PERMITS	237,674.29	218,100.00	109%
40500 · FINES & FORFEITURES			
40510 · VEHICLE CODE FINES	10,437.93	14,000.00	75%
Total 40500 · FINES & FORFEITURES	10,437.93	14,000.00	75%

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

	Jul '14 - Apr 15	Budget	% of Budget
40700 · OTHER AGENCY REVENUE			
40600 · INTEREST EARNED	389.03	100.00	389%
40710 · MOTOR VEHICLE LICENSE FEE(MVLF)		1,000.00	
40730 · HOPTR	1,107.46	1,200.00	92%
40740 · VEHICLE LICENSE COLLECTION	682.36	800.00	85%
40750 · PROP 172	11,767.17	10,000.00	118%
40760 · GRANTS	45,440.71	8,000.00	568%
40770 · TRAFFIC CONGESTION RELIEF-AB438		4,500.00	
40780 · POLICE GRANTS OTHER AGENCIES	2,379.46		100%
Total 40700 · OTHER AGENCY REVENUE	61,766.19	25,600.00	241%
40800 · CURRENT SERVICES			
40805 · USE PERMITS	10,895.00	12,500.00	87%
40810 · MAPS/PUBLICATIONS		250.00	
40815 · RENTAL INCOME FORMER GOLF RANGE	2,900.00	5,000.00	58%
40820 · POLICE REPORTS	1,165.00	1,200.00	97%
40825 · PROPERTY INSPECTIONS	3,300.00	3,000.00	110%
40830 · POLICE SERVICES	12,150.00	6,000.00	203%
40835 · PUBLIC EVENTS	22,950.00	65,000.00	35%
40840 · MISCELLANEOUS SERVICES	8,953.54	6,500.00	138%
40846 · ALARM - False Alarm Call	1,400.00		100.0%
40850 · PD DONATIONS	1,596.87	5,000.00	32%
Total 40800 · CURRENT SERVICES	65,310.41	104,450.00	63%
40900 · PARKS/RECREATION			
40910 · PARK RENTAL	4,980.00	5,200.00	96%
40920 · RV RENTAL PARKS	26,455.00	31,000.00	85%
40900 · PARKS/RECREATION - Other	(100.00)		
Total 40900 · PARKS/RECREATION	31,335.00	36,200.00	87%
41000 · OTHER			
41010 · GAS TAX 2103	13,214.44	15,000.00	88%
41020 · GAS TAX 2105	7,464.57	6,000.00	124%
41030 · GAS TAX 2106	6,738.78	6,250.00	108%
41040 · GAS TAX 2107	9,368.19	9,000.00	104%
41050 · GAS TAX 2107.5	2,000.00	1,000.00	200%
Total 41000 · OTHER	38,785.98	37,250.00	104%
Total Income	1,735,952.88	1,995,300.00	87%

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

	Jul '14 - Apr 15	Budget	% of Budget
Expense			
60100 · PAYROLL & BENEFITS			
60105 · PAYROLL	845,670.19	780,000.00	108%
60110 · OVERTIME	4,702.73	15,000.00	31%
60115 · COUNCIL MEMBER STIPEND	5,000.00	6,000.00	83%
60120 · RESERVES PAYROLL	7,910.41	20,000.00	40%
60125 · PERS	111,583.14	165,000.00	68%
60130 · MEDICARE	12,509.65	13,000.00	96%
60135 · DENTAL EXPENSE	18,300.34	23,000.00	80%
60140 · HEALTH INS	126,327.06	160,000.00	79%
60145 · VISION INS	1,729.00	2,000.00	86%
60150 · WORKERS COMP	117,693.40	159,440.00	74%
60155 · WELLNESS PROGRAM	4,015.21	8,000.00	50%
60160 · UNIFORM ALLOWANCE	3,250.00	5,500.00	59%
60195 · Reimbursments - Exp	(16.73)		100.0%
60196 · REIMBURSEMENTS - EXP	18.40		100.0%
Total 60100 · PAYROLL & BENEFITS	1,258,692.80	1,356,940.00	93%
60200 · PAYROLL EXPENSES	2,247.96	7,500.00	30%
60300 · BANK SERVICE CHARGES	1,730.32	2,500.00	69%
60400 · SUPPLIES			
60410 · MATERIALS/SUPPLY	16,847.33	17,500.00	96%
60430 · OFFICE SUPPLIES	13,228.54	15,000.00	88%
60440 · SPECIAL SUPPLY POLICE	33,848.01	40,000.00	85%
Total 60400 · SUPPLIES	63,923.88	72,500.00	88%
60500 · UTILITIES & SERVICES			
60505 · REPAIR/MAINTENANCE	34,362.19	30,000.00	115%
60510 · STREET SWEEPING	15,281.26	27,000.00	57%
60515 · GABILAN CREW	5,173.23	9,000.00	57%
60520 · UTILITIES/PGE	10,592.21	10,000.00	106%
60525 · UTILITIES/WATER	5,061.98	7,500.00	67%
60530 · TELEPHONE / INTERNET	9,019.63	9,000.00	100%
60535 · WEBSITE DESIGN & MAINTENANCE	3,705.15	500.00	741%
60540 · POSTAGE / SHIPPING	2,370.78	3,000.00	79%
60545 · TRAVEL/CONFERENCE	14,837.02	9,000.00	165%
60550 · MEMBER/DUES/CONTRIBUTIONS	19,995.67	52,000.00	38%
60555 · AD/PROMOTION CITY CNCL	1,250.00	7,500.00	17%
60560 · LEGAL ADVERT NON-DEPT	835.83	1,000.00	84%
60565 · BOOK/PERIODICAL	201.98	150.00	135%
60570 · MEETING CITY CNCL	5,224.86	1,000.00	522%
60575 · PRINTING / PUBLICATIONS	1,541.43		100%

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

	Jul '14 - Apr 15	Budget	% of Budget
60588 · ELECTIONS	5,135.81		
Total 60500 · UTILITIES & SERVICES	134,589.03	166,650.00	81%
60600 · OUTSIDE SERVICES			
60605 · TRAINING POLICE	8,094.30	12,000.00	67%
60610 · OTHER PERMITS PW/ENGNR	900.00	5,000.00	18%
60620 · LIABILITY/PROP NON-DPT	32,486.50	38,045.00	85%
60625 · CONTRACTUAL AUDIT	26,761.40	30,000.00	89%
60635 · DATA PROCESSING	5,614.80	5,000.00	112%
60640 · CONTRACTUAL SVCS PLANNING	12,706.28	12,500.00	102%
60650 · CONTRACTUAL SVCS - LEGAL	29,586.75	25,000.00	118%
60655 · CONTRL RETAINER LEGAL	19,269.38	15,000.00	128%
60660 · JANITORIAL FUND	3,075.00	3,500.00	88%
60665 · RADIO DISPATCH POLICE	51,008.58	47,000.00	109%
60670 · COMM HUM SERV NON-DEPT	3,300.00	3,200.00	103%
Total 60600 · OUTSIDE SERVICES	192,802.99	196,245.00	98%
60700 · AUTO OPERATION			
60710 · AUTO OPS - SUPPLIES / EQUIP	1,187.50	1,000.00	119%
60720 · AUTO OPS - FUEL	21,247.75	22,000.00	97%
60730 · AUTO REPAIR/MAINTENANCE	6,953.85	9,000.00	77%
60740 · AUTO LEASE PAYMENTS	15,137.69	14,800.00	102%
Total 60700 · AUTO OPERATION	44,526.79	46,800.00	95%
60800 · POLICE AND FIRE			
60810 · FIRE SEASIDE	157,500.00	120,000.00	131%
60820 · ANIMAL REGULATION FIRE	5,886.00	3,500.00	168%
60830 · FUND JAIL & PRISONER	1,170.00	1,000.00	117%
60840 · ACJIS SYSTEM POLICE	5,046.46	4,000.00	126%
Total 60800 · POLICE AND FIRE	169,602.46	128,500.00	132%
60900 · STREETS & STORM WATER			
60910 · STREET LIGHTING	13,869.82	13,000.00	107%
60920 · STORM WATER PROJECT - PHASE 4	19,295.11	8,000.00	241%
60930 · S.M.I.P.	125.86	150.00	84%
60940 · SB 1473	35.10		100%
Total 60900 · STREETS & STORM WATER	33,325.89	21,150.00	158%
69800 · Uncategorized Expenses (Expenses not categorized elsewher	75.00		
70100 · MISC EXPENSES			
70110 · RECONCILATION DISCREPENCIES	(65.00)		100.0%
Total 70100 · MISC EXPENSES	(65.00)		100.0%
Total Expense	1,901,452.12	1,998,785.00	95%
Total Revenue	**1,735,952.88**	**1,995,300.00**	**87%**
Total Expenditures	**1,901,452.12**	**1,998,785.00**	**95%**
Total Operating Revenue Less Expenditures this fiscal year to date	**(165,499.24)**	**(3,485.00)**	**-8%**
Other Income/Expense			
Other Income			
80200 · SALE OF ASSETS	1,350,970.83		100%
Total Other Income	**1,350,970.83**		**100%**

CITY OF DEL REY OAKS
CASH BALANCES
As of April 30, 2015

4:00 PM
05/21/2015
Accrual Basis

	Apr 30, 15
ASSETS	
Current Assets	
Checking/Savings	
10100 · GENERAL CHECKING	299,407.80
10110 · LAIF CITY - 246	15,606.62
10180 · DEV - MONTEREY PENINSULA PARTNE	66,665.41
10200D0 · Cash - Gas Tax	41,107.00
Total Checking/Savings	422,786.83
Total Current Assets	422,786.83
TOTAL ASSETS	**422,786.83**

FIRE DEPARTMENT
1635 Broadway Avenue
Seaside, CA 93955

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

May 2, 2016

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 April 1, 2016 through April 30, 2016.

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

Incident #	
16-0769	16-0923
16-0776	16-0924
16-0801	16-0946
16-0818	16-0947
16-0828	16-0948
16-0847	16-0965
16-0856	16-0982
16-0858	16-1009
16-0892	16-1012
16-0921	

There are a total of nineteen (19) fire calls for the month of April. If you have any questions, please contact me.

Sincerely,

Melissa Failauga
Office Assistant
CC: File

SEASIDE FIRE DEPARTMENT
City of Del Rey Oaks - Response Report

Incident	Alarm Date	Alarm Time	Arrival Time	Response Time	Street	Alarm Type	Incident Type	District
16-0769	4/1/2016	19:01:48	19:05:53	0:04:05	CANYON DEL REY	3	324	29
16-0776	4/1/2016	1:59:30	2:06:31	0:07:01	CANYON DEL REY	3	611	29
16-0801	4/4/2016	14:40:51	14:47:16	0:06:25	CANYON DEL REY	2	511	29
16-0818	4/6/2016	6:17:07	6:21:18	0:04:11	CALLE DEL OAKS	2	611	29
16-0828	4/7/2016	10:57:46	11:02:23	0:04:37	BAXTER	3	321	29
16-0847	4/10/2016	19:06:08	19:12:00	0:05:52	VIA VERDE	3	321	29
16-0856	4/10/2016	16:56:08	17:03:02	0:06:54	VIA VERDE	2	554	29
16-0858	4/10/2016	5:58:49	6:07:04	0:08:15	VIA VERDE	2	321	29
16-0892	4/14/2016	4:15:31	4:31:26	0:15:55	VIA VERDE	2	321	29
16-0921	4/17/2016	14:41:32	14:46:33	0:05:01	PORTOLA	3	321	29
16-0923	4/17/2016	14:39:31	14:45:30	0:05:59	ARLINGTON	3	321	29
16-0924	4/17/2016	13:50:38	13:52:45	0:02:07	CANYON DEL REY	3	321	29
16-0946	4/19/2016	14:45:16	14:50:32	0:05:16	CANYON DEL REY	3	324	29
16-0947	4/19/2016	14:42:50	14:46:46	0:03:56	CANYON DEL REY	3	324	29
16-0948	4/19/2016	14:05:22	14:10:26	0:05:04	CARLTON	3	321	29
16-0965	4/21/2016	5:34:06	5:40:00	0:05:54	PALOMA	3	321	29
16-0982	4/23/2016	14:12:54	14:16:58	0:04:04	VOE	3	321	29
16-1009	4/27/2016	19:10:09	19:14:16	0:04:07	CARLTON	3	400	29
16-1012	4/28/2016	12:39:16	12:45:38	0:06:22	CALLE DEL OAKS	3	5312	29

Total Calls 19

Total calls for fiscal year 15-16 = 158

LEGEND	
CODE:	INCIDENT TYPE:
100-173	*FIRE*
200-251	*OVERPRESSURE*
300-381	*MEDICAL RESPONSE*
400-482	*HAZARDOUS CONDITION*
500-571	*SERVICE CALL*
600-672	*GOOD INTENT CALL*
700-751	*FALSE ALARM/FALSE CALL*
800-810	*SEVERE WEATHER*
900-911	*SPECIAL/CITIZEN COMPLAINT*

Del Rey Oaks Police Department
Monthly Report of Activity
APR - 2016
Completed By: Ron Langford, COP

ARRESTS:

		YEAR END
Felony Arrests		
Misdemeanor Arrests	04	
Warrant Arrests (OJ)	03	
TOTAL ARRESTS	**07**	**14**

REPORTS FILED:

22	**60**

BURGLARIES:

Residential		
Commercial		
From Locked Vehicle		
Other STORAGE LOCKERS	04	
TOTAL BURGLARIES	**04**	**12**

GRAND & PETTY THEFTS:

Residential		
Commercial		
Shoplifting	07	
From Motor Vehicle		
Other		
TOTAL THEFTS	**07**	**17**

CITATIONS ISSUED:

Traffic Citations Issued	31	
Parking Citations Issued		
Admin Citations Issued		
TOTAL CITATION ISSUED	31	**54**

ASSAULTS:

		YEAR END
Simple Assault		
Domestic Violence		
Weapon Involved		
TOTAL ASSAULTS	**00**	**01**

TRAFFIC ACCIDENTS:

Non-Injury Accidents	06	
Injury Accidents		
TOTAL ACCIDENTS	**06**	**07**

TOWED & STORED VEHICLES:

00	**00**

ALARMS:

Residential		
Commercial		
TOTAL ALARMS	**00**	**00**

DUI ENFORCEMENT:

0	**04**

AGENDA ITEM

MEETING DATE:	May 24, 2016
TITLE:	Substantial Amendment to Annual Action Plan FY 2015-2016 for HUD Community Development Block Grant (CDBG) Program
PRESENTED BY:	Daniel Dawson, City Manager
RECOMMENDATION:	Consider the following motion: 1) Add a new project and revise the funding allocations for Del Rey Oaks Urban County projects.

BACKGROUND:

In 2013-14, the County of Monterey and the Cities of Del Rey Oaks and Gonzales became an entitlement jurisdiction participating in the U.S. Department of Housing and Urban Development's (HUD's) Community Development Block Grant (CDBG) Program. The CDBG program covers the unincorporated areas of the County and the Cities of Del Rey Oaks and Gonzales and is collectively known as the "Monterey Urban County" for CDBG purposes. As a participating jurisdiction, Del Rey Oaks receives a portion of the annual allocation of funds. For FY2015-2016, the City's allocation was $27,713 for projects. Subsequently, the City received an additional $53,000 in Program Income. In order to allocate this funding, it is requested that the City consider a recommendation in regard to projects and funding allocations.

DISCUSSION:

The following revised project activities and funding allocations are proposed for funding during the 2015-2016 fiscal year and require approval of the Del Rey Oaks City Council for submittal to the County of Monterey and subsequent submittal to the U.S. Department of Housing and Urban Development as a Substantial Amendment to the FY2015-2016 Annual Action Plan:

A. STAFF RECOMMENDATIONS FOR REVISIONS TO THE 2015-2016 CDBG ACTION PLAN ARE AS FOLLOWS:

A.D.A. IMPROVEMENTS TO DEL REY OAKS CITY HALL:

1. The continuation of ADA work to include:
   Police Phone, City Hall front doors, Council Chamber access, and Alarm $14,000

A.D.A. IMPROVEMENTS TO SIDEWALKS:

2. Installation of ADA Sidewalk/Peninsula/Island in an area described as:
   Carlton Drive $66,713

TOTAL EXPENDITURES FOR FISCAL YEAR 2015-2016 $80,713

The Del Rey Oaks City Council approval and any recommendations will be forwarded to the Monterey Urban County for a 30-day public review period followed by a Public Hearing before the Board of Supervisors on or about July 19, 2016.

The draft of the Substantial Amendment to the FY2015-16 Annual Action Plan will be available during the 30-day public review period at the following locations Monday through Friday, between 8:00 a.m. and 5:00 p.m.:

1. OFFICE OF THE CITY CLERK:

   Del Rey Oaks City Hall
   650 Canyon Del Rey
   Del Rey Oaks CA 93940
   (831) 394-8511

2. COMMUNITY and OTHER CITY FACILITIES:

   City of Del Rey Oaks Kiosks (5)
   City website: www.delreyoaks.org

3. County of Monterey Economic Development Department
   168 W. Alisal Street
   Salinas, Ca 93901
   831-755-5390
   County Website: www.co.montereycounty.ca.us

If approved, the Substantial Amendment to the 2015-2016 Annual Action Plan will be submitted to the U.S. Department of Housing and Urban Development. A final copy will be made available at the above community, city and county facilities immediately thereafter as well as on the websites.

FISCAL IMPACT:

This is a revision to the CDBG Program for FY2015-2016 and this item has no fiscal impact. It is being submitted for City Council review and approval to comply with HUD's CDBG grant reporting requirements.

Respectfully submitted,

Daniel Dawson
City Manager

RESOLUTION NO. 2016-06

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS ORDERING AN ELECTION, REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION, REQUESTING CONSOLIDATION OF THE GENERAL MUNICIPAL ELECTION IN THE CITY OF DEL REY OAKS, AND REQUESTING THAT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION INCLUDE A BALLOT MEASURE FOR THE CITY OF DEL REY OAKS PROPOSING THAT A CANNABIS BUSINESS TAX BE ADOPTED AS GENERAL TAX ON TUESDAY, NOVEMBER 8, 2016

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the city shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the city shall reimburse the county in full for the services performed upon presentation of a bill to the city; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the Board of Supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot acknowledging that the consolidation election will be held and conducted in the manner prescribed in Section 10418. Upon such request, the Board of Supervisors may order the consolidation; and

WHEREAS, pursuant to Elections Code Section 10418, if consolidated, the consolidated election shall be held and conducted, election boards appointed, voting precincts designated, candidates nominated, ballots printed, polls opened and closed, voter challenges determined, ballots counted and returned, returns canvassed, results declared, certificates of election issued, recounts conducted, election contests presented, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law

regulating the statewide or special election, or the election held pursuant to Section 1302 or 1303, as applicable; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2016.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Del Rey Oaks that it hereby orders an election be called and consolidated with any and all elections also called to be held on November 8, 2016 insofar as said elections are to be held in the same territory or in a territory that is in the same part as the territory of the City of Del Rey Oaks, and hereby requests the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10401, 10403, and 10418.

BE IT FURTHER RESOLVED AND ORDERED that the City Council of the City of Del Rey Oaks hereby requests the Board of Supervisors to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services; and

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department shall conduct the election for the following measure to be voted on at the November 8, 2016 election:

Measure to be voted on:

Ballot Question:

Measure - Cannabis Business Tax
To protect the quality of life in the City of Del Rey Oaks and to fund essential city services such as police, fire, emergency response, city programs, basic infrastructure and facilities, shall an ordinance be adopted to impose a tax of no more than 10% (5% when enacted) on gross receipts of cannabis (marijuana) businesses in the city, subject to audits, with all funds staying local?

Yes ____ No ___

The City Council of the City of Del Rey Oaks submits to the qualified electors said Ballot Measure Question as set forth above and designates and refers to said measure as the measure to be set forth on the ballots for use in said election. The full text of the measure is as set forth in Exhibit A.

In accordance with the provisions of Section 9280 of the California Elections Code, the City Attorney is hereby directed to prepare an impartial analysis of this measure.

In accordance with the provisions of Section 9212 of the California Elections Code, the Finance Director is hereby directed to prepare a fiscal impact statement of this measure.

BE IT FURTHER RESOLVED AND ORDERED that Monterey County Elections Department is requested to:

> Print the attached measure text exactly as filed or indicated on the filed document in the Voter's Information Pamphlet section of the Sample Ballot for the November 8, 2016 election. Cost of printing and distribution of the measure text will be paid for by the city/district.

BE IT FURTHER RESOLVED AND ORDERED that the City Clerk of the City of Del Rey Oaks is hereby ordered and directed to cause said proposed ordinance (Exhibit A) and notice of election to be published in accordance with the provisions of the California State Election Code.

PASSED AND ADOPTED this 24h day of May, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

RESOLUTION NO. 2016-06
EXHIBIT A

CANNABIS BUSINESS TAX

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF DEL REY OAKS:

Title 4 of the Del Rey Oaks Municipal Code is hereby amended to add a new Chapter to be numbered, entitled and to read as follows:

Chapter 4.07
CANNABIS BUSINESS TAX

Sections:

4.07.010 Purpose of chapter.
4.07.020 Tax imposed.
4.07.030 Definitions.
4.07.040 Other licenses, permits, taxes, fees or charges.
4.07.050 Payment of tax does not authorize unlawful business.
4.07.060 Payment - Location.
4.07.070 Amount of business tax owed.
4.07.080 Payment - Time limits.
4.07.090 Payments and communications made by mail - Proof of timely submittal.
4.07.100 Payment - When taxes deemed delinquent.
4.07.110 Notice not required by city.
4.07.120 Payment - Penalty for delinquency.
4.07.130 Waiver of penalties.
4.07.140 Refunds - Credits.
4.07.150 Refunds and procedures.
4.07.160 Exemptions - Application - Issuance conditions.
4.07.170 Exemptions - General.
4.07.180 Enforcement - Duties of tax administrator and sheriff.
4.07.190 Rules and regulations.
4.07.200 Apportionment.
4.07.210 Audit and examination of records and equipment.
4.07.220 Tax deemed debt to city.
4.07.230 Lien – recordation.
4.07.240 Warrant for collection of tax.
4.07.250 Seizure and sale.
4.07.260 Successor's and assignee's responsibility.
4.07.270 Deficiency determinations.
4.07.280 Tax assessment - Authorized when - Nonpayment - Fraud.

4.07.290 Tax assessment - Notice requirements.
4.07.300 Tax assessment - Hearing - Application and determination.
4.07.310 Conviction for chapter violation - Taxes not waived.
4.07.320 Violation deemed misdemeanor - Penalty.
4.07.330 Severability.
4.07.340 Effect of state and federal reference/authorization.
4.07.350 Remedies cumulative.
4.07.360 Amendment or repeal.

4.07.010 Purpose of chapter.

This chapter shall be known as the "cannabis business tax" and is enacted solely to raise revenue for the general governmental purposes of the City and not for purposes of regulation or of raising revenues for regulatory purposes. All of the proceeds from the tax imposed by this chapter shall be placed in the City's general fund and used for the usual current expenses of the City.

4.07.020 Tax imposed.

There is established and imposed, a cannabis business tax at the rate set forth in this chapter.

4.07.030 Definitions.

The definitions set forth in this part shall govern the application and interpretation of this chapter.

(A) "Business" shall include all activities engaged in or caused to be engaged in within the city, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

(B) "Employee" means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such business for a wage, salary, commission or room and board.

(C) "Engaged in business" means the commencing, conducting, operating, managing or carrying on of a cannabis business and the exercise of corporate or franchise powers, whether done as owner, or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the City or coming into the city from an outside location to engage in such activities. A person shall be deemed engaged in business within the city if:

(1) Such person or person's employee maintains a fixed place of business within the city for the benefit or partial benefit of such person;

(2) Such person or person's employee owns or leases real property within the city for business purposes;

(3) Such person or person's employee regularly maintains a stock of tangible personal property in the city for sale in the ordinary course of business;

(4) Such person or person's employee regularly conducts solicitation of business within the city;

(5) Such person or person's employee performs work or renders services in the city on a regular and continuous basis involving more than five working days per year;

(6) Such person or person's employee utilizes the streets within the city in connection with the operation of motor vehicles for business purposes.

The foregoing specified activities shall not be a limitation on the meaning of "engaged in business."

(D) "Evidence of doing business" means whenever any person shall, by use of signs, circulars, cards or any other advertising media, including the use of internet or telephone solicitation, represent that such person is engaged in Cannabis business in the city then these facts may be used as evidence that such person is engaged in business in the city.

(E) "Gross receipts," except as otherwise specifically provided, means the total amount actually received or receivable from all sales; the total amount or compensation actually received or receivable for the performance of any act or service, of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or service is done as a part of or in connection with the sale of materials, goods, wares or merchandise; discounts, rents, royalties, fees, commissions, dividends, and gains realized from trading in stocks or bonds, however designated. Included in "gross receipts" shall be all receipts, cash, credits and property of any kind or nature, without any deduction there from on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever, except that the following shall be excluded there from:

(1) Cash discounts allowed and taken on sales;

(2) Credit allowed on property accepted as part of the purchase price and which property may later be sold, at which time the sales price shall be included as gross receipts;

(3) Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

(4) Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

(5) Receipts from investments where the holder of the investment receives only interest and/or dividends, royalties, annuities and gains from the sale or exchange of stock or securities solely for a person's own account, not derived in the ordinary course of a business;

(6) Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery or other equipment used by the taxpayer in the regular course of the taxpayer's business;

(7) Cash value of sales, trades or transactions between departments or units of the same business;

(8) Transactions between a partnership and its partners;

(9) Receipts from services or sales in transactions between affiliated corporations. An affiliated corporation is a corporation:

(a) The voting and non-voting stock of which is owned at least eighty percent by such other corporation with which such transaction is had; or

(b) Which owns at least eighty percent of the voting and non-voting stock of such other corporation; or

(c) At least eighty percent of the voting and non-voting stock of which is owned by a common parent corporation which also has such ownership of the corporation with which such transaction is had;

(10) Transactions between a limited liability company and its member(s), provided the limited liability company has elected to file as a Subchapter K entity under the Internal Revenue Code and that such transaction(s) shall be treated the same as between a partnership and its partner(s) as specified in Subsection (9) above;

(11) Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar;

(12) Amounts collected for others where the business is acting as an agent or trustee and to the extent that such amounts are paid to those for whom collected. These agents or trustees must provide the finance department with the names and the addresses of the others and the amounts paid to them. This exclusion shall not apply to any fees, percentages, or other payments retained by the agent or trustees.

"Gross receipts" subject to the business tax shall be that portion of gross receipts relating to business conducted within the city.

(F) "Cannabis" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, oil, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

(G) "Cannabis business" or "medical marijuana business" means any business activity which entails the distribution, delivery, dispensing, exchanging, bartering or sale of either medical or non-medical cannabis, including but not limited to, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, wholesale, and/or retail sales of Cannabis and any ancillary products in the city, whether or not carried on for gain or profit.

(H) "Cannabis business tax", "Business tax" or "Cannabis tax" means the tax due for engaging in Cannabis business in the city.

(I) "Person" means, without limitation, any natural individual, organization, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, limited liability company, corporation (including foreign, domestic, and nonprofit), cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

(J) "Operator" shall mean any person conducting, operating, or maintaining in whole or in part as principal, agent, officer, employee or independent contractor any cannabis business or medical marijuana business as defined in this chapter, taxable under this chapter.

(K) "Sale" means and includes any sale, exchange, or barter.

(L) "Tax Administrator" or "administrator" means the Finance Director or such other administrator designated by the City Manager to administer this chapter

4.07.040 Other licenses, permits, taxes, fees or charges.

Nothing contained in this Chapter 4.07 shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any license or permit required by, under or by virtue of any provision of any other title or chapter of this code or any other ordinance or resolution of the city, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other title or chapter of this code or any other ordinance or resolution of the city.

4.07.050 Payment of tax does not authorize unlawful business.

(A) The payment of a business tax required by this chapter, and its acceptance by the city, shall not entitle any person to carry on any cannabis business unless the person has complied with all of the requirements of this code and all other applicable laws, nor to carry on any Cannabis business in any building or on any premises in the event that such building or premises are situated in a zone or locality in which the conduct of such Cannabis business is in violation of any law.

(B) No tax paid under the provisions of this chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any ordinance of the city.

4.07.060 Payment - Location.

The tax imposed under this chapter shall be paid to the administrator in lawful money of the United States, at the Offices of the Finance Director in Del Rey Oaks, California. Lawful money shall mean any coin, currency or negotiable instrument, exchangeable for said coin or currency, which the United States Congress has declared to be a national legal tender.

4.07.070 Amount of business tax owed.

(A) Every person engaged in cannabis business in the city shall pay a business tax at a rate of up to ten percent of gross receipts. The tax under this chapter shall not be imposed on cannabis businesses unless and until the City Council, by ordinance, takes action to set a tax rate not to exceed ten percent of gross receipts.

(B) Notwithstanding the maximum tax rate of ten percent of gross receipts imposed under Subsection A., the City Council may, in its discretion, at any time by ordinance, implement a lower tax rate for all cannabis businesses or establish differing tax rates for different categories of cannabis businesses, as defined in such ordinance, subject to the maximum rate of ten percent of gross receipts. The City Council may, by ordinance, also increase any such tax rate

from time to time, not to exceed the maximum tax rate of ten percent of gross receipts established under Subsection (A).

(C) Pursuant to Subsection (A), the cannabis business tax is set at five percent of gross receipts. Commencing on the operative date of this chapter, every person engaged in cannabis business in the city shall pay a cannabis business tax at the rate of five percent of gross receipts.

4.07.080 Payment - Time limits.

The business tax imposed by this chapter shall be due and payable as follows:

(A) Each person owing a tax under this chapter shall, on or before the last day of each calendar month, prepare a tax statement to the administrator of the total gross receipts and the amount of tax owed for the preceding calendar month. At the time the tax statement is filed, the full amount of the tax owed for the preceding calendar month shall be remitted to the administrator.

(B) All tax statement shall be completed on forms provided by the administrator.

(C) Tax statements and payments for all outstanding taxes owed the city are immediately due to the administrator upon cessation of business for any reason.

4.07.090 Payments and communications made by mail - Proof of timely submittal.

Whenever any payment, statement, report, request or other communication received by the administrator is received after the time prescribed by this chapter for the receipt thereof, but is in an envelope bearing a postmark showing that it was mailed on or prior to the date prescribed in this chapter for the receipt thereof, or whenever the administrator is furnished substantial proof that the payment, statement, report, request or other communication was in fact deposited in the United States mail on or prior to the date prescribed for receipt thereof, the administrator may regard such payment, statement, report, request or other communication as having been timely received. If the due day falls on Saturday, Sunday or a holiday, the due day shall be the next regular business day on which the City Hall Building at 650 Canyon Del Rey Rd., Del Rey Oaks is open to the public.

4.07.100 Payment - When taxes deemed delinquent.

Unless otherwise specifically provided under other provisions of this chapter, the taxes required to be paid pursuant to this chapter shall be deemed delinquent if not paid on or before the due date specified in Section 4.07.080.

4.07.110 Notice not required by city.

The administrator is not required to send a delinquency or other notice or bill to any person subject to the provisions of this chapter and failure to send such notice or bill shall not affect the validity of any tax or penalty due under the provisions of this chapter.

4.07.120 Payment - Penalty for delinquency.

(A) Any person who fails or refuses to pay any business tax required to be paid pursuant to this chapter on or before the due date shall pay penalties and interest as follows:

(1) A penalty equal to twenty-five percent of the amount of the tax in addition to the amount of the tax, plus interest on the unpaid tax calculated from the due date of the tax; and

(2) An additional penalty equal to twenty-five percent of the amount of the tax if the tax remains unpaid for a period exceeding one calendar month beyond the due date, plus interest on the unpaid tax and on the unpaid penalties.

(3) In addition to the penalties imposed, any person who fails to remit any tax imposed by this chapter shall pay interest at the rate of one and one-half percent per month or fraction thereof on the amount of tax, exclusive of penalties, from the last day of the month following the monthly period for which the amount or any portion thereof should have been paid until the date of payment.

(4) Only payments for the full amount due shall be accepted unless an alternate payment agreement is reached with the Administrator.

(B) Whenever a check is submitted in payment of a business tax and the check is subsequently returned unpaid by the bank upon which the check is drawn, and the check is not redeemed prior to the due date, the taxpayer will be liable for the tax amount due plus the return check fee; penalties and interest as provided for in this section; and any amount allowed under state law.

(C) The business tax due shall be that amount due and payable from the first date on which the person was engaged in cannabis business in the city, together with applicable penalties and interest calculated in accordance with Subsection(A) above.

4.07.130 Waiver of penalties.

The administrator may waive the first and second penalties imposed upon any person if:

(A) The person provides evidence satisfactory to the administrator that failure to pay timely was due to circumstances beyond the control of the person and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect, and the person paid the delinquent business tax and accrued interest owed the city prior to applying to the administrator for a waiver.

(B) The waiver provisions specified in this subsection shall not apply to interest accrued on the delinquent tax and a waiver shall be granted only once during any twenty-four month period.

(C) A request for relief from the first and second penalties must be filed within thirty days of the date the remittance was due to the city, but no later than ten days of the city's notice to the operator of the amount past due.

4.07.140 Refunds - Credits.

(A) No refund shall be made of any tax collected pursuant to this chapter, except as provided in Section 4.07.150.

(B) No refund of any tax collected pursuant to this chapter shall be made because of the discontinuation, dissolution or other termination of a business.

(C) Any person entitled to a refund of taxes paid pursuant to this chapter may elect in writing to have such refund applied as a credit against such person's business taxes for the next calendar month.

4.07.150 Refunds and procedures.

(A) Whenever the amount of any business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously or illegally collected or received by the city under this chapter, it may be refunded to the claimant who paid the tax provided that a written claim for refund is filed with the administrator within one year of the date the tax was originally due and payable.

(B) The administrator or the administrator's authorized agent shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the administrator to do so.

(C) In the event that the business tax was erroneously paid and the error is attributable to the city, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the city shall retain an amount from the refund reasonably calculated to cover expenses in verifying the error.

4.07.160 Exemptions - Application - Issuance conditions.

Any person desiring to claim exemption from the payment of the tax set forth in this chapter shall make application upon forms prescribed by the administrator and shall furnish such information and make such affidavits as may be required by the administrator.

4.07.170 Exemptions - General.

Except as may be otherwise specifically provided in this chapter, the terms hereof shall not be deemed or construed to apply to any person when imposition of the tax upon that person

would violate the Constitution of the United States or that of the State of California or preemptive federal or state law.

4.07.180 Enforcement - Duties of tax administrator and Police Chief.

It shall be the duty of the administrator to enforce each and all of the provisions of this chapter, and the Police Chief shall render such assistance in the enforcement of this chapter as may from time to time be required by the administrator.

4.07.190 Rules and regulations.

For purposes of apportionment as may be required by law and for purposes of administration and enforcement of this chapter generally, the administrator, with the concurrence of the city attorney, may from time to time promulgate administrative rules and regulations.

4.07.200 Apportionment.

(A) None of the tax provided for by this chapter shall be applied so as to occasion an undue burden upon interstate commerce or be violative of the equal protection and due process clauses of the Constitutions of the United States or the State of California.

(B) If any case where a business tax is believed by a taxpayer to place an undue burden upon interstate commerce or be violative of such constitutional clauses, the taxpayer may apply to the administrator for an adjustment of the tax. It shall be the taxpayer's obligation to request in writing for an adjustment within one year after the date of payment of the tax. If the taxpayer does not request in writing within one year from the date of payment, then taxpayer shall be conclusively deemed to have waived any adjustment for that year and all prior years.

(C) The taxpayer shall, by sworn statement and supporting testimony, show the method of business and the gross volume of business and such other information as the administrator may deem necessary in order to determine the extent, if any, of such undue burden or violation. The administrator shall then conduct an investigation, and shall fix as the tax for the taxpayer an amount that is reasonable and nondiscriminatory, or if the tax has already been paid, shall order a refund of the amount over and above the tax so fixed. In fixing the tax to be charged, the administrator shall have the power to base the tax upon a percentage of gross receipts or any other measure which will assure that the tax assessed shall be uniform with that assessed on businesses of like nature, so long as the amount assessed does not exceed the tax as prescribed by this chapter.

(D) Should the administrator determine that the gross receipt measure of tax to be the proper basis, the administrator may require the taxpayer to submit a sworn statement of the gross receipts and pay the amount of tax as determined by the administrator.

4.07.210 Audit and examination of records and equipment.

(A) The administrator shall have the power to audit and examine all books and records of persons engaged in Cannabis business including both state and federal income tax returns, California sales tax returns, or other evidence documenting the gross receipts of persons engaged in Cannabis business, and, where necessary, all equipment, of any person engaged in Cannabis business in the city, for the purpose of ascertaining the amount of business tax, if any, required to be paid by the provisions hereof, and for the purpose of verifying any statements or any item thereof when filed by any person pursuant to the provisions of this chapter. If such person, after written demand by the administrator, refuses to make available for audit, examination or verification such books, records or equipment as the administrator requests, the administrator may, after full consideration of all information within his or her knowledge concerning the Cannabis business and activities of the person so refusing, make an assessment in the manner provided in Sections 4.07.250 through 4.07.270 of any taxes estimated to be due.

(B) It shall be the duty of every person liable for the collection and payment to the city of any tax imposed by this chapter to keep and preserve, for a period of at least four years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the city, which records the administrator shall have the right to inspect at all reasonable times.

4.07.220 Tax deemed debt to city.

The amount of any tax, penalties and interest imposed by the provisions of this chapter shall be deemed a debt to the city and any person carrying on any cannabis business without first having paid such tax shall be liable in an action in the name of the city in any court of competent jurisdiction for the amount of the tax, and penalties and interest imposed on such business and for attorneys' fees in the enforcement of this chapter.

4.07.230 Lien – recordation.

If any amount required to be paid to the city under the ordinance codified in this chapter is not paid when due, the administrator, upon expiration of the second delinquency period referenced in Section 4.07.120(A)(2), may within four years after the amount is due, record in the Office(s) of the County Recorder(s) of any county in the State of California a certificate specifying the amount of tax, penalties and interest due, the name and address of the operator liable for the same and the fact that the administrator has complied with all provisions of this chapter in the determination of the amount required to be paid. From the time of the recording, the amount required to be paid together with penalties and interest shall constitute a lien upon any and all real property in any county owned by the operator or thereafter acquired by the operator. The lien shall have the force, effect and priority of a judgment lien and shall continue for ten years from the time of filing of the certificate unless sooner released or otherwise discharged.

4.07.240 Warrant for collection of tax.

At any time within four years after any operator is delinquent in the payment of any amount herein required to be paid off after the last recording of a certificate of lien under Section 4.07.230 of this chapter, the administrator may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the city under this chapter. The warrant shall be directed to any sheriff, marshal or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution. The administrator may pay or advance to the sheriff, marshal or constable, the same fees, commissions and expenses for his or her services as are provided by law for similar services pursuant to a writ of execution.

4.07.250 Seizure and sale.

At any time within four years after any operator is delinquent in the payment of any amount, the director may forthwith collect the amount in the following manner: The administrator shall seize any property, real or personal, of the operator and sell the property, or a sufficient part of it, at public auction to pay the amount due together with any penalties and interest imposed for the delinquency and any costs incurred on account of the seizure and sale. Any seizure made to collect taxes due shall be only of property of the operator not exempt from execution under the provisions of the California Code of Civil Procedure.

4.07.260 Successor's and assignee's responsibility.

If any operator, while liable for any amount under this chapter, sells, assigns or otherwise transfers the business, whether voluntarily or involuntarily; the operator's subsequent successor, assign or other transferee, or other person or entity obtaining ownership or control of the business, shall satisfy any tax liability owed to the city associated with the business. Failure to do so for the benefit of the city will result in being personally liable to the city for the full amount of the tax liability, which includes interest and penalties.

The successor operator, assign, purchaser, transferee, or other person or entity seeking to obtain ownership or control of the business shall notify the administrator of the date of transfer at least thirty days prior to the transfer date; or if the agreement to sell, transfer, or otherwise dispose of the business was made less than thirty days prior to the date of transfer, notice shall be provided immediately.

The successor operator, assign, purchaser, transferee, or other person or entity who obtains ownership or control of the business shall be deemed to have complied with the requirement of this section to satisfy the unpaid tax liability, if that person or entity complies with the requirements of California Revenue and Taxation Code Section 7283.5 by withholding from the purchase price an amount sufficient to cover the tax liability, or by otherwise paying the tax liability until the administrator provides a "Tax Clearance Certificate" showing that it has been paid and stating that no amount is due through the date of transfer.

The administrator, within 90 days of receiving a written request from a successor operator, assign, purchaser, transferee, or other person or entity who obtains or attempts to obtain ownership or control of the business, may issue a "Tax Clearance Certificate" stating either the amount of tax liability due and owing for the property, or stating that there is no tax liability due and owing for the property. The administrator may also request financial records from the current or former owner or operator to conduct an audit of the tax that may be due and owing. After completing the audit within 90 days after the date that the records were made available, the administrator may issue a tax clearance certificate within 30 days of completing the audit, stating the amount of the tax liability owed, if any. If the city determines that the records provided for an audit are insufficient, the administrator may rely on the facts and information available to estimate any tax liability associated with the property. The administrator may issue a tax clearance certificate stating the amount of the tax liability, if any, based on such facts and information available. A written application for a hearing on the amount assessed on the tax clearance certificate must be made within ten days after the serving or mailing of the certificate. The hearing provision of Section 4.07.270 shall apply. If an application for a hearing is not made within the time prescribed, the tax clearance certificate shall serve as conclusive evidence of the tax liability associated with the property as of the date specified on the certificate.

4.07.270 Deficiency determinations.

If the administrator is not satisfied that any statement filed as required under the provisions of this chapter is correct, or that the amount of tax is correctly computed, he or she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession within three years of the date the tax was originally due and payable. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person discontinues engaging in a business, a deficiency determination may be made at any time within three years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due. Whenever a deficiency determination is made, a notice shall be given to the person concerned in the same manner as notices of assessment are given under Sections 4.07.250 through 4.07.270.

4.07.280 Tax assessment - Authorized when - Nonpayment - Fraud.

(A) Under any of the following circumstances, the administrator may make and give notice of an assessment of the amount of tax owed by a person under this chapter at any time:

(1) If the person has not filed any statement required under the provisions of this chapter;

(2) If the person has not paid any tax due under the provisions of this chapter;

(3) If the person has not, after demand by the administrator, filed a corrected statement, or furnished to the administrator adequate substantiation of the information

contained in a statement already filed, or paid any additional amount of tax due under the provisions of this chapter;

(4) If the administrator determines that the nonpayment of any business tax due under this chapter is due to fraud, a penalty of forty percent of the amount of the tax shall be added thereto in addition to penalties and interest otherwise stated in this chapter.

(B) The notice of assessment shall separately set forth the amount of any tax known by the administrator to be due or estimated by the administrator, after consideration of all information within the administrator's knowledge concerning the business and activities of the person assessed, to be due under each applicable section of this chapter, and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of assessment.

4.07.290 Tax assessment - Notice requirements.

The notice of assessment shall be served upon the person either by handing it to him or her personally, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as he or she shall register with the administrator for the purpose of receiving notices provided under this chapter; or, should the person have no address registered with the administrator for such purpose, then to such person's last known address. For the purposes of this section, a service by mail is complete at the time of deposit in the United States mail.

4.07.300 Tax assessment - Hearing - Application and determination.

Within ten days after the date of service the person may apply in writing to the administrator for a hearing on the assessment. If application for a hearing before the city is not made within the time herein prescribed, the tax assessed by the administrator shall become final and conclusive. Within thirty days of the receipt of any such application for hearing, the administrator shall cause the matter to be set for hearing before him or her not later than thirty-five days after the receipt of the application, unless a later date is agreed to by the administrator and the person requesting the hearing. Notice of such hearing shall be given by the administrator to the person requesting such hearing not later than five days prior to such hearing. At such hearing said applicant may appear and offer evidence why the assessment as made by the administrator should not be confirmed and fixed as the tax due. After such hearing the administrator shall determine and reassess the proper tax to be charged and shall give written notice to the person in the manner prescribed in Section 4.07.260 for giving notice of assessment. The amount determined to be due shall be payable after fifteen days.

4.07.310 Conviction for chapter violation - Taxes not waived.

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such

conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this chapter or of any state law requiring the payment of all taxes.

4.07.320 Violation deemed misdemeanor - Penalty.

Any person violating any of the provisions of this chapter or any regulation or rule passed in accordance herewith, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment for a period of not more than six months, or by both such fine and imprisonment.

4.07.330 Severability.

Should any provision of this chapter, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this chapter or the application of this chapter to any other person or circumstance and, to that end, the provisions hereof are severable.

4.07.340 Effect of state and federal reference/ authorization.

(A) Unless specifically provided otherwise, any reference to a state or federal statute in this chapter shall mean such statute as it may be amended from time to time, provided that such reference to a statute herein shall not include any amendment thereto, or to any change of interpretation thereto by a state or federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would, under California law, require voter approval of such amendment or interpretation, or to the extent that such change would result in a tax decrease. To the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute, or interpretation thereof, shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute, or new interpretation thereof, shall be applicable to the maximum possible extent.

(B) To the extent that the city's authorization to collect or impose any tax imposed under this chapter is expanded as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this chapter.

4.07.350 Remedies cumulative.

All remedies and penalties prescribed by this chapter or which are available under any other provision of law or equity, including but not limited to the California False Claims Act (Government Code Section 12650 et seq.) and the California Unfair Practices Act (Business and Professions Code Section 17000 et seq.), are cumulative. 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 of this chapter.

4.07.360 Amendment or repeal.

Chapter 4.07 of the Del Rey Oaks Municipal Code may be repealed or amended by the City Council without a vote of the people. However, as required by Chapter XIIIC of the California Constitution, voter approval is required for any amendment provision that would increase the rate of any tax levied pursuant to this chapter. The people of the City of Del Rey Oaks affirm that the following actions shall not constitute an increase of the rate of a tax:

(A) The restoration of the rate of the tax to a rate that is no higher than the maximum ten percent tax rate set by this chapter, if the City Council has previously acted to reduce the rate of the tax;

(B) The City Council's adoption of an ordinance, as authorized by Section 4.07.070(A), to raise the tax rate provided the tax rate is not raised to a rate higher than ten percent.

(C) An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this chapter;

(D) The establishment of a class of persons that is exempt or excepted from the tax or the discontinuation of any such exemption or exception (other than the discontinuation of an exemption or exception specifically set forth in this chapter); or

(E) The collection of the tax imposed by this chapter, even if the city had, for some period of time, failed to collect the tax.

AGENDA STAFF REPORT – Items 7B, 7C and 7D

TO: Honorable Mayor Edelen and City Council

DATE: May 24, 2016

FROM: Daniel Dawson, City Manager

SUBJECT: Monument RV Resort Voter Initiative Measure

CEQA: Council Action to adopt the Initiative is a ministerial action and thus is not subject to the California Environmental Quality Act (CEQA Guidelines)

RECOMMENDATION

Adopt the "Monument RV Resort Initiative Measure", without alteration, amending the City's 1997 General Plan and Zoning Code, Chapter 17.32, as authorized under California Elections Code Section 9215. If Council adopts the measure, consider the adoption of the Ordinance 284, amending the Zoning Code, Chapter 17.32, of the City Municipal Code, consistent with the Initiative's proposed changes, and have a First Reading of the Ordinance.

ALTERNATIVES

Adopt a Resolution ordering and calling an election and consolidating it with the November 8, 2016, Presidential General Election for the purpose of enabling the voters of Del Rey Oaks to vote on the question of whether the proposed "Monument RV Resort Initiative Measure" should be adopted.

Order a report on the Initiative's fiscal impact, consistency with the General Plan, land use and infrastructure impacts, funding for infrastructure, impacts on use of vacant parcels of land or any other matters. The report shall be completed and presented to City Council within thirty (30) days of certification of the sufficiency of the petition pursuant to California Elections Code Section 9212.

DISCUSSION

An election initiative has been circulated with the City of Del Rey Oaks, entitled the Monument RV Resort Initiative Measure, amending the 1997 General Plan and Chapter 17.32 of the Zoning Code of the City of Del Rey Oaks Municipal Code.

On May 9, 2016, the Monterey County Register of Voters determined that 174 signatures on the initiative petition were valid. Under California Elections Code Sections 9215 and 1405(b) if the petition is signed by 10% of the voters the city shall: 1) adopt the Initiative proposed by the initiative, without alteration, at a regular meeting or within 10 days thereafter; 2) submit the Ordinance to the voters, without alteration, at the next regular election; or 3) order a report for further study of the initiative's impacts.

If Council adopts the Monument RV Resort Initiative Measure, without alteration, Council must take the Initiative's proposed amendments to the Zoning Code of the City Municipal Code, Chapter 17.32 and adopt them in an Ordinance 284 consistent with the requested changes.

FISCAL IMPACT

Recreational Users Fee payable to Del Rey Oaks at 10%

Phase One: $107,352/yr

Phase Two: $164,808/yr

Phase Three: $317,520/yr

ATTACHMENTS

PowerPoint Presentation

Initiative Proposed Amendments to General Plan and Municipal Code

Item: 7B - Resolution 2016-07 Certifying Monument RV Petition Signature Count

Item: 7C - Resolution 2016-08 for Adoption of Initiative (To be provided at dais)

Item: 7D - Ordinance 284 Amending the city Municipal Code, Zoning Code, Chapter 17.32 (To be provided at dais)

Monument RV Resort

A Voter Initiative Project for the City of Del Rey Oaks

May 24, 2016

About the Voter Initiative Process

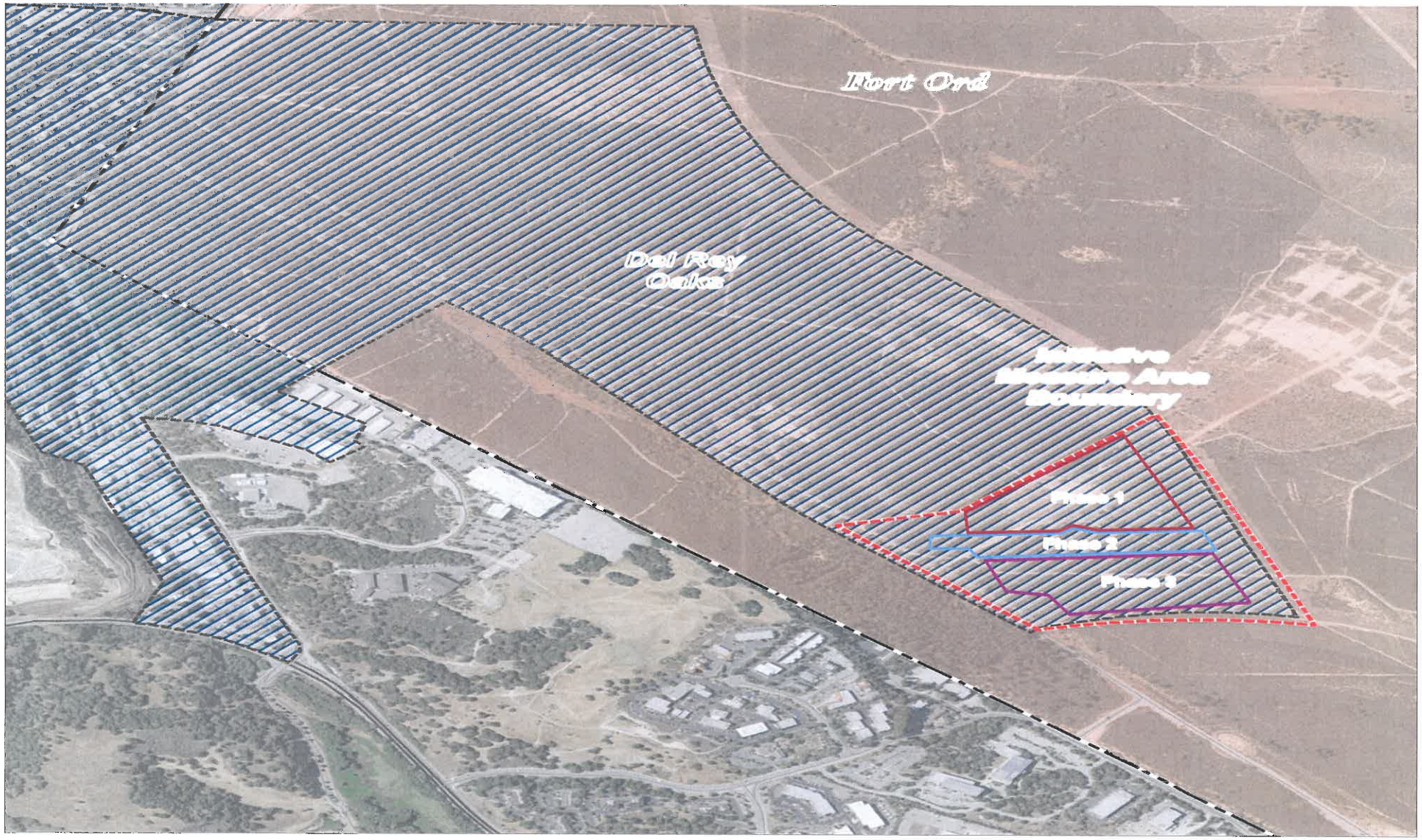
- Project proponents are required to collect signatures from at least 10% of the Registered Voters in the City. (108 Signatures)
- County Elections Department verifies validity and number of signatures. (174 voter signatures collected and verified)
- City certifies the result of the County Elections verification at the City Council meeting and the City Council can:
  - 1. Adopt the Initiative Measure without alteration
  - 2. Order a Special Election
  - 3. Request more Study on the issue for 30 days

General text of Initiative - Description of the Project

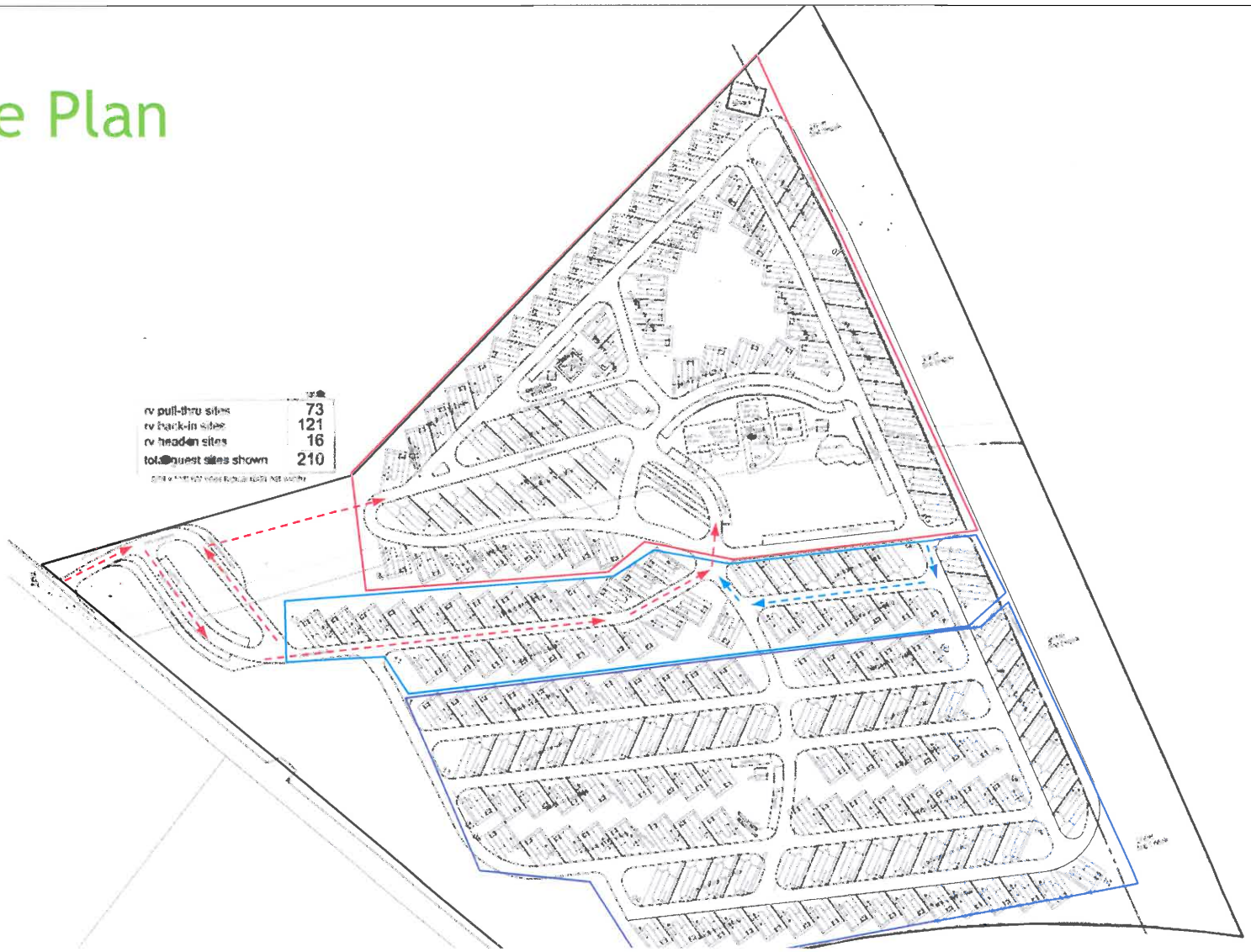
- Monument RV Resort is a recreational and visitor-serving facility, to be located within the Initiative Measure Area on the former Fort Ord land within Del Rey Oaks. The Initiative Measure Area is approximately 54 acres of the Eastern most portion of the City's Fort Ord lands. Monument RV Resort was inspired by the desire to provide Recreational Vehicle (RV) users a quality facility to stay near the Fort Ord National Monument, while enjoying all that the Monterey Peninsula has to offer. The Project will be built in 3 Phases and at full build out will contain 210 RV Spaces and 13,500 square Feet of buildings on the 54 Acres.

Project Phasing

- The Monument RV Resort will be developed in 3 Phases.
- Phase I consists of 71 RV sites and a 7,670 sq. ft. Lodge on approximately 17 acres of the 54 acre property and includes: Administration, a General Store, Lobby, Game Room, Fitness Center, and 2 Restroom/Shower/Laundry Facilities. Phase I will also include an outdoor Pool & Spa, Patio area, Kids Playground, Dog Run, Walking Trails, and a 2,025 sq. ft. Operations Building.
- Phase 2 will add an additional 38 RV Sites on 10 acres.
- Phase 3 will add 101 additional RV Sites on 26 acres along with a 2,250 sq. ft. Pavillion at the Lodge site.


Fort Ord
Del Rey Oaks
Phase 1
Phase 2
Phase 3

Site Plan


rv pull-thru sites 73
rv back-in sites 121
rv tent sites 16
total guest sites shown 210

Financial Benefits to Del Rey Oaks

- Assumptions: 60% Occupancy and $70/night
- Phase 1: 71 sites equals $107,352/yr. (TOT@10%)
- Phase 2: 109 sites equals $164,808/yr.
- Phase 3: 210 sites equals $317,520/yr.
- Additional Sales Tax Revenue ie Safeway, Gas, Tarpy's

Frequently Asked Questions

- What type of Environmental Review has and will be done?
- The Property has been extensively reviewed, cleaned of munitions and analyzed for endangered species over the past 20 years since the Land was transferred and annexed to the City of Del Rey Oaks. All of the Fort Ord Reuse Authority (FORA) regulations must be complied with, including payment of Development Impact Fees, Habitat Conservation Planning, U.S. Army Construction Support as needed and adherence to the regulations contained in the Del Rey Oaks General Plan and Zoning Code.

Environmental Review

- Water for the Project will be purveyed by the Marina Coast Water District and Sewer services will be done by Seaside County Sanitation District.
- South Boundary Road will be widened, realigned and brought up to standards, including left turn lanes and bicycle lanes as part of the FORA Capital Improvement Plan and Base Mitigation Requirements.
- Traffic concerns will be mitigated by improvements on South Boundary Road and the expectation is that once the RVs are parked they will remain for several days and the occupants will be shuttled to events and locations thruout the Monterey Peninsula, thus relieving some traffic concerns.

Next Steps for the Project

- If the Initiative Measure is adopted the next step will be to seek a Consistency Determination from the FORA Board. Project proponents and City Staff have been in contact with FORA Staff regarding this project for the past 2 years.
- After the Project is found to be Consistent with the Base Reuse Plan it will be eligible for City Entitlement and the General Plan and Zoning Codes will be changed to permit the development.
- FORA needs to adopt the Habitat Conservation Plan (20 years in the making!) which should occur in early 2017. FORA is also responsible for the South Boundary Road Project and it is currently number 1 on the list of priority projects.

MONUMENT RV RESORT INITIATIVE MEASURE

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

To the City Council of the City of Del Rey Oaks: We the undersigned, registered, qualified voters of Del Rey Oaks, California, hereby propose amendments to the 1997 Del Rey Oaks General Plan (General Plan) and Title 17, Zoning, of the City of Del Rey Oaks Municipal Code concerning a proposed recreational vehicle (RV) park on former Fort Ord lands in the City of Del Rey Oaks, and petition the City Council to submit the same to the voters of Del Rey Oaks for their adoption or rejection at the next succeeding municipal election, or special election for which the measure may qualify, or adopt the measure without alteration, as provided for in the California Elections Code.

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

Section 1 – Findings and Declaration of Purpose.

A. The people of Del Rey Oaks desire to provide recreational uses in the vicinity of the Fort Ord National Monument, hereinafter National Monument, nearby Laguna Seca Raceway and Recreation Area, and the attractions of the Monterey Peninsula and Monterey Bay Region for visitors and locals to enjoy.

B. The people of Del Rey Oaks desire to amend the General Plan and Zoning Code to specifically allow recreation oriented uses as a permitted use.

C. The people of Del Rey Oaks want an RV park, hereinafter Monument RV Resort, of up to 210 total guest sites, including accessory and auxiliary uses, on 53.86 acres on the south end of the former Fort Ord lands in the City of Del Rey Oaks.

D. The Monument RV Resort will provide jobs and dramatically impact the financial well-being of the City of Del Rey Oaks. The people of Del Rey Oaks want Monument RV Resort to be built as soon as possible.

E. The Monument RV Resort will coexist harmoniously with the National Monument and lands designated for habit management under the Fort Ord Installation-wide Multispecies Habitat Management Plan (HMP).

F. Infrastructure for water, sewer, and other services will be extended to the Initiative Measure Area boundaries (boundaries are reflected in Figure 3, Initiative Measure Area

and Approximate Development Phasing, which appears later in this document), and adequate capacity is available to serve the intended uses.

G. The Monument RV Resort developer will pay Impact Fees to the Fort Ord Reuse Authority (FORA) in order to fund fair share contributions to transportation improvements, service infrastructure, and habitat management.

H. The Monument RV Resort's location on the Monterey Peninsula provides convenient overnight visitor accommodations that will help reduce traffic trips to and from events in the region.

I. The development of the former Fort Ord lands within the Initiative Measure Area boundaries will meet certain hazardous and toxic clean-up levels as specified by the State of California and FORA.

J. The citizens of Del Rey Oaks intend development of an RV park within the Initiative Measure Area (as described in Section 4, Monument RV Resort Description and as shown in Figure 3, Initiative Measure Area and Approximate Development Phasing, which appears later in this document) to meet certain general and environmental standards set by FORA in its Master Resolution, Chapter 8, Base Reuse Planning and Consistency Determinations, as well as Base Reuse Plan (Fort Ord Reuse Plan) policies applicable to the Del Rey Oaks Fort Ord territory.

K. The citizens of Del Rey Oaks intend the Monument RV Resort to be developed in a manner to protect the public health, safety, convenience and general welfare of the people and community of Del Rey Oaks.

L. THEREFORE, the people of the City of Del Rey Oaks hereby propose this Initiative Measure to:

1) Enact a General Plan and Zoning Code Amendment in furtherance of the existing General Plan of the City;

2) Provide general and environmental standards that demonstrate consistency with the FORA Master Resolution, Chapter 8, Base Reuse Planning and Consistency Determinations and Fort Ord Reuse Plan policies; and

3) Require any amendment of this Initiative Measure to be approved by the voters, except to further the purposes of this Initiative Measure.

Section 2 – Del Rey Oaks General Plan Amendment

A. The following strikethroughs and underlines are amendments to the 1997 Del Rey Oaks General Plan "General Commercial-Visitor" land use designation and "Annexations to the City" sections in the form of text deletions and additions respectively.

B. The Del Rey Oaks General Plan shall designate, in whole, the Initiative Measure Area as "General Commercial-Visitor" (GC) on the City's General Plan Land Use Map (Del Rey Oaks General Plan Figure 2) and modify the text of the General Commercial-Visitor (GC) land use designation on page 28 of the City's Adopted 1997 General Plan as follows:

> **General Commercial-Visitor (GC)**
>
> This designation is applied to land intended to accommodate the widest range of commercial, recreational, retail, wholesale, and office uses, as well as similar compatible uses. These uses may include, but are not limited to, hotel, motel, restaurants, conference center, golf course, specialty retail shops, fitness center, corporate office center, office park, recreational vehicle (RV) park, and similar visitor serving businesses, and recreation oriented uses. The General Commercial designation ~~has been applied~~ applies to the central portion of the City east of Highway 218 at North South Road (General Jim Moore Boulevard) as well as a portion of the Fort Ord Reuse planning area. ~~To be requested for annexation. The General Commercial designation may also accommodate motels, hotels, restaurants, golf courses, fitness centers, conference centers, and similar businesses oriented toward tourists.~~

C. As a part of this Amendment to the City's General Plan, Office Professional (O) and/or Business Park/Light Industrial/Office/R&D designations within the Initiative Measure Area boundaries are removed.

D. As a part of this Amendment to the City's General Plan, card rooms and casinos are prohibited on former Fort Ord lands (Fort Ord Reuse Plan, Commercial Land Use Policy B-2; B-3, 1997).

E. As a part of this Amendment to the City's General Plan, additional amendments to the General Plan text are made to clarify that the former Fort Ord lands identified in the City's General Plan have been annexed and are a part of the City's incorporated boundaries; and further to clarify the intent of the City to include and allow other recreational uses, either with a golf course or independent of a golf course; further modify the text on page 28 of the City's Adopted 1997 General Plan identified as "Annexations to the City" and "Table 1, Summary of Del Rey Oaks General Plan Update Land Use Designations" as follows:

Annexations to the City

The City of Del Rey Oaks ~~will be requesting~~ has annexed parcels located within the Fort Ord Reuse Planning area ~~for annexation.~~ A summary of complete development, or "buildout" of the City, ~~and~~ including the Fort Ord Reuse area lands the City ~~will be requesting for~~ has ~~annexation~~ annexed is provided in Table 1.

~~The~~ When the General Plan designates land beyond the current City limits ~~at Fort Ord~~ for future urban development, ~~When evaluating~~ the appropriateness of future annexations to the City~~, the following criteria~~ should be ~~considered~~ evaluated using the following criteria:

- The costs and capability of providing adequate public facilities and the levels of government services required.

Table 1
Summary of Del Rey Oaks General Plan Update
Land Use Designations

Land Use	Unit
Single-family Residential	5 dwelling units
Conference Center*	44 gksf
Hotel*	316 rooms
Golf Course and/or other recreational uses*	155 acres
Retail (Specialty Shops)*	30 gksf
Fitness Center*	10 gksf
Office Park*	300 gksf
Corporate Office Center*	75 gksf
Retail Commercial	43.5 gksf
Office Park/Hotel	205 rooms
Total Office Park/Conference Center	419 gksf
Total Residential/Hotel	525 units
Total Golf and/or other recreational uses	155 acres
Total Commercial/Retail	83.5 gksf

* Parcels within the Fort Ord reuse area ~~which will be requested for annexation into the City of Del Rey Oaks~~.

Gksf = gross thousand square feet

Sources: City of Del Rey Oaks

- The effects on adjacent areas, on mutual social and economic interests, and on the government structure of the City.
- Conformity with LAFCO policies which seek efficient patterns of urban development, including encouraging the guiding of urbanization away from existing productive agricultural lands and encouraging development of existing vacant or non-prime lands within the existing urban area before allowing development outside the current boundaries.

F. Delete Figure 2A, Fort Ord Annexation Area Proposed Project Land Use Concept (attached and incorporated herein), as this "proposed project land use concept" is not necessary to implement the City's General Plan on the Fort Ord lands. The desired land use designations are already provided in Figure 2, the City's General Plan Land Use Map.

G. Modify Land Use Element Goal 6 and 8 as follows:

6. ~~Annex the~~ The properties on Fort Ord have been annexed by the City to provide additional sites for economic development with potential revenue generating land uses.

8. Plan intensification of existing development, and ~~expansion of~~ the City limits have been expanded to include areas identified in the Fort Ord Reuse Plan.

H. Delete Land Use Element Policy L-2 on page 32 and the first sentence of "Annexations to the City" on page 74 of the City's 1997 General Plan, as annexation of the former Fort Ord lands has already occurred. The deletion of Policy L-2 (page 32) and the sentence on page 74 is as follows:

~~L-2 The City shall work with the Local Agency Formation Commission (LAFCO) to define the City's Sphere of Influence and prepare a plan for providing services for the Fort Ord reuse area to facilitate annexation.~~

Annexations to the City

~~The General Plan Designates land beyond the current city limits at Fort Ord for future urban development.~~ When evaluating the appropriateness of future annexations to the City, the following criteria should be considered:

1. The costs and capability of providing adequate public facilities and the levels of government services required.

2. The effects on adjacent areas, on mutual social and economic interests, and on the government structure of the City.

3. Conformity with LAFCO policies which seek efficient patterns of urban development, including encouraging the guiding of urbanization away from existing productive agricultural lands and encouraging development of existing vacant or non-prime lands within the existing urban area before allowing development outside the current boundaries.

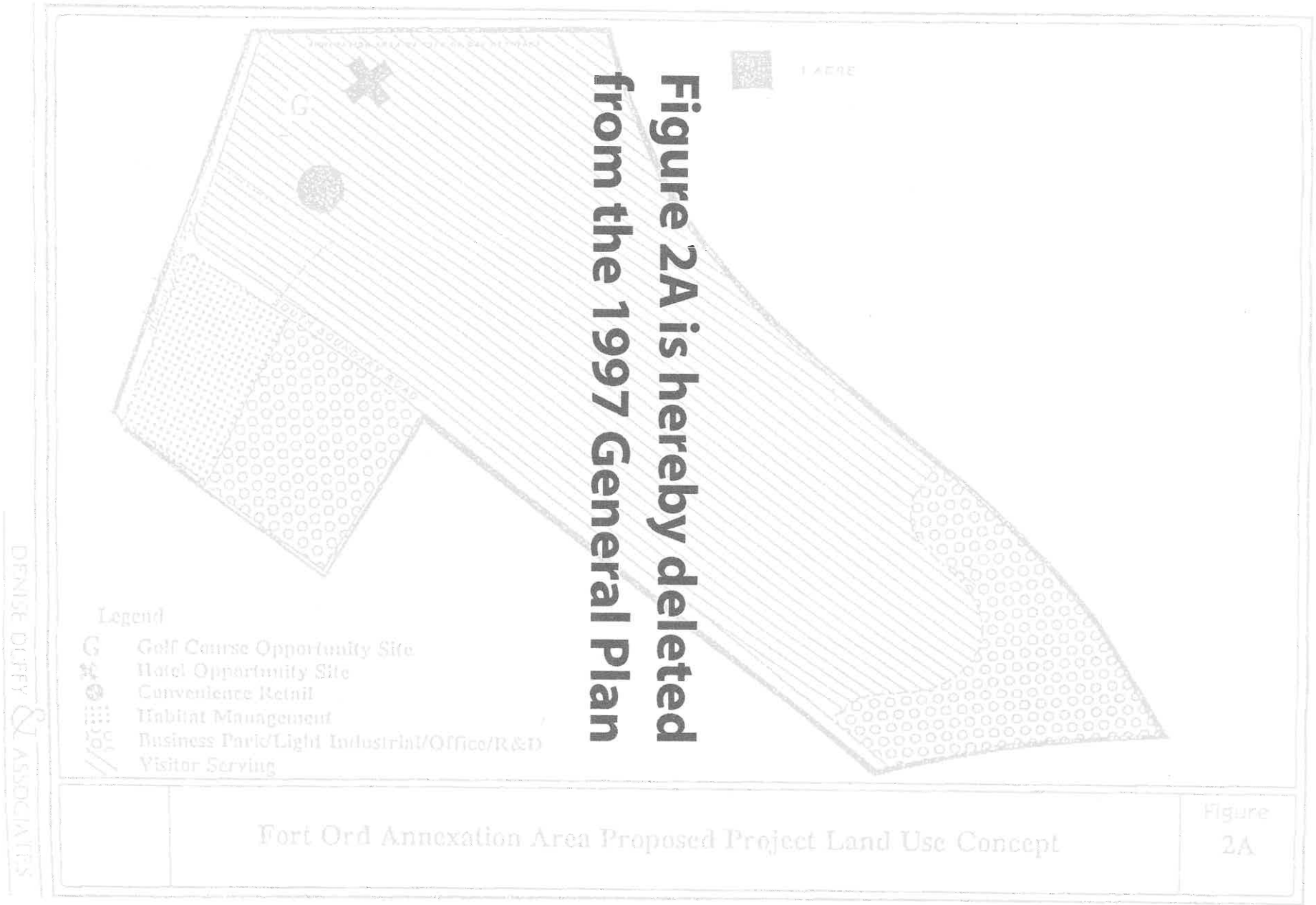
Section 3 – Del Rey Oaks Zoning Code Amendment

A. In order to provide for recreational use, the following strikethroughs and underlines hereafter are amendments to the Del Rey Oaks Zoning Code in the form of text deletions and additions respectively.

B. The Del Rey Oaks Zoning Map adopted pursuant to Chapter 17.04 of the Del Rey Oaks Municipal Code, Title 17, (the Zoning Map) designates the Initiative Measure Area as Neighborhood Commercial (Chapter 17.24) with a Visitor Commercial Overlay Zone (Chapter 17.32). The combination of these two designations is identified on the Zoning Map as C-1-V. The C-1 District (Chapter 17.24) is the base district, and is modified by the Visitor Commercial (V) Overlay Zone (Chapter 17.32). The Visitor Commercial (V) Overlay Zone (Chapter 17.32) of the City's Zoning Code is modified as follows:

Chapter 17.32
VISITOR COMMERCIAL OVERLAY ZONE
Sections:
17.32.010 Description and purpose of visitor commercial overlay district.
17.32.020 Definitions.
<u>17.32.030 Permitted principal uses.</u>
17.32.0~~3~~40 Conditional uses.
17.32.0~~4~~50 Accessory uses permitted
17.32.0~~5~~60 Performance standards.
17.32.0~~6~~70 Cessation of land use <u>– use permits</u>.
~~17.32.070 Use permits.~~
17.32.010 Description and purpose of <u>visitor</u> commercial overlay district.
This overlay district is to provide for the establishment and control of visitor accommodation <u>and recreation oriented</u> uses within the City and to specify property development standards for such uses (Prior code § 11-205-B-6(1)).

Figure 2A - Map to be removed from 1997 General Plan



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17.32.020 Definitions.

For the purposes of this chapter, the following definitions shall apply:

"Accessory use" means a use customarily, incidental, related and subordinate to the principal use of the property.

"Auxiliary use" means a use ~~included within a building or building complex~~ that is auxiliary in nature to the principal use of the property.

"Inn" or "resort/conference hotel" means an all suites hotel located on a parcel of land not less than ten acres in area, providing no outside entrances for non-hotel business purposes and using no streets for non-hotel business or business displays (Prior code § 11-205-B-6(7)).

17.32.030 Permitted principal uses.

In the visitor commercial overlay district, the following principal uses are permitted:

A. Recreational Vehicle (RV) parks and other recreational related activities and uses;

B. Park models and similar uses;

C. Clubhouses, gathering places, social halls, and lodges;

D. All principally permitted uses in the C-1 district;

E. Auxiliary uses to recreational vehicle parks, other recreational related activities and uses and clubhouse, gathering places, social halls, and lodge uses.

17.32.0~~3~~40 Conditional Uses.

In the visitor commercial overlay district~~s~~, the following ~~conditional~~ uses are permitted subject to obtaining a use permit:

A. Inn or resort/conference hotel;

B. Auxiliary uses to inn or resort/conference hotels (that are listed as permitted or conditional uses in the C-1 district, including restaurants, cocktail lounges, and assembly rooms) (Prior code § 11-205-B-6(2)).

17.32.0~~4~~50 Accessory uses permitted.

In the visitor commercial overlay zone, ~~districts the following~~ accessory uses and buildings customarily appurtenant to a permitted or conditionally permitted use are permitted.

~~Newsstands; gift shops; game rooms; laundry and dry cleaning pick-up; and personal services such as beauty shops; barber shops; and shoe services if so located and operated as to serve hotel guests only with no outside exposure or advertising that would serve to attract the general public. (Prior code § 11-205-B-6(3))~~

17.32.0~~5~~60 Performance standards.

In the visitor commercial overlay districts, the following performance standards are required:

A. Occupancy. Occupancy shall not be permitted nor established for a period in excess of thirty (30) consecutive days, unless a longer occupancy is allowed by the Municipal ~~so provided by City~~ Code or ~~and~~ the City Council~~'s~~ ~~issuance of~~ issues a use permit to extend the occupancy limit.

B. The property development standards in the C-1 zone (Section 17.24.040 of the Municipal Code) do not apply, unless otherwise specified in this Chapter 17.32.

C. The other required conditions in the C-1 zone (Section 17.24.050 of the Municipal Code) apply, with the exception that uses may be conducted either inside or outside of a building, or both; the surface material used for access, parking, and lodging areas may be other than asphalt concrete or portland cement so long as such surface materials are consistent with best management practices (BMPs) and subject to approval of the city engineer, and underground utilities are required and not subject to variance or city council approval, but approval by the city engineer.

~~B. Kitchen or Cooking Facilities. Kitchen or cooking facilities shall be limited to convenience of "entertainment" appliances. No kitchenettes, stove tops, hot plates, convection ovens or separate cooking areas shall be permitted. Limited food preparation facilities shall be allowed as part of the all-suites concept proposed for and in this entertainment/food preparation area, located in the living room in conjunction with, and as part of, the entertainment center, shall include: stereo/radio, television, VCR, bar size sink, microwave and minibar which shall be included as part of the half-size under-counter refrigerator.~~

~~C.~~D. Parking. With the exception of recreation oriented and clubhouse-type uses, ~~P~~parking shall be as required by Section

17.24.040, with fifty (50) percent reduction of parking required for auxiliary uses that primarily serve guests within hotel. Parking for recreation oriented and clubhouse-type uses shall be subject to the approval of the city manager. ~~(Prior code § 11-205-B-6(4))~~

17.32.0~~6~~70 Cessation of land use – use permits.

~~No change of land use can occur in this district without specific authorization. (Prior code § 11-205-B-6(5))~~

~~**17.32.070 Use Permits.**~~

Upon cessation of a land use conducted under the provisions of a use permit, for a period of six consecutive months, the City Council ~~shall~~ may initiate proceedings to terminate the use permit. ~~Consider general plan and rezoning of the property as appropriate. (Prior code § 11-205-B-6(6))~~

17.32.080 Prohibited Uses

Card rooms and casinos are prohibited uses within this overlay zone and on former Fort Ord lands.

Section 4 – Monument RV Resort Description

A. Monument RV Resort is a recreational and visitor-serving facility, desired by the people of the City of Del Rey Oaks, to be located within the Initiative Measure Area on the former Fort Ord land within Del Rey Oaks. The regional and vicinity location are illustrated in Figure 1, Regional/Vicinity Location, attached hereto and incorporated herein by reference. The Initiative Measure Area is approximately 53.86 acres of the eastern most portion of the City's Fort Ord lands identified in Figure 2, Del Rey Oaks Fort Ord Lands, attached hereto and incorporated herein by reference. Monument RV Resort was inspired by the desire to provide Recreational Vehicle (RV) users a quality facility to stay near the Fort Ord National Monument, while enjoying all that the Monterey Peninsula has to offer.

Phase I

The Monument RV Resort may be developed in three phases. The Monument RV Resort Initiative Measure Area boundaries, in the context of the Del Rey Oaks former Fort Ord lands, and the intended development phasing within the Initiative Measure Area boundaries is illustrated in Figure 3, Initiative Measure Area and Approximate Development Phasing, attached hereto and incorporated herein by reference. Phase I consists of 71 RV sites and a 7,670 sq. ft. great lodge on approximately 17 acres of the 53.86 acre property and includes: administrative area, general store, congregation area,

game room, fitness center, and a two restroom/shower/laundry facilities. Phase I will also include an outdoor pool & spa, patio area, kids playground, dog run, walking trails, and a 2,025 sq. ft. operations building. Figure 4, Monument RV Resort Concept Plan, illustrates the conceptual Monument RV Resort Plan, which is the intended development within the Initiative Measure Area boundaries.

Phase II & III

Phase II may consist of an additional 38 RV sites on approximately 10 acres, bringing the total to 109 RV sites. Phase III may consist of 101 additional RV sites on approximately 26 acres, and a 2250 sq. ft. pavilion to be located near the great lodge. The total build out of the project consists of approximately 210 RV sites and 13,595 sq. ft. of buildings. The walking trails implemented in Phase I will be adjusted or removed with the implementation of Phases II and III.

B. The size of the Monument RV Resort facilities and the implementation of the phasing plan described herein are within the sole discretion of the Monument RV Resort Initiative Measure Area developer, so long as the total build out of the project does not exceed 210 RV sites and 13,595 sq. ft. of buildings.

C. The Monument RV Resort will dramatically impact the financial well-being of the City of Del Rey Oaks. Economic estimates are based on a rate of $70 per night for each RV space. The City's Recreational Facility Users Fee (Ordinance 281) requires that the development pay the City ten percent (10%) of gross rental revenues. The City's projected income is calculated based on the three proposed development phases, with a 60% occupancy scenario for each phase. The figures below are intended to serve as approximations of revenues the Monument RV Resort will generate for the City.

Phase I:

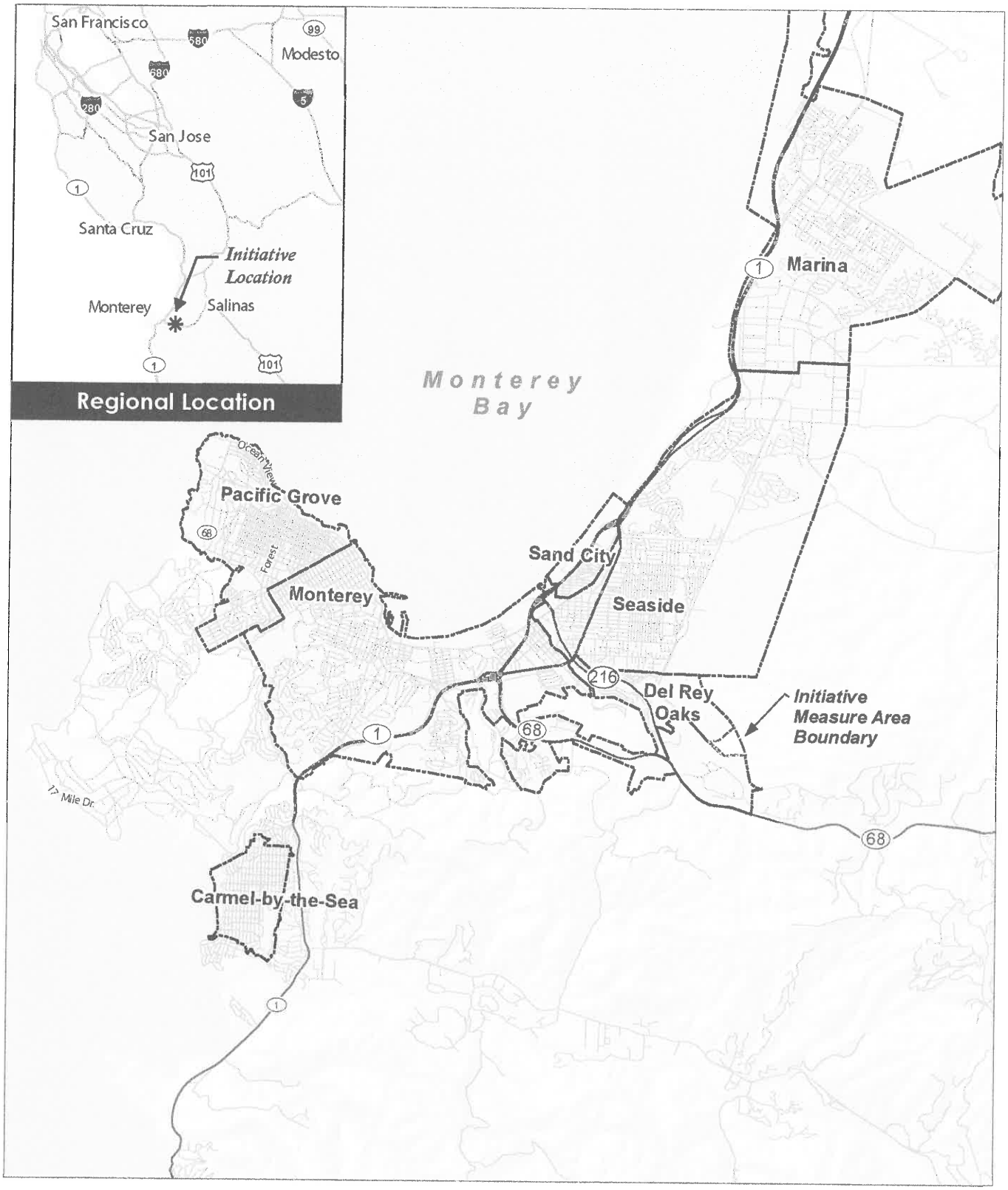
- 71 sites, assuming rate of $70/night
  - 60% occupancy = ~$107,352 annually

Phase II:

- 109 sites, assuming rate of $70/night
  - 60% occupancy = ~$164,808 annually

Phase III:

- 210 sites, assuming rate of $70/night
  - 60% occupancy = ~$317,520 annually



Source: Esri 2015

Figure 1

Regional/Vicinity Location

Monument RV Resort Initiative Measure

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0 1.5 miles

Initiative Measure Area Boundary
Del Rey Oaks
Fort Ord Boundary

Source: Esri 2015, Fort Ord Reuse Authority 1996

Figure 2

Del Rey Oaks Fort Ord Lands

Monument RV Resort Initiative Measure

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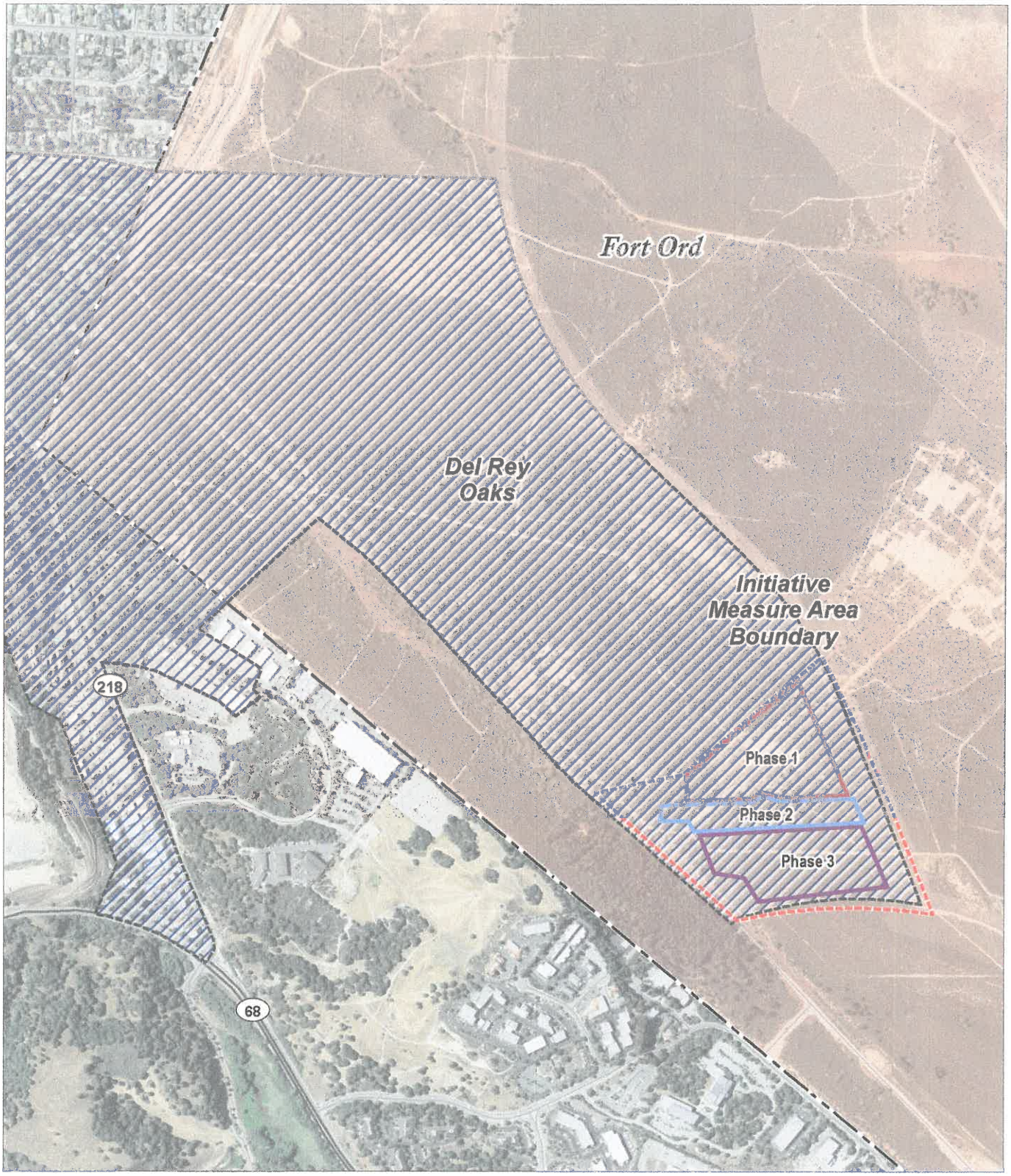

0 1,000 feet

Initiative Measure Area Boundary
Del Rey Oaks
Fort Ord Boundary

Source: Esri 2015, Fort Ord Reuse Authority 1996

Figure 3

Del Rey Oaks Initiative Measure - Development Phasing

Monument RV Resort Initiative Measure

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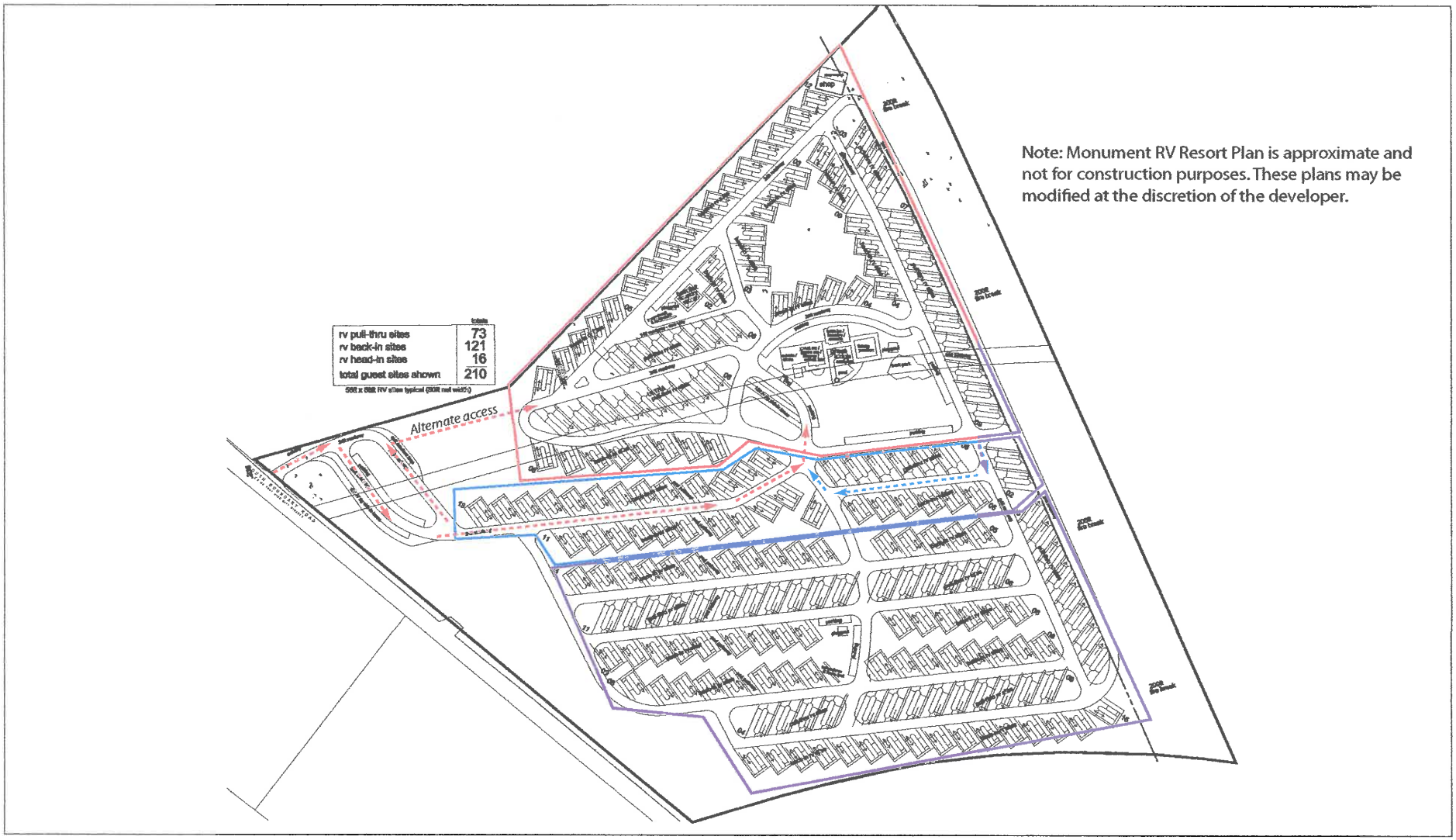

0 360 feet

Initiative Measure Area Boundary

Phase 1 (71 sites)

Phase 2 (38 sites)

Phase 3 (101 sites)

Road for Phase 1

Road for Phase 2

Source: Ron D. Beard and Associates 2015

Figure 4

Monument RV Resort Concept Plan

Monument RV Resort Initiative Measure

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Not only does the Monument RV Resort bring economic benefits to the City of Del Rey Oaks via the Recreational Facility Users Fee (Ordinance 281), but also positively impacts the local economy as Resort visitors are anticipated to utilize local businesses.

Economic forecasts are a result of market analyses, supported by market data provided from the California Association of RV Parks and Campgrounds (CalARVC). Data provided by the CalARVC from 2008 to 2011 show RV park occupancy in the Central Coast region grew from 55.5% to 65.4%. While many variables must be taken into consideration (economic climate, park conditions & amenities, etc.), it is conservative to assume that Monument RV Resort, as a new recreational facility adjacent to the National Monument, can maintain an average annual occupancy of ~60%. This occupancy forecast is based on reliable RV Park occupancy metrics and is conservative, as it is lower than the average occupancy rate in the region.

The Monument RV Resort developer shall pay Development Impact Fees and a Facility Users Fee (Ordinance 281) which benefits the City financially. Further, the increase in local and out of town visitors drawn to the area to utilize the Monument RV Resort, benefits local businesses. Additionally, the payment of FORA's Impact Fees "mitigates the costs associated with the impact of development of the Fort Ord territory" (Resolution of the Fort Ord Reuse Authority 13-05 B., 2013)

The City shall impose or exact only those assessments, Impact Fees, dedications, other fees or mitigations on the Monument RV Resort (collectively, "Exactions") at rates in effect at the time of building permit issuance.

The developer of the Monument RV Resort shall be obligated to pay only those processing fees, including application, plan check, map review, inspection and monitoring fees and fees of outside consultants, for land use approvals, grading and building permits, and other permits and entitlements ("Processing Fees") in connection with the Monument RV Resort at rates in effect at the time of building permit issuance.

D. The National Monument "holds some of the last undeveloped natural wildlands on the Monterey Peninsula" (Blm.gov, 2015, n.p.), as is illustrated in Figure 5, Fort Ord National Monument. Home to roughly 83 miles of trail systems, the National Monument is a great place for hikers, bikers, and equestrians to explore the beautiful Central California. Many Recreational Vehicle users enjoy bicycling and trail sports, which increases the potential for these users to stay at the Monument RV Resort and utilize all that the neighboring National Monument has to offer. The National Monument already attracts more than 100,000 visitors annually, and that number is growing. The development of the Monument RV Resort on former Fort Ord land and the attraction of visitors to the National Monument supports the goal of the community-based Fort Ord Reuse Plan (1997), which

is to "promote the best use of the land through well planned and balanced development which ensures educational and economic opportunities, as well as environmental protection."

Monument RV Resort harmoniously co-exists with the surrounding former Fort Ord lands. The Monument RV Resort is located outside the boundaries of the Fort Ord National Monument and HMP. The Initiative Measure Area is not a sensitive habitat area and is designated as a "development" parcel, with no habitat management requirements. The proximity of the Monument RV Resort Initiative Measure Area boundaries to the National Monument boundaries is illustrated in Figure 5, Fort Ord National Monument, and Figure 6, Fort Ord Habitat Management Plan, illustrates the distance of those boundaries from the HMP area. To ensure compatibility with the neighboring National Monument and HMP area, the Monument RV Resort includes a vegetative screening buffer, using native vegetation, on the northern perimeter of the Initiative Measure Area. The screening is designed in a manner consistent with the HMP guidelines. Roads within the buffer area adjacent to the Habitat Management area are restricted to access for maintenance or emergency use.

E. The U.S. Army transferred 6,600 acre-feet per year (AF/yr) of Salinas Valley Groundwater Basin water rights to FORA. FORA allocated 242.5 AF/yr of potable water and 280 AF/yr of recycled water to the City of Del Rey Oaks. Through a Disposition Development Agreement (DDA) made July 10, 2014,all right, title and interest of 50 AF/yr of potable and 50 AF/yr of non-potable recycled water was assigned, conveyed, and transferred from the City's allotment to the Initiative Measure Area or other former Fort Ord parcels upon the purchase of these development parcels on the former Fort Ord

F. The Marina Coast Water District (MCWD) is the purveyor of water for the City of Del Rey Oaks within the former Fort Ord, also known as the Ord Community Service Area. MCWD has a water conservation ordinance, and the City of Del Rey Oaks requires the consideration of water conservation as part of all land use decisions. The Monument RV Resort employs best management practices relating to water conservation, and will connect to recycled/reclaimed water lines for irrigation purposes upon availability. Furthermore, landscaping consists largely of native, drought tolerant species from on-site stock where practical and appropriate. The Monument RV Resort utilizes a rainwater collection tank to supplement the use of non-potable water as an irrigation source.

0 1.25 miles

Initiative Measure Area Boundary
Del Rey Oaks
Fort Ord Boundary
Fort Ord National Monument

Source: Esri 2015, Fort Ord Reuse Authority 1996

Figure 5

Fort Ord National Monument

Monument RV Resort Initiative Measure

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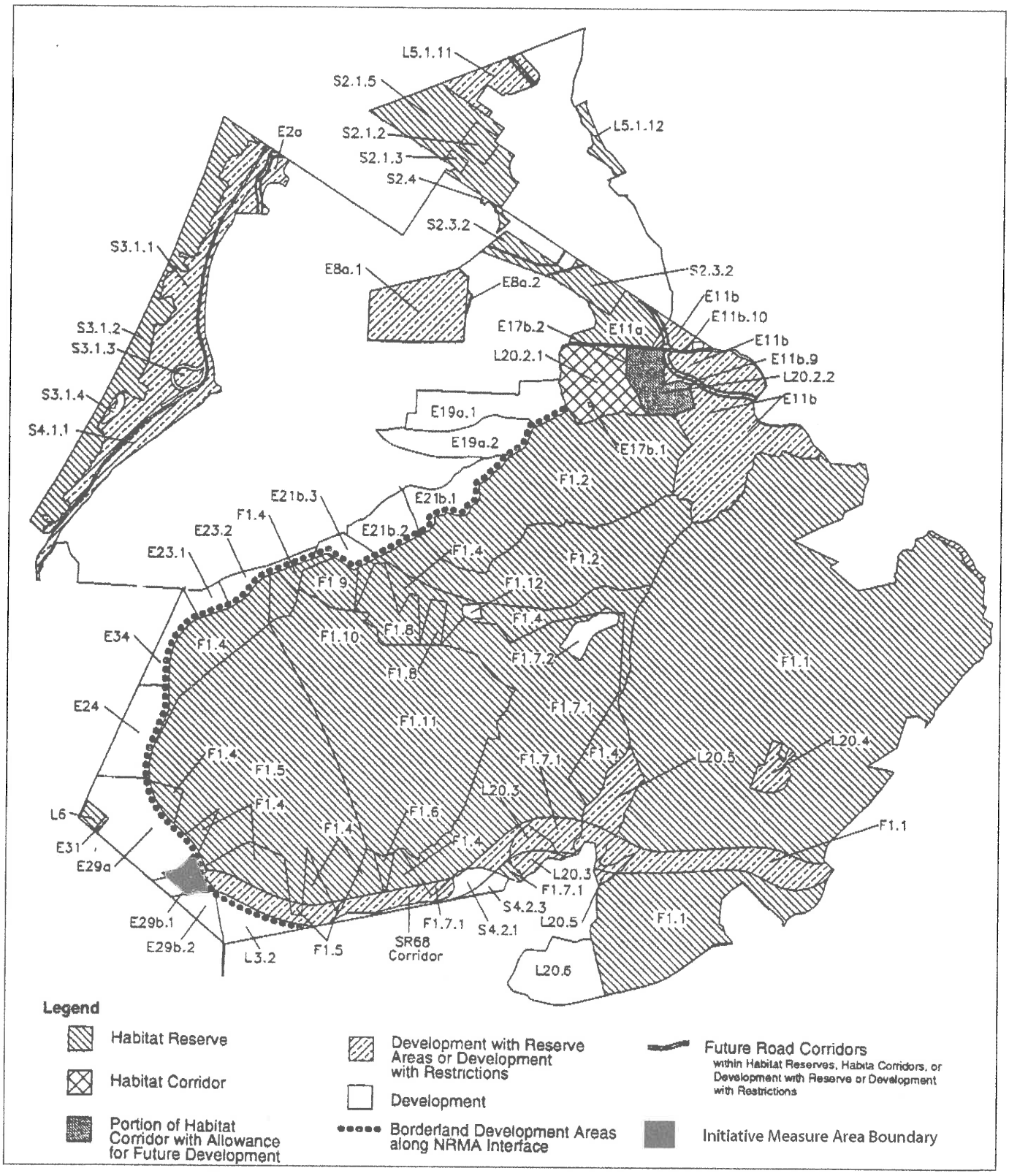

Source: Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California 1997

Figure 6

Fort Ord Habitat Management Plan

Monument RV Resort Initiative Measure

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G. The City of Del Rey Oaks is a member jurisdiction within the Monterey Regional Water Pollution Control Agency (MRWPCA) and supports all actions necessary to ensure that sewage treatment facilities operate in compliance with the waste discharge requirements adopted by the California Regional Water Quality Control Board (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-5, 1997). Seaside County Sanitation District (SCSD) provides wastewater collection services to Del Rey Oaks and to the Monument RV Resort. SCSD provides wastewater collection and conveyance to the MRWPCA force mains, which convey the wastewater to Marina for treatment in the MRWPCA regional plant. Adequate capacity exists to convey and treat the wastewater (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-7, 1997).

H. The Monument RV Resort complies with waste reduction and recycling programs consistent with the California Integrated Waste Management Act of 1989 and Public Resources Code Section 40000 et seq. The City of Del Rey Oaks meets state mandated waste diversion rates through its agreement with its waste hauler.

I. Development within the Initiative Measure Area, consistent with Section 4 and the 1997 General Plan and Title 17 Zoning Amendments contained herein, requires no further discretionary approvals by the City.

Section 5 – Del Rey Oaks General Plan Consistency with Fort Ord Reuse Plan

Chapter 8 of the Fort Ord Reuse Authority Master Resolution (adopted March 14, 1997 and amended from time to time), referred to herein as the "Master Resolution, requires that all general plans, specific plans and all policies and programs relating to land use, as well as all legislative land use decisions and development entitlements, be consistent with the Fort Ord Reuse Plan. Chapter 8 of the Master Resolution also sets forth the procedure for FORA to make consistency determinations, and establishes criteria (the "Consistency Criteria") for withholding a finding of consistency.

By Resolution 98-2, included herein by reference, FORA certified that the goals, policies, programs, and land uses contained in the Del Rey Oaks General Plan are consistent with the Fort Ord Reuse Plan adopted by the FORA Board of Directors on June 13, 1997. The General Plan Amendment and Zoning Code Amendment contained herein implement the policies of the General Plan and FORA Consistency Criteria through compatible land use and design of the Monument RV Resort and are, therefore, consistent with the Fort Ord Reuse Plan.

A. **Legislative Land Use Determination Criteria.** This Initiative Measure, and the General Plan and Zoning Code Amendments contained in this Initiative Measure, are legislative land use decisions that require consistency with the criteria contained in Section 8.02.010 of the Master Resolution The Monument RV Resort Initiative Measure is consistent with

these criteria as it provides for land uses that are less intense and less dense than those allowed by the Fort Ord Reuse Plan for the affected property. Further, the Initiative Measure is in substantial conformance with applicable programs specified in the Fort Ord Reuse Plan and Section 8.02.020 of the Master Resolution and does not provide for uses which conflict or are incompatible with uses permitted or allowed in the Fort Ord Reuse Plan for the affected property or which conflict or are incompatible with open space, recreational, or habitat management areas within the jurisdiction of FORA. The Initiative Measure provides that the developer is responsible for the financing and/or installation, construction, and maintenance of all infrastructures necessary to provide adequate public services to the property covered by the legislative land use decision excluding water and sewer infrastructure extensions which will be provided by FORA. Finally, the Initiative Measure complies with FORA requirements for areas outside of, but adjacent to, Habitat Management Areas.

B. **Development Entitlement Consistency.** This Initiative Measure authorizes actual development of the Monument RV Resort including authorization for issuance of grading permits and building permits as well as minor subdivision approvals. Such entitlements require consistency with the development entitlement consistency criteria contained in Section 8.02.030 of the Master Resolution. The development entitlements for the Monument RV Resort are consistent with these criteria as the Monument RV Resort is a land use that is less intense and less dense than those provided for in the Initiative Measure, consistent with the Fort Ord Reuse Plan. Development of the Monument RV Resort is conditioned upon providing, performing, funding, or making an agreement guaranteeing the provision, performance, or funding of all programs applicable to the development entitlement as specified in the Fort Ord Reuse Plan and in Section 8.02.020 of the Master Resolution and consistent with local determinations made pursuant to Section 8.02.040 of the Master Resolution. Further, the Monument RV Resort is a compatible use which is permitted by the Fort Ord Reuse Plan for the affected property and is compatible with open space, recreational, or habitat management areas within the jurisdiction of FORA. The Monument RV Resort developer is responsible for the financing and installation, construction, and maintenance of all infrastructure necessary to provide adequate public services to the Initiative Measure Area, excluding the water and sewer infrastructure extensions to be provided by FORA. The Monument RV Resort implements FORA requirements for areas outside of, but adjacent to, Habitat Management Areas. The Initiative Measure Area is not within a Scenic Corridor and thus the Monument RV Resort is not subject to Highway 1 Scenic Corridor design standards. Finally, development of the Monument RV Resort is consistent with the jobs/housing balance requirements developed and approved by FORA as provided in Section 8.02.020(t) of the Master Resolution.

C. **Adoption of Required Programs.** Section 8.02.040 of the Master Resolution provides that before any development entitlement is approved within a city, the City has taken appropriate action, in the discretion of the City, to adopt the programs specified in the Fort Ord Reuse Plan, the HMP, the Development and Resource Management Plan, the Reuse Plan Environmental Impact Report Mitigation and Monitoring Plan and the Master Resolution applicable to such development entitlement. The City of Del Rey Oaks has taken appropriate action to adopt the policies and programs specified above.

Substantial evidence to support the findings of this Initiative Measure's consistency with the Fort Ord Reuse Plan, Fort Ord Reassessment Report, HMP, Draft Installation-Wide Multi Species Habitat Conservation Plan (HCP), Development and Resource Management Plan, Reuse Plan EIR Mitigation Monitoring Plan, and Master Resolution are contained herein within Sections 6, 7, and 8.

Section 6 – Fort Ord Reuse Plan Consistency Topics

The Monument RV Resort Initiative Measure provides for land uses that are less intense and dense than those provided for in the Fort Ord Reuse Plan and is in substantial conformance with applicable programs of the Fort Ord Reuse Plan and Section 8.02.020 of the Master Resolution (Fort Ord Reuse Plan, Commercial Land Use Program B-1.1, 1997). The use proposed for the Initiative Measure Area is compatible with the Fort Ord Reuse Plan, City plans, and surrounding uses. The City's implementation of the Initiative Measure supports the HMP through development fees and compatible land uses. Further, the implementation of the Initiative Measure will be solely financed, constructed, and maintained by the Initiative Measure Area developer, excluding extension of water and sewer infrastructure lines to be provided by FORA.

A. The Initiative Measure Area is located outside the boundaries of the National Monument and HMP area. The Initiative Measure Area is designated as a "development" parcel with no habitat management requirements and does not require the implementation of the Fort Ord HMP. To ensure compatibility with the adjacent HMP area, the Monument RV Resort will include a 150 foot buffer on the northern perimeter of the Initiative Measure Area boundary consistent with the HMP guidelines. Roads within the buffer area adjacent to the HMP area shall be restricted to access for maintenance or emergencies (Fort Ord Reuse Plan, Recreation/Open Space Program B-2.1; Residential Land Use Program B-2.1, 1997). The Monument RV Resort developer will work in coordination with the Bureau of Land Management (BLM) and other appropriate agencies to site and design barriers to roads within the buffer zone that will prevent unauthorized vehicle access while adequately providing for emergency access (Fort Ord Reuse Plan, Biological Resources Program A-1.2, 1997).

B. The Former Fort Ord Multi-Species Habitat Conservation Plan (HCP) provides the framework to ensure permanent conservation and enhancement of former Fort Ord natural communities and habitats that supports 19 special status plant and animal species. FORA assesses a development fee for development within former Fort Ord properties and dedicates $1 of every $4 of the development fee collected to build an endowment sufficient to produce annual funds that will carry out required habitat conservation responsibilities in perpetuity. The Initiative Measure Area is not located within an environmentally sensitive area (Fort Ord Reuse Plan, Recreation/Open Space Policy E-1, 1997). However, the Initiative Measure Area is a former Fort Ord property and will be subject to the FORA development fee, a portion of which will be used to fund habitat management and preservation of environmentally sensitive resources.

C. The Monument RV Resort development is a land use that is compatible with the character of the neighboring National Monument (Fort Ord Reuse Plan, Recreation/Open Space Program B-2.1; Commercial Land Use Policy C-1, 1997). As an affordable overnight visitor accommodation for Recreational Vehicles, the Monument RV Resort specifically appeals to those who enjoy outdoor recreation and would utilize the National Monument or attend events at Laguna Seca Park. The Monument RV Resort will increase the number of visitors to the National Monument, which positively impacts the Monument and supports the goal of the community-based Fort Ord Reuse Plan in promoting "the best use of the land through well planned and balanced development which ensures educational and economic opportunities...." The Monument RV Resort will also provide affordable overnight accommodations that may not currently exist for people attending events at Laguna Seca Park and other Monterey Peninsula locations. The Initiative Measure Area is not within proximity to residential areas and will not pose a potential nuisance or hazard to such areas (Fort Ord Reuse Plan, Residential Land Use Policy B-1, 1997).

D. The Initiative Measure Area is not located within the Army urbanized footprint and does not contain any known historic resources (Fort Ord Reuse Plan, Cultural Resources Policy B-1, 1997).

E. The Initiative Measure Area does not contain any known valuable mineral resources.

F. The Initiative Measure Area is not located within or adjacent to the Coastal Zone.

G. The Initiative Measure Area is not located within or adjacent to the East Garrison area of Monterey County.

H. The Monterey Peninsula Unified School District serves the former Fort Ord territories. Development of the Monument RV Resort is not anticipated to generate any new school age children and would not result in an increase in the population such that it would exceed the existing capacity of the school district.

I. The Initiative Measure Area is in the vicinity of the National Monument and would increase the amount of visitors to the area. The increase in visitors would not be such that substantial physical deterioration to the facility would occur. The Initiative Measure would not require the construction or expansion of recreational facilities, beyond those contained within the Initiative Measure Area boundaries.

J. The City supports actions necessary to ensure sewage treatment facilities operate in compliance with California Regional Water Quality Control Board waste discharge requirements (Fort Ord Reuse Plan, Hydrology and Water Quality Policy C-5, 1997). The Monument RV Resort will operate in accordance with Del Rey Oaks Ordinance 263 and will connect to the existing Seaside County Sanitation District municipal wastewater collection system within Del Rey Oaks. FORA will extend the wastewater collection system to serve the Initiative Measure Area.

K. The City of Del Rey Oaks is a member jurisdiction within the Monterey Regional Waste Management District and supports development of a solid waste reduction and recycling program serving former Fort Ord territories. The Monterey Regional Waste Management District landfill has sufficient capacity to serve the operation of the Monument RV Resort through complete buildout at 100% capacity. Consistent with the provisions of the California Integrated Waste Management Act of 1989 and Pubic Resources Code 40000 et seq., Monument RV Resort will participate in recycling programs in accordance with local, regional, and state waste reduction requirements.

L. Water supply wells will not be installed within the Initiative Measure Area (Fort Ord Reuse Plan, Hydrology and Water Quality Program C-1.6, 1997). Water for the Initiative Measure Area is supplied by the Marina Coast Water District (MCWD) through a contract with FORA. The MCWD complies with the State Health Department Standards and Regulations. FORA shall be responsible for extending existing MCWD water lines in the area to the Initiative Measure Area.

M. Storm drainage from development within the Initiative Measure Area will be retained and percolated within the Initiative Measure Area boundaries.

N. The City shall work with FORA and other appropriate agencies in assisting with the development of programs to identify additional water supply sources for former Fort Ord properties, such as water importation and desalination, and shall support FORA in implementing the most viable options.

O. The Monument RV Resort will observe water conservation practices identified by the City of Del Rey Oaks and the Monterey Peninsula Water Management District. Conservation practices implemented within the Initiative Measure Area boundaries will be at least as stringent as Regulation 13 of the Monterey Peninsula Water Management District requirements.

P. The City of Del Rey Oaks shall support the development of reclaimed or recycled water supply sources by the water purveyor and the Monterey Regional Water Pollution Control Agency to ensure adequate water supplies for former Fort Ord properties. Distribution and storage of potable and non-potable water within the Initiative Measure Area boundaries will comply with State Health Department Regulations.

Q. Long-term water supply will be provided by MCWD, or some other water purveyor, via a contract with FORA and is currently sufficient to supply water to all phases of the construction and operation of the Monument RV Resort based on FORA's water allocation to the City of Del Rey Oaks and the City's contractual agreement to allocate a portion of that water to the Monument RV Resort.

R. The City of Del Rey Oaks should collaborate with FORA, Monterey County Water Resources Agency, and Monterey Peninsula Water Management District to mitigate impacts related to seawater intrusion based on the Salinas Valley Basin Management Plan and to determine available water supplies and estimate a safe yield for those portions of former Fort Ord Lands overlying the Salinas Valley and Seaside groundwater basins.

S. The City adopted Ordinance 263 to ensure the health, safety, and general welfare of the citizens of Del Rey Oaks and to protect water quality in conformance with the Federal Clean Water Act. Measures consistent with Ordinance 263 will be implemented during the construction and operation of the Monument RV Resort to protect water quality including the reduction of pollutants in stormwater discharges and prohibition of non-stormwater discharges into municipal storm drain systems.

T The Initiative Measure Area and subsequent development of the Monument RV Resort will be consistent with the hazardous and toxic materials clean-up levels in accordance with state and federal regulations. Del Rey Oaks shall make timely reviews of the Army's RA-ROD implementation progress and report to the public the Army's compliance with the f United States Environmental Protection Agency's rules and regulations governing munitions and waste remediation, including treatment, storage, transportation, and disposal.

U. The City of Del Rey Oaks adopted Ordinance 259, approved by the California Department of Toxic Substances Control, which prohibits development on Fort Ord Territory until ordnance or explosive remediation has been completed. In accordance with Ordinance 259, development will be prohibited within the Initiative Measure Area boundaries until ordnance or explosive remediation has been completed within the Initiative Measure Area.

V. Del Rey Oaks should support and participate in regional and state planning efforts and funding programs to provide efficient regional transportation access to Fort Ord territories.

Del Rey Oaks should coordinate with FORA, the Transportation Agency of Monterey County, and Monterey Salinas Transit to address existing regional transportation needs and to implement the long-range circulation strategy for the former Fort Ord (Fort Ord Reuse Plan, Commercial Land Use Program E-1.1, 1997). Further, Del Rey Oaks should coordinate with FORA to design and provide an efficient system of arterials within former Fort Ord territories, consistent with the Fort Ord Reuse Plan (Fort Ord Reuse Plan, Streets and Roads Program. B-1.1, 1997), and to identify and designate local truck routes (Fort Ord Reuse Plan, Streets and Roads Program B-1.2, 1997). Del Rey Oaks should delineate adequate circulation rights-of-way to and within each commercial area by creating circulation right-of-way plan lines (Fort Ord Reuse Plan, Commercial Land Use Program E-2.1, 1997) and should work with the appropriate agency to develop a Bicycle System Plan. The Initiative Measure Area will connect to an existing transportation network. Alternative transportation, such as hiking, biking and regional bus service and facilities, to serve the Monument RV Resort will be explored, in accordance with Fort Ord Reuse Plan criteria and Del Rey Oaks Municipal Code Section 2.4.070, to identify and encourage trip reduction.

W. The Monument RV Resort development will be consistent with the Transportation Agency for Monterey County regional plan (TAMC.org). The development of the Monument RV Resort within the Initiative Measure Area may reduce and redistribute traffic on the Monterey Peninsula. An RV Resort in this location will allow visitors to park their RVs on the Monterey Peninsula, close to events and activities, providing an opportunity for visitors to use available alternative transportation (e.g., bus, bikes, etc.). FORA will assess traffic Impact Fees on development within the Initiative Measure Area boundaries to help fund transportation improvements serving the former Fort Ord territories.

X. The Del Rey Oaks Police Department serves the City of Del Rey Oaks. The City police station is approximately one mile from the Initiative Measure Area, with an estimated response time of three minutes. The City is working with appropriate agencies to maintain public protection service levels consistent with City standards.

Y. The City of Seaside provides fire protection service to the City of Del Rey Oaks and the former Fort Ord territories within Del Rey Oaks, including the Initiative Measure Area. The nearest fire station, located at 1635 Obama Way, is approximately two miles from the Initiative Measure Area with an estimated response time of five minutes, and provides adequate first response. The Monument RV Resort does not necessitate new or physically altered law enforcement or fire protection facilities. The City relies upon inter-jurisdiction mutual aid agreements to support the current fire protection service. The City is working with appropriate agencies to maintain public protection services levels consistent with City standards.

Z. Although the City of Del Rey Oaks has policies and programs that will ensure compliance with the 1997 adopted Fort Ord Reuse Plan jobs/housing balance provisions, the Initiative Measure uses do not provide for permanent housing within the boundaries. The Initiative Measure uses will provide for additional jobs within the City and former Fort Ord territory.

Section 7 – Additional FORA Consistency Topics

The Initiative Measure includes substantial evidence of meeting consistency with FORA Reuse Plan policies. The evidence of consistency with these policies is as follows:

A. Del Rey Oaks shall continue to provide annual development forecasts to FORA to facilitate FORA's Capital Improvement Plan preparation process (Fort Ord Reuse Plan, Streets and Roads program A-1.4, 1997). The Initiative Measure developer will pay FORA Development Impact Fees to accommodate Capital Improvement Plan costs for "transportation/transit projects, Habitat Management obligations, Water Augmentation, Storm Drainage System improvements, and Fire Fighting Enhancement improvements."

   Per FORA requirements (Community Facility District Special Tax Rates & Basewide Development Fee Schedule), the Monument RV Resort will pay Development Impact Fees at commercial development rates (office/industrial) in effect at the time of building permit issuance.

B. Del Rey Oaks shall support FORA in development of regional urban design guidelines and review the development plans for consistency with FORA guidelines (Fort Ord Reuse Plan, Commercial Lands Use Program F-1.1, 1997). The Monument RV Resort is a commercial land use that will provide a robust source of revenue for the City of Del Rey Oaks while preserving the character of the community. The Monument RV Resort's design shall be consistent with the General Development Character and Design Objectives of the Fort Ord Reuse Plan and will be subject to the City design review process to ensure preservation of community character (Fort Ord Reuse Plan, Commercial Land Use Policy C-1; F-2; Program F-1.2, 1997).

C. Open space areas are designated, where appropriate, on the perimeter of the Initiative Measure Area (Recreation/Open Space Program B-2.3).

D. Del Rey Oaks has preserved sufficient rights-of-way for anticipated future travel demands based on projected buildout in the Fort Ord Reuse Plan. The Monument RV Resort will not exceed level of service standards set by the City (Fort Ord Reuse Plan, Streets and Roads Program C-1.2; C-1.3, 1997).

E. The Monument RV Resort provides street linkages to existing street networks in accordance with Fort Ord Reuse Plan design standards (Fort Ord Reuse Plan, Streets and Roads Program C-1.1, 1997).

F. The Monument RV Resort provides on-street parking sufficient to serve the Resort at full capacity during each phase of development, including adequate parking for persons with disabilities in accordance with the Americans with Disabilities Act (Fort Ord Reuse Plan, Streets and Roads Program D-1.2, 1997).

G. The Monument RV Resort includes sidewalks, pedestrian walkways, and bikeways designed in conformance with the Fort Ord Reuse Plan (Fort Ord Reuse Plan, Pedestrian and Bicycles Program A-1.1; B-1.1, 1997).

H. The Monument RV Resort intends to participate with the City in coordinating with other jurisdictions to provide a future link to Comprehensive Trails Plans on the Former Fort Ord (Fort Ord Reuse Plan, Recreation Policy A-1; Recreation Program F-2.1. 1997).

I. An Erosion Control Plan certified by a registered civil engineer or certified professional in the field of erosion and sediment control shall be implemented within the Initiative Measure Area. The Erosion Control Plan shall be subject to ministerial approval of the City of Del Rey Oaks and subsequent site monitoring to ensure its proper implementation. Erosion control measures will be required in areas with greater than 30% slopes within the Initiative Measure Area boundaries. Areas of extreme slope limitations within the Initiative Measure Area shall be designated for open space or other similar use where erosion control measures cannot ensure adequate soil stability (Fort Ord Reuse Plan, Soils and Geology Policy A-2; A-3; Program A-6.1; A-6.2, 1997).

J. Prior to development within the Initiative Measure Area, the Monument RV Resort developer will develop and make available a description of feasible and effective BMPs and site drainage designs that shall be implemented in the development to ensure adequate stormwater infiltration. (Fort Ord Reuse Plan, Hydrology and Water Quality Program A-1.1, 1997). The development of the Monument RV Resort will result in the construction of impervious surfaces within the Initiative Measure Area. A stormwater drainage plan shall be prepared and implemented that ensures development will comply with Regional Water Quality Control Board standards for site drainage designs to filter out urban pollution and ensure adequate stormwater infiltration (Fort Ord Reuse Plan, Biological Resources Program A-1.3, 1997). The Monument RV Resort stormwater drainage plan shall provide measures capable of maintaining predevelopment stormwater runoff rates, prevent any discharge of stormwater or other drainage from new impervious surfaces into an ephemeral drainage, and minimize the potential for stormwater runoff related erosion within HMP areas (Fort Ord Reuse Plan, Hydrology Program A-1.1; Policy C-2; Biological Resources Program A-8.1, 1997).

K. Prior to development within the Initiative Measure Area, a reconnaissance level biological survey shall be completed within the Initiative Measure Area boundaries to verify the general description of resources in the area described by the biological resource documents prepared for the U.S. Army Corps of Engineers (Fort Ord Reuse Plan, Biological Resources Program A-7.1, 1997). The biological report shall identify feasible measures to avoid or mitigate significate impacts of the development on special status species, if any, located within the Initiative Measure Area, which measures shall be implemented in connection with development of the Monument RV Resort.

L. The City of Del Rey Oaks has worked with the appropriate agencies to establish an oak tree protection program to ensure conservation of existing coastal live oak woodlands in large corridors through use of their City Tree Protection Code (k) (Fort Ord Reuse Plan, Recreation Policy C-1, 1997). The Monument RV Resort will implement feasible oak tree protection measures identified in the City Tree Protection Code to protect oak and other protected trees, should any exist within the Initiative Measure Area boundaries. Removal of protected trees shall require a ministerial permit from the City. If development within the Initiative Measure Area removes existing protected species or habitat, the developer shall be permitted to attempt salvage of removed resources through transplanting vegetation, collecting seeds or cuttings of plants, or capturing and relocating sensitive wildlife species (Fort Ord Reuse Plan, Biological Resources Program A-7.3, 1997).

M. Seasonal surveys for sensitive species will be required as an early component of development planning within the Initiative Measure Area. Where sensitive species identified in the Fort Ord Reuse Plan are known or expected to occur within the Initiative Measure Area, the developer shall make reasonable efforts to avoid or minimize loss of habitat occupied by these species. If permanent avoidance is infeasible a seasonal avoidance, salvage, or relocation program shall be prepared by the developer in coordination with the Coordinated Resource Management Planning program (Fort Ord Reuse Plan, Biological Resources Program B-1.1; B-1.2, 1997).

N. Contractors for the Monument RV Resort shall be provided with guidelines for protection of special status biological resources during ground disturbing activities within the Initiative Measure Area boundaries. Such guidelines shall outline the requirements of the Endangered Species Act and Section 20180 of the California Fish and Game Code. Protocol shall be followed for relocation of species that may be encountered during construction activities (Fort Ord Reuse Plan, Biological Resources Program D-1.1; D-1.2, 1997).

O. Development and operation of the Monument RV Resort will comply with Monterey Bay Unified Air Pollution Control District standards and regulations to carry out the Regional

Air Quality Management Plan (Fort Ord Reuse Plan, Air Quality Program A-1.1, 1997), and will be compatible with the Transportation Agency of Monterey County Congestion Management Plan (Fort Ord Reuse Plan, Air Quality Program A-1.2, 1997).

P. Design and development within the Initiative Measure Area shall comply with the California Building Code minimum seismic design and construction requirements and the California Fire Code (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program A-2.1, 1997). The development shall adhere to water suppression guidelines recommended in the Fort Ord Infrastructure Study for fire protection, water volumes, system distribution upgrades, and emergency water storage (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program Policy A-3, 1997). The Monument RV Resort will utilize appropriate fire breaks within areas bordering the HMP boundaries and the neighboring National Monument (Fort Ord Reuse Plan, Biological Resources Program A-1.1, 1997). Development within the Initiative Measure Area shall be subject to a plan check and building inspection to ensure compliance.

Q. No portions of the Initiative Measure Area are designated as a 100 year flood zone (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Policy B-1, 1997).

R. No agricultural or forestry resources exist within the Initiative Measure Area.

S. The Monument RV Resort development is compatible with and adheres to the Fort Ord Evacuation Routes (Fort Ord Reuse Plan, Fire, Flood, and Emergency Management Program C-1.1, 1997).

T. The Monument RV Resort development plans will be reviewed by the Presidio of Monterey, Directorate of Environmental and Natural Resources Management (DENR), to ensure construction is not planned within known ordnance or explosive areas "unless an alternative mechanism is approved by the City and DENR" (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program A-1.3, 1997).

U. Prior to commencement of construction within the Initiative Measure Area, all construction crew members and supervisors shall attend a U.S. Army sponsored ordnance and explosive safety briefing (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program A-1.4, 1997). In coordination with the U.S. Army and contractors, the City shall monitor the implementation procedures of the Remedial Action Record of Decision (RA-ROD) to ensure hazardous materials are removed and disposed of safely and effectively (Fort Ord Reuse Plan, Hazardous and Toxic Materials Policy B.1, 1997).

V. The developer shall acquire permits in accordance with Del Rey Oaks Municipal Code section 8.12.070 for the transport of any hazardous materials associated with the development or operation of the Monument RV Resort (Fort Ord Reuse Plan, Hazardous and Toxic Materials Program B-1.4, 1997).

Section 8 – Environmental Standards

Before the former Fort Ord could be transferred from military to civilian use following the base closure, an Environmental Impact Statement (EIS) per the National Environmental Policy Act (NEPA) was prepared by the Army and the Fort Ord Reuse Plan and Environmental Impact Report (EIR) required by the California Environmental Quality Act (CEQA) were prepared by FORA. The Army prepared the Fort Ord Disposal and Reuse Final EIS (June, 1993) as well as the Fort Ord Disposal and Reuse Draft Supplemental EIS (December, 1995). Reliant on these documents, FORA prepared an EIR for the Fort Ord Reuse Plan (1997). Environmental mitigation from these documents was, for the most part, incorporated into policy within the Fort Ord Reuse Plan. The Initiative Measure is consistent with the policy direction of the Fort Ord Reuse Plan, as is evidenced in Sections 5, 6, and 7 of this Initiative Measure. Therefore, the environmental impacts resulting from the development within the Initiative Measure Area have been evaluated, and mitigation and policy direction provided for future development as evidenced herein. Though specifically exempt from the provisions of CEQA, the Initiative Measure includes Environmental Standards, in addition to consistency with FORA policy, to ensure that development within the Initiative Measure Area follows appropriate environmental considerations as guided by the CEQA. The developer of the Initiative Measure Area shall bear all costs of implementing the Environmental Standards contained herein.

The City Manager of Del Rey Oaks or designee may approve minor variations from the Environmental Standards set forth herein, subject to a substantial conformance determination. In making such a determination, the City Manager or designee shall make the finding that the proposed variation provides substantially equivalent environmental protection as the originally approved standard.

Though specifically exempt from the provisions of CEQA, this Initiative Measure includes Environmental Standards to both supplement Fort Ord Reuse Plan policy and implement the recommendations of environmental documentation prepared for the Fort Ord closure (CEQA/NEPA) and Fort Ord Reuse Plan (CEQA). The environmental standards are as follows:

A. Development within the Initiative Measure Area boundaries shall comply with Del Rey Oaks design review standards and procedures to ensure protection of the natural beauty and visual character of the City in accordance with Municipal Code 17.56.

B. The Monument RV Resort will be subject to acoustical architectural design review by the City Planning Commission to ensure compliance the municipal Building Code Regulations and Health Code Regulations. To support this review and prior to construction activities in the Initiative Measure Area, an acoustical study shall be prepared by a qualified acoustical engineer for the Monument RV Resort that will identify measures

required to ensure compliance with the FORA and City noise guidelines (Fort Ord Reuse Plan, Noise Policy B-7, 1997). The acoustical report shall also identify noise-reducing construction practices to be employed by contractors (Fort Ord Reuse Plan, Noise Policy B-8; B-9, 1997). The Monument RV Resort shall be compatible with exterior noise and construction noise performance criteria (Fort Ord Reuse Plan, Table 4.5-3 and 4.5-4, 1997; Fort Ord Reuse Plan, Noise Policy A-1, 1997).

C. Construction and operation of the Monument RV Resort within the Initiative Measure Area shall comply with Monterey Bay Unified Air Pollution Control District standards, rules, and regulations.

D. Prior to development within the Initiative Measure Area, preparation of a biological study shall be required. Prior to the issuance of construction permits and to the satisfaction of the City, all recommendations contained within the biological study shall be implemented to ensure adequate protection of biological resources. Development within the Initiative Measure Area boundaries will be consistent with Federal, State, and Local plans and regulations including the Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, California Endangered Species Act, California Fish and Wildlife Code, California Porter-Cologne Water Quality Control Act, Division 6 of the California Public Resources Code regulated by the California Code of Regulations, Title 2, sections 1900–2970, Installation-Wide Fort Ord Multi Species Habitat Management Plan (HMP), and the Draft Installation-Wide Multi Species Habitat Conservation Plan (HCP).

E. The Initiative Measure Area developer shall prepare a landscape and lighting plan to be reviewed by the City of Del Rey Oaks to ensure the use of native drought tolerant species from on-site stock whenever appropriate and feasible, and that outdoor lighting complies with California Green Building Standards Code Section 5.106.8 for light pollution. This ensures maintenance of habitat quality for wildlife and that street lighting is as unobtrusive as practicable throughout development areas adjacent to the HMP area and in the vicinity of the National Monument (Fort Ord Reuse Plan, Biological Resources Policy C-3, 1997).

F. Prior to development within the Initiative Measure Area, preparation of an archeological report that assesses the potential for cultural resources within the Initiative Measure Area shall be required. No known historic resources exist within the Initiative Measure Area boundaries. Prior to the issuance of construction permits and to the satisfaction of the City, all recommendations contained within the archaeological report shall be implemented to ensure adequate protection of archeological resources, including City consultation with the local Native American tribes. Standard recommendations are typically as follows:

- If cultural resources (i.e., prehistoric sites, historic sites, or isolated artifacts and features) are discovered during the construction process, work shall be halted

immediately within 50 feet of the discovery. The City shall be notified, and a professional archaeologist shall be retained to determine the significance of the discovery. The City shall consider mitigation recommendations presented by a professional archaeologist. The City will consult and agree upon implementation of a measure or measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The City will be required to implement any mitigation necessary for the protection of cultural resources.

- If human remains are found during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until a qualified archaeologist and the coroner of Monterey County are contacted. If it is determined that the remains are Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

G. There are no known faults within the Initiative Measure Area boundaries; however, strong seismic shaking is characteristic of California. Prior to development within the Initiative Measure Area, a geotechnical report shall be prepared that identifies seismic and geologic hazard zones and associated risk factors for each including feasible engineering and design techniques that address characteristics of the former Fort Ord, areas and risk factors associated with ground-shaking, ground rupture, ground failure, and landslides susceptibility, liquefaction, and tsunamis, subject to review and approval of the City of Del Rey Oaks. The Monument RV Resort shall be monitored during construction to ensure compliance within the measures included in the project's geotechnical report and a report shall be prepared and filed on public record by the City confirming such (Fort Ord Reuse Plan, Seismic and Geologic Hazards Program A-2.2, 1997). Further, the geotechnical

report shall also identify soil limitations within the Initiative Measure Area including slopes and soils that have piping, low-strength, and shrink-swell potential. The geotechnical report shall require designation of areas within the Initiative Measure Area boundaries with severe soil limitations as open space or a similar use where adequate measures cannot be taken to ensure structural stability of these soils. All recommendations contained within the geotechnical report shall be implemented within the Initiative Measure Area (Fort Ord Reuse Plan, Soils and Geology Policy A-5; Programs A-5.2; A-6.2, 1997).

H. The City of Del Rey Oaks will ensure that any development within the Initiative Measure Area on the former Fort Ord Territory is consistent with the hazardous and toxic materials clean-up levels as specified by state and federal regulation (Del Rey Oaks General Plan Chapter 15.48, 1997). The Monument RV Resort must comply with the aforementioned chapter in the General Plan, which requires special standards and procedures in regard to excavation and digging in the former Fort Ord, and City of Del Rey Oaks Ordinance 259, which prohibits development on Fort Ord territory until ordnance or explosive remediation has been completed. A grading permit shall be secured from the City of Del Rey Oaks that assures compliance before any excavation or grading occurs within Initiative Measure Area boundaries. Upon issuance of the permit, all excavation and grading will be performed solely in accordance with the permit.

I. The Initiative Measure Area developer, upon construction of the Monument RV Resort, shall pay a FORA Development Impact Fee to fund Fire Fighting Enhancement improvements and incorporate recommendations from the Seaside Fire Department, including road width, road access, building materials, distances around structures, and other standards for compliance with the Uniform Building Code Fire Hazards Policy (Fort Ord Reuse Plan, Fire, Flood, Emergency Management Programs A-2.1; A-4.1-2, 1997). Additionally, the Monument RV Resort shall be consistent with fire management practices for high fire danger areas (Fort Ord Reuse Plan, Fire, Flood, and Emergency Policy A-1, 1997).

J. A stormwater drainage, detention, and erosion control plan will be prepared by the developer of the Initiative Measure Area, which retains post-development stormwater within the Initiative Measure Area boundaries and identifies potential stormwater detention design and implementation measures according to the State Water Resource Control Board standards. Measures will be incorporated in the stormwater drainage and detention plan related to stormwater runoff that minimize the potential for erosion in contiguous HMP areas and prevent siltation of waterways in the former Fort Ord (Fort Ord Reuse Plan, Biological Resources Policy A-5; Hydrology and Water Quality Program C-4.1, 1997). This plan shall be reviewed and approved by the City of Del Rey Oaks.

K. Municipal water infrastructure will be expanded to the Initiative Measure Area by FORA and the Monument RV Resort will connect to the Del Rey Oaks municipal water supply provided by the Marina Coast Water District. Water use for each potential phase of the Monument RV Resort will be assessed by the City prior to subsequent phases being built to assure that development will remain within the 50AF/yr allotment provided by the City.

L. The Monument RV Resort will implement water conservation and reuse practices based on environmentally sustainable and sound practices, including the implementation of a rainwater collection system and installation of dual plumbing for use of non-potable water for appropriate functions. The Monument RV Resort will connect, if feasible, to recycled/reclaimed water for irrigation purposes when this water becomes available.

M. The Development Impact Fees are used, in part, by FORA to fund construction of transportation improvements within and outside of former Fort Ord territories. Prior to construction activities within the Initiative Measure Area, the developer of the Monument RV Resort shall pay FORA Development Impact Fees. These funds will, in part, be utilized to pay for infrastructure improvements on and serving former Fort Ord lands.

N. In accordance with Del Rey Oaks Municipal Code Section 2.24.070, prior to construction within the Initiative Measure Area the developer will submit a trip reduction checklist identifying design elements and facilities that encourage alternative transportation usage by visitors to the development. The developer shall coordinate with the Monterey Salinas Transit on whether it is feasible to implement bus service and facilities to serve the development.

O. State legislation and regulations that have been and continue to be implemented to meet greenhouse gas (GHG) reduction goals of Assembly Bill 32, the Global Warming Solutions Act, and key state Executive Orders have and will continue to result in substantial reductions in GHG emissions over time. The Monument RV Resort provides a new alternative, self-sufficient accommodation option for existing visitors to the Monterey Peninsula, Laguna Seca, and the National Monument, that has the potential to reduce daily trips on the Monterey Peninsula in comparison to the existing condition. In an effort to further reduce climate change (GHG emissions) impacts, the Monument RV Resort developer shall adhere to Environmental Standard N (above) regarding preparation of a trip reduction checklist and either provide an alternative energy source or an energy reduction plan for the Monument RV Resort. The energy reduction plan could include installation of an alternative energy source (e.g., solar, wind, etc.) and/or the creation of an energy reduction plan, including construction of buildings to exceed Title 24 building energy efficiency standards, paving materials that reduce heat absorption and the need for air conditioning, energy efficient lighting, and use of drought tolerant landscaping and low-flow water fixtures and irrigation systems to reduce energy demand from water pumping.

P. The City of Del Rey Oaks has a contract with Greenwaste Recovery for weekly solid waste collection and disposal for Del Rey Oaks residents and for curbside pickup of recyclable materials. The Monument RV Resort will work with the City to extend service to the Initiative Measure Area.

Q. FORA shall be responsible for extending sewer and water lines to the Initiative Measure Area boundaries.

R. The Monument RV Resort developer shall pay the FORA Development Impact Fees, as described herein, to fund pro-rate share mitigation payment toward transportation improvements, habitat preservation, water augmentation, storm drainage system improvements, and firefighting enhancement improvements.

Section 9 –Implementation

A. Upon the effective date of this Initiative Measure, the statutory additions and amendments contemplated herein shall be deemed inserted in the City of Del Rey Oaks governing rules, regulations, policies, and ordinances.

B. The provisions of this Initiative Measure shall prevail over any revisions to the City of Del Rey Oaks General and Specific Plans as amended through the adoption date of this Initiative Measure, which conflict with the Initiative Measure. Upon the adoption date, all General and Specific Plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this Initiative Measure. Other than for the exceptions provided herein, upon the effective date of this Initiative Measure, the City and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this Initiative Measure unless in accordance with the provisions of this Initiative Measure.

Section 10 –Conflicting Measures.

In the event that this Initiative Measure and any other measure addressing in whole or in part the same subject matter as this Initiative Measure are both approved by the voters at the same election, and this Initiative Measure receives a greater number of affirmative votes than any other such measure or measures, this Initiative Measure shall control in its entirety and the other measure or measures shall be rendered void and without any legal

effect. If this Initiative Measure is approved by a majority of the voters but does not receive a greater number of affirmative votes than any other measure addressing in whole or in part the same subject matter as this Initiative Measure at the same election, this Initiative Measure shall take effect to the extent permitted by law.

Section 11 –Severability.

This Initiative Measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative Measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative Measure. The voters hereby declare that this Initiative Measure, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this Initiative Measure is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative Measure that can be given effect without the invalid application. This Initiative Measure shall be broadly construed in order to achieve the purposes stated in this Initiative Measure.

Section 12 – Amendment or Repeal.

The provisions enacted through this Initiative Measure may be amended or repealed only by the voters at a general election.

RESOLUTION NO. 2016-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS CERTIFYING THE MONUMENT RV RESORT INITIATIVE PETITION SIGNATURE COUNT

WHEREAS, Jeff Cecilio, a Del Rey Oaks resident, submitted on April 8, 2016 proof of posting for the Notice of Intent to Circulate Petition and Title Summary prepared by the City Attorney regarding the Monument RV Resort, A Voter Initiative Project for the City of Del Rey Oaks; and

WHEREAS, the petition was circulated and **209** signatures were obtained; and

WHEREAS the petition was submitted to the City of Del Rey Oaks on May 5, 2016; and

WHEREAS, the petition was taken to the office of the Monterey County Elections Department on May 6, 2016 and submitted for signature certification; and

WHEREAS, Monterey County Elections Department completed the count and supplied the City with a certificate of valid signatures on May 9, 2016; and

WHEREAS, the total number of signatures required was **111**; and

WHEREAS, the total number of valid signatures was **174**.

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Del Rey Oaks that they accept the count completed by the Monterey County Election Department as true and correct.

PASSED AND ADOPTED by the City Council of the City of Del Rey Oaks at a regular meeting duly held on May 24, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____

Jerry B. Edelen, Mayor

ATTEST:

_____

Daniel Dawson, City Clerk

Petition Statistics

5/9/2016 11:12:17AM

DEL REY OAKS RV PARK AND RECREATIONAL USES INITIATIVE MEASURE

Petition ID:1356

Total Sigs Required	111
Total Sigs Submitted	209
Total Sample Size	209
Total Sigs Verified	209

		TOTAL CHALLENGED
ADD	ADDRESS DIFFERS FROM RESIDENCE	
	Total	**12**
ANTSG	ADDRESS NOT BY SIGNER	
	Total	**2**
NR	NOT REGISTERED	
	Total	**6**
SIG	SIGNATURE MISCOMPARES	
	Total	**14**
WDIST	WRONG DISTRICT	
	Total	**1**
TOTAL		**35**

TOTAL VALID : 174

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ITEM 7.C.

Resolution 2016-08

To be provided at the dais

ITEM 7.D.

Ordinance 284

To be provided at the dais