

THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS CONVENED AT 5:30 P.M. ON TUESDAY, SEPTEMBER 23, 2008 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Council Members Edelen, Cecilio, Allion and Mayor Russell

Absent: Council Member Clark

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

Meeting came to order at 5:30 p.m. and roll call was taken.

The Council went into Closed Session at 5:31 p.m.

The council adjourned from closed session at 6:13 p.m. and recessed until the regular meeting at 7:00 p.m.

THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DEL REY OAKS CONVENED AT 7:00 P.M. ON TUESDAY, SEPTEMBER 23, 2008 IN THE CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Council Members Edelen, Cecilio, Allion and Mayor Russell

Absent: Council Member Clark

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

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

City Attorney Wellington: Reported on the Closed Session from 5:30. The Council met regarding the agenda item under closed session; the Council received a report from the City Manager, no action was taken, but the Council may act upon the recommendation of the City Manager in open session.

City Manager Evans: The City Council discussed raising the police chief's salary from \$7,570.00 per month to \$9,200.00 per month.

Motion by Council Member Cecilio to accept the City Manager's recommendation, seconded by Council Member Edelen

There was no public comment received

Motion passed 4-0

PROCLAMATION: Michael Zuccaro, Planning Commissioner

Mayor Russell: Read the proclamation into the public record

Michael Zuccaro accepted the proclamation and thanked the city for the recognition.

PUBLIC COMMENT:

Irene Barlich: After watching the Del Rey Oaks hotel project come to a screeching halt because of the water. She wants to know what is going on with the project.

Mayor Russell: Stated that there is an update available on the project and that they are working on other sources of water.

Manual Fiero: He stated that he was here to speak about Cal-Am versus The Division of Rate Payers Advocates (DRA) and arm of the California Public Utilities Commission who has been assigned to protect the rate payers. He spoke about a contract between Cal-Am and Sand City's desalination plant. Quoting large costs that Cal-Am is asking the rate payers to assume. The DRA is asking that this topic be brought before the Council at the next council meeting.

George Riley: He stated that DRA is the only rate payer advocates group going up against Cal-Am. He requested the people read tomorrow's paper for the ad they've placed. He feels Cal-Am is much more interested in revenue than in customer service. October 4th, 2008 is a very important meeting date and everyone should attend. DRA is in favor of the Repog system. They are very much opposed to the Cal-Am proposal.

Bill Sabo: Incumbent candidate for the Airport Board. He stated that the Airport wants to have open communication with the City. He stated that he encourages all citizens to come to the board meetings which are the second Wednesday of every month. He stated that residents should call the airport with any complaints and comments.

Scott Morgan: Has a concern about the green belt area between the park and Via Verde, there is a 50' oak that is entangled with ivy and feels that the oak tree is being strangled, and there are some fallen trees that are a fire danger and would like them to be cleaned up if possible. He thanked the Planning Commission and staff for all their guidance on his recent application for improving his property and he stated that he feels he is a better person for working with these people.

CONSENT AGENDA:

A motion was made by Council Member Edelen to approve the consent agenda:

A. MINUTES:

1. August 26, 2008, Regular City Council Meeting
2. September 10, 2008, Regular Planning Commission Meeting - Draft

B. MONTHLY REPORT:

1. Claims, August 2008
2. Financial, Fiscal Year End June 30, 2008 Amended Financial Report
3. Fire Department Response Report, August 2008
4. Police Activity Report, August 2008

C. MISCELLANEOUS

1. A Proclamation Proclaiming September 17th through September 23rd, 2008 as Constitution Week.

Seconded by Council Member Cecilio

There were no public comments received

Motion passed 4-0

The Council considered **ITEM 8.A.**, Approve Plans and Specs for Annual Street Resurfacing Project and Direct Staff to Submit Notice to Contractors Inviting Bids; Call for bids.

City Manager Evans: This is the open call for bids and we'd like to get this project done. He stated that Deputy City Clerk Carvalho has taken care of the noticing and that the notice will be going out on September 26th and will be requesting to hold a special meeting on Oct 7th 2008.

Motion by Council Member Cecilio to approve the plans and specs as presented, seconded by Council Member Allion

There were no public comments received

Motion passed 4-0

The Council considered **ITEM 8.B.**, Adopt the Fiscal Year 2008-2009 City of Del Rey Oaks Budget

1. **Resolution 2008-14**, A Resolution of the City Council of the City of Del Rey Oaks Establishing an Appropriation Limit for the Fiscal Year 2008-2009 Pursuant to Article XIII B of the California Constitution
2. **Resolution 2008-15**, A resolution of the City Council of the City of Del Rey Oaks Adopting a Fee Schedule For Certain Charges for City Services.
3. **Resolution 2008-16**, A Resolution Adopting a Fee Schedule for Certain Charges for City Subdivisions, Planning and Related Services
4. **Resolution 2008-17**, A Resolution of the City of Del Rey Oaks

Establishing a Promotion Fund for the Fiscal Year 2008-2009

5. **Resolution 2008-18**, A Resolution of the City of Del Rey Oaks
Establishing Salaries for the Fiscal Year 2008-2009

6. **Resolution 2008-19**, A Resolution Approving the Expenditure
Plan of Funds from the Supplemental Law Enforcement Services
Fund

Mayor Russell: Briefly went over all the resolution titles involved in the budget.

City Attorney Wellington: He stated that Resolution 2008-18 regarding salaries, related to the action taken previously that the Chief of Police would need an amendment to approve the salary with the new chief salary approved earlier.

Motion by Council Member Cecilio to amend and approve as stated by the City Attorney Item 8.B.5, seconded by Council Member Allion

Council Member Allion: Stated that this amount had been part of the budget workshop numbers and was included in the budget at that time.

City Attorney Wellington: Stated since Resolution 2008-18 was handled already it doesn't need approval.

Motion by Council Member Edelen to approve Resolutions 2008-14, 15, 16, 17 and 19, seconded by Council Member Allion.

There were no public comments received

Motion passed 4-0

The Council considered **ITEM 8.C.**, Authorize Purchase of Computers for City Clerk's Office

City Manager Evans: He stated since he came on staff the clerk's office has been besieged with problems and we need to replace their 6 year old computers. He stated that they went out for bid on a new system and Monterey Bay Technology came in under \$10,000 which includes 3 work stations, backup material and support.

Motion by Council Member Allion to approve item as stated, seconded by Council Member Edelen.

There were no public comments received

Motion passed 4-0

The Council considered **ITEM 8.D.**, Resolution 2008-20, A Resolution to Consider Possible Amendment of City's Conflict of Interest Code

City Attorney Wellington: FPPC requires the city to have a conflict of interest code, and every 2 years a request by the FPPC is received to inform them of any changes in the code. This is what controls the submission of the Form 700 and is required by the state. This states that we have no amendments to the code, no

added positions or consultants have been added. He recommended approval of the resolution.

Motion by Council Member Allion to approve as presented and stated, seconded by Council Member Cecilio

There were no public comments received

Motion passed 4-0

STAFF REPORTS:

City Manager Evans: Thanked the council for approving the budget, the street project, the computers and the monument sign. He stated that the Police dept and fire department did an excellent job of responding to the fire at Safeway and while the store had to be evacuated their handling of the situation brought that time down to only 30 minutes.

MAYOR/COUNCIL

Council Member Edelen: We had our 55th Annual City Picnic with a \$2000 check being presented to the city to help pay for the monument sign. He also reported on TAMC.

Council Member Cecilio: He stated that he attended the Mosquito Abatement meeting for the month and there has been activity on the West Nile Virus with some locally reported cases. He also notified everyone that they are having a big barbeque at noon on Friday and everyone is invited.

Council Member Allion: He stated he attended the AMBAG meeting and spoke about the Coastal Regional Sediment Management Plan for Southern Monterey Bay which he gave to the clerk for public viewing. They predict that the sand dunes will be eroding 6-8 feet a year and that the methods to help prevent this erosion are very interesting. He stated that most people don't know that AMBAG is almost entirely funded by grants. He also stated that he has asked at the last meeting how people are notified of the election and stated that an announcement was made at the July meeting of the candidates and offices open.

Mayor Russell: He reported on FORA and said he was on a conference call with the president of AIG which is one of the insurance companies being bailed out by the Government. The conference call took place because FORA has a policy with AIG. He stated that the money placed in there by FORA is safe and are in the form of cash and was a great relief to find that out. He reported on MRWPCA, Water Master, Cal-Am's issues on water, Federal Development and AMBAG.

7:45 p.m. - The Council adjourned to closed session.

7:56 p.m. - Closed session came to order.

8:27 p.m.: The council came back in to open session and the City Attorney announced that the Council had taken up the closed session matter(s) as listed on the agenda, received information regarding same, and gave directions to the Mayor and City Attorney with regard to the matter. No other action was taken.

8:28 p.m. – Adjourned to the next regular meeting

NEXT MEETING: Tuesday, October 28, 2008 at 7:00 p.m.

Approved
