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CITY COUNCIL MEETING

NOVEMBER 2, 1983

DESIGNATION OF
CITY
REPRESENTATIVES
TO MAKE PURCHASES
OF FEDERAL
SURPLUS PROPERTY

Following introduction of the matter by City Manager Graves, Council, on motion of Council Member Pinkerton, Reid second, adopted Resolution No. 83-128 designating the Public Works Director Jack Ronsko, Equipment and Building Maintenance Supervisor Richard Wiech, and Assistant City Manager Jerry Glenn, as the City's representatives to acquire federal surplus property from the California State Agency for Surplus Property.

RES NO. 83-128

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
ROBERT C. MURPHY
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
POST OFFICE BOX 320
LODI, CALIFORNIA 95241
(209) 334-5634

Fulmer
HENRY A. GLAVES, Jr.
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

November 7, 1983

R. W. Evans, Chief
Surplus Property Section
State of California
Department of Education
721 Capital Mall
Sacramento, CA 95814

Re: 39-9-210-2-4-G
2H 39 K 924

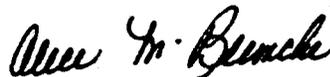
Gentlemen:

Pursuant to your recent letter, enclosed please find property documentation to insure continuing eligibility for the City of Lodi to acquire federal surplus personal property; namely

- a) Executed copy of State of California Application for Eligibility Federal Surplus Personnel Property Program.
- b) Executed copy of Assurance of Compliance with GSA Regulations.
- c) Certified copy of Resolution No. 83-128 designating certain city employees as the City's representatives to acquire federal surplus property from the California State Agency for Surplus Property.

If you have any questions regarding this matter, please do not hesitate to call.

Very truly yours,



Alice M. Reimche
City Clerk

AMR:jj
Enc.

STATE OF CALIFORNIA
APPLICATION FOR ELIGIBILITY
FEDERAL SURPLUS PERSONAL PROPERTY PROGRAM

Before preparing this application, please read carefully the definitions given under Part B. Fill out all applicable sections.

Part A.

Legal name of organization City of Lodi Telephone (209) 334-5634
Address 221 West Pine Street City Lodi County San Joaquin ZIP 95240

1. Application is being made as a (please check one) (a) Public agency or (b) Private, nonprofit and tax-exempt educational or public health organization . Please provide evidence that the organization is a public agency or enclose a copy of the letter or certificate from the United States Internal Revenue Service evidencing tax-exemption under Section 501 of the Internal Revenue Code of 1954.
2. Check type of agency or organization and attach a supplement to this application describing the program operations and activities. For private, nonprofit organizations, the following *additional* information is required: (a) For educational institutions, include a description of the curriculum, the number of days in the school year, and the number and qualifications of the faculty or staff; (b) If a public health institution or organization, include a description of the health services offered, qualifications of staff and, if applicable, the number of beds, number of resident physicians, and number of registered nurses on the staff.

PUBLIC AGENCIES: Check either state or local

- Conservation
- Economic development
- Education
Grade level _____
(Preschool, university)
- Enrollment _____
- No. of school sites _____
- Parks and recreation
- Public health
- Public safety
- Two or more of above
- Other (specify) _____

NONPROFIT INSTITUTION OR ORGANIZATION:

- Education
Grade level _____
(Preschool, university)
- Enrollment _____
- No. of school sites _____
- School for the mentally or physically handicapped
- Educational radio or television station
- Museum
- Library
- Medical institution
- Hospital
- Health center
- Clinic
- Other (specify) _____

3. Check if the applicant program is approved ; accredited ; or licensed . Enclose evidence of such approval, accreditation, or licensing. If the applicant lacks evidence of formal approval, accreditation, or licensing, check here and refer to the enclosed instructions.

4. Are the applicant's services available to the public at large? _____. If only a specified group of people is served, please indicate who comprises this group. _____

5. Checklist of attachments submitted with this application:

- Evidence that applicant's program is a public agency or exempt from paying taxes under Section 501 of the IRS Code of 1954
- Description of program operations and activities
- Evidence of approval, accreditation, or licensing or information submitted in lieu thereof
- SASP Form No. 202, "Resolution," properly signed, designating representatives authorized to bind the applicant to the terms and conditions governing the transfer of federal surplus personal property
- SASP Form No. 203, nondiscrimination compliance assurance
- Statement concerning applicant's needs, resources, and ability to utilize the property
- Other statements or documentation required, as specified in the instructions, for certain categories of applicants.

Date: November 2, 1983 Signed: Henry J. Glaves Title: City Manager

FOR STATE AGENCY USE

Application approved: _____ Application disapproved: _____

Comments or additional information: _____

Date: _____ Signed: _____

Director

Accredited: Approval by a recognized accrediting board or association on a regional, state, or national level, such as state board of education or health; the American Hospital Association; a regional or national accrediting association for universities, colleges, or secondary schools; or another recognized accrediting association.

Approved: Recognition and approval by the State Department of Education, State Department of Health, or other appropriate authority. With respect to an educational institution, approval must relate to academic or instructional standards. An educational institution may be considered as approved if its credits are accepted by accredited or state-approved institutions or if it meets the academic or instructional standards prescribed for public schools in the state.

Child care center: A public or nonprofit facility where day care services such as educational, social, health, and nutritional services are provided to children through age 14 and which is approved or licensed by the state or other appropriate authority.

Clinic: An approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services including customary related services such as laboratories and treatment rooms.

College: An approved or accredited public or nonprofit institution of higher learning offering organized study courses and credits leading to a baccalaureate or higher degree.

Conservation: A program or program carried out or promoted by a public agency for public purposes involving, directly or indirectly, the protection, maintenance, development, and restoration of the natural resources of a given political area. These resources include but are not limited to the air, land, forests, water, rivers, streams, lakes and ponds, minerals, and animals, fish, and other wildlife.

Economic development: A program or programs carried out or promoted by a public agency for public purposes which involve directly or indirectly, efforts to improve the opportunities of a given political area for the successful establishment or expansion of industrial, commercial, or agricultural plants or facilities and which otherwise assist in the creation of long term employment opportunities in the area or primarily benefit the unemployed or those with low incomes.

Educational institution: An otherwise eligible public or nonprofit institution, facility, entity, or organization conducting educational programs, including research for any such programs, such as a child care center, school, college, university, school for the mentally or physically handicapped, educational radio or television station, museum, or library.

Educational radio stations: A radio station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax exempt under Section 501 of the Internal Revenue Code of 1954.

Educational television station: A television station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax exempt under Section 501 of the Internal Revenue Code of 1954.

Health center: An approved public or nonprofit facility utilized by a health unit for the provision of public health services, including related facilities such as diagnostic and laboratory facilities and clinics.

Hospital: An approved or accredited public or nonprofit institution providing public health services primarily for inpatient medical or surgical care of the sick and injured, including related facilities such as laboratories, outpatient departments, training facilities, and staff offices.

Library: A public or nonprofit facility providing library services free to all residents of a community, district, state, or region.

Medical institution: An otherwise eligible public or nonprofit institution, facility, entity, or organization the primary function of which is the furnishing of health and medical services to the public at large or promoting public health through the conduct of research for any such purposes, experiments, training, or demonstrations related to the cause, prevention, and methods of diagnosis and treatment of diseases and injuries. The term includes but is not limited to hospitals, clinics, alcoholic and drug abuse treatment centers, public health or treatment centers, research and health centers, geriatric center laboratories, medical schools, dental

schools, nursing schools, and similar institutions. The term does not include institutions primarily engaged in domiciliary care although a separate medical facility within such a domiciliary institution may qualify as a "medical institution."

Museum: A public or nonprofit facility which is attended by the public free or at a nominal charge and which provides museum services including the preservation and exhibition of artistic, cultural, historical, or scientific objects.

Nonprofit institution: An educational or public health institution or organization, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual and which has been held to be tax exempt under the provisions of Section 501 of the Internal Revenue Code of 1954.

Park and recreation: A program or programs carried out or promoted by a public agency for public purposes which involve directly or indirectly the acquisition, development, improvement, maintenance, and protection of park and recreational facilities for the residents of a given political area. These facilities include but are not limited to parks, playgrounds and athletic fields, swimming pools, golf courses, nature facilities, and nature trails.

Public agency: Any state; any political subdivision thereof, including any unit of local government or economic development district; any department, agency, instrumentality thereof, including instrumentalities created by compact or other agreement between a state and another state, a political subdivision, a multijurisdictional substate district established by or pursuant to state law, or any Indian tribe, band, group, pueblo, or community located on a state reservation.

Public health: A program or programs to promote, maintain, and conserve the public's health by providing health services to individuals and by the conduct of research, investigations, examination, training, and demonstrations. Public health services may include but are not limited to immunization, maternal and child health programs, sanitary engineering, sewage treatment and disposal, sanitation inspection and supervision, water purification and distribution, air pollution control, garbage and trash disposal, the control and elimination of disease-carrying animals and insects, and the control of communicable diseases.

Public safety: A program or programs carried out or promoted by a public agency for public purposes involving, directly or indirectly, the protection, safety, and law enforcement activities and the criminal justice system of a given political area. Public safety programs may include but are not limited to those carried out by public police departments, sheriffs' offices, the courts, penal and correctional institutions including juvenile facilities, state and civil defense organizations, and fire departments and rescue squads including volunteer fire departments and rescue squads supported in whole or in part with public funds.

School (except schools for the mentally or physically handicapped): A public or nonprofit, approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, which operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

School for the mentally handicapped: A facility or institution operated primarily to provide specialized instruction to students of limited mental capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction of the mentally handicapped, have a staff of qualified instructors, and demonstrate that the facility meets state and local health and safety standards.

School for the physically handicapped: A school organized primarily to provide specialized instruction to students whose physical handicaps necessitate individual or group instruction. The schools must be public or nonprofit and operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the physically handicapped, have a staff of qualified instructors, and demonstrate that the facility meets state and local health and safety standards.

Tax-supported organization: One which receives a major portion of its financial support from moneys derived from state or local government revenues.

University: A public or nonprofit, approved or accredited institution of higher education empowered to confer degrees in special departments or colleges.

ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 606
OF TITLE VI OF THE FEDERAL PROPERTY AND ADMINISTRATIVE
SERVICES ACT OF 1949, AS AMENDED, SECTION 504 OF
THE REHABILITATION ACT OF 1973, AS AMENDED,
TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED
AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975

City of Lodi, (hereinafter called the "donee"),
(Name of donee organization)

HEREBY AGREES THAT the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

Date November 2, 1983

City of Lodi, California
Donee Organization

BY

Henry A. Glaves
(President/Chairman of the Board
or comparable authorized official)
Henry A. Glaves, City Manager

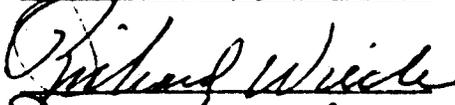
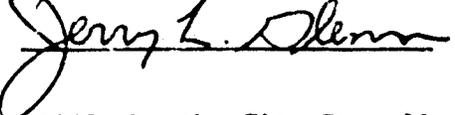
221 West Pine Street

Lodi, CA 95240

Donee Mailing Address

RESOLUTION NO. 83-128

BE IT RESOLVED that the City Council of the City of Lodi does hereby order that the following employees whose name(s), title(s), and signature(s) are listed below shall be and are hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
Jack Ronsko	Public Works Director	
Richard Wiech	Equipment & Building Maintenance Supervisor	
Jerry Glenn	Assistant City Manager	

PASSED AND ADOPTED this 2nd day of November, 1983, by the City Council of the City of Lodi by the following vote:

- Ayes: Council Members - Reid, Snider, Murphy, Pinkerton & Olson (Mayor)
- Noes: Council Members - None
- Absent: Council Members - None

I, Alice M. Reimche, City Clerk of the City of Lodi do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the City Council at a regular meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the City Clerk.

City of Lodi
221 West Pina Street
Lodi, San Joaquin, 95240

Signed 
Alice M. Reimche
City Clerk

TERMS AND CONDITIONS

(A) THE DONEE CERTIFIES THAT:

(1) It is a public agency; or a nonprofit educational or public health institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1954; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services.

(2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, and including research for such purpose. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the state, except with prior approval of the state agency.

(3) Funds are available to pay all costs and charges incident to donation.

(4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964; Title VI, Section 606, of the Federal Property and Administrative Services Act of 1949, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972, as amended; and Section 303 of the Age Discrimination Act of 1975.

(ii) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purpose(s) for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the state agency and, at the donee's expense, return such property to the state agency, or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency.

(2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.

(3) In the event the property is not so used or handled as required by (B)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$3,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

(1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).

(2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.

(3) In the event the property is not so used as required by (C)(1) and (2) and federal restrictions (B)(1) and (2) have expired then title and right to the possession of such property shall at the option of the state agency revert to the State of California and the donee shall release such property to such person as the state agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

(1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the state, without the prior approval of GSA under (B) or the state agency under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the state agency, shall be remitted promptly by the donee to GSA or the state agency, as the case may be.

(2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the state agency, the donee, at the option of GSA or the state agency, shall pay to GSA or the state agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the state agency.

(3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the state agency, and shall, as directed by the state agency, return the property to the state agency, release the property to another donee or another state agency or a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the state agency.

(4) The donee shall make reports to the state agency on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the state agency.

(5) At the option of the state agency, the donee may abrogate the conditions set forth in (C) and the terms, reservations, and restrictions pertinent thereto in (D) by payment of an amount as determined by the state agency.

(E) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.

(2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, the state agency will be entitled to reimbursement from the donee out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$3,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document executed by the authorized donee representative.

California State Department of Education
 Office of Surplus Property
 721 Capitol Mall, Sacramento, CA 95814
 OSP Form No. 202 (4-82)

RESOLUTION

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME (Print or type.)	TITLE	SIGNATURE

PASSED AND ADOPTED this _____ day of _____, 19____, by the Governing Board of _____

by the following vote: Ayes: _____; Noes: _____; Absent: _____.

I, _____, Clerk of the Governing Board of _____

do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a _____ meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

Name of organization

Mailing address

City County ZIP code [Signed]

OR

AUTHORIZED this _____ day of _____, 19____, by:

Name of chief administrative officer Title

Name of organization

Mailing address

City County ZIP code [Signed]

TERMS AND CONDITIONS

(A) THE DONEE CERTIFIES THAT:

(1) It is a public agency; or a nonprofit educational or public health institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1954; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services.

(2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, and including research for such purpose. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the state, except with prior approval of the state agency.

(3) Funds are available to pay all costs and charges incident to donation.

(4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964; Title VI, Section 606, of the Federal Property and Administrative Services Act of 1949, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972, as amended; and Section 303 of the Age Discrimination Act of 1975.

(B) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purpose(s) for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the state agency and, at the donee's expense, return such property to the state agency, or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency.

(2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.

(3) In the event the property is not so used or handled as required by (B)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$3,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

(1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).

(2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.

(3) In the event the property is not so used as required by (C)(1) and (2) and federal restrictions (B)(1) and (2) have expired then title and right to the possession of such property shall at the option of the state agency revert to the State of California and the donee shall release such property to such person as the state agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

(1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the state, without the prior approval of GSA under (B) or the state agency under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the state agency, shall be remitted promptly by the donee to GSA or the state agency, as the case may be.

(2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the state agency, the donee, at the option of GSA or the state agency, shall pay to GSA or the state agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the state agency.

(3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the state agency, and shall, as directed by the state agency, return the property to the state agency, release the property to another donee or another state agency or a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the state agency.

(4) The donee shall make reports to the state agency on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the state agency.

(5) At the option of the state agency, the donee may abrogate the conditions set forth in (C) and the terms, reservations, and restrictions pertinent thereto in (D) by payment of an amount as determined by the state agency.

(E) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.

(2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, the state agency will be entitled to reimbursement from the donee out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$3,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document executed by the authorized donee representative.

ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 606
OF TITLE VI OF THE FEDERAL PROPERTY AND ADMINISTRATIVE
SERVICES ACT OF 1949, AS AMENDED, SECTION 504 OF
THE REHABILITATION ACT OF 1973, AS AMENDED,
TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED
AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975

_____, (hereinafter called the "donee"),
(Name of donee organization)

HEREBY AGREES THAT the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CRP 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

Date _____

Donee Organization

BY _____

(President/Chairman of the Board
or comparable authorized official)

Donee Mailing Address

RESOLUTION

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME (Print or type.)	TITLE	SIGNATURE
Jack Ronsko	Public Works Director	
Richard Wiech	Equipment and Building Maintenance Supervisor	
<i>Jerry Glen</i>		

PASSED AND ADOPTED this 2nd day of November, 19 83, by the Governing Board of

by the following vote: Ayes: _____; Noes: _____; Absent: _____.

I, Alice M. Reimche . Clerk of the Governing Board of
the City of Lodi do hereby certify that the foregoing is a full, true, and
 correct copy of a resolution adopted by the Board at a regular meeting thereof held at its regular place of
 meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

City of Lodi, California
Name of organization
221 W. Pine Street
Mailing address
Lodi, San Joaquin 95240 [Signed]
City County ZIP code



STATE OF CALIFORNIA
DEPARTMENT OF EDUCATION
STATE EDUCATION BUILDING, 721 CAPITOL MALL, SACRAMENTO, CA 95814

RECEIVED

1983 OCT 31 AM 9:41

ALICE M. REINSCHE
CITY CLERK
CITY OF LODI

39-9-210-2-4-G 2 H 39 K924
CITY OF LODI
HENRY GLAVES
221 WEST PINE STREET
LODI CA 95240

Resolution
28

Federal regulations require State agencies for surplus property to update the eligibility records of donee organizations on a periodic basis, but not less than once every three years, to ensure continuing eligibility.

Forms for use in updating your eligibility status were sent to you in September or October, 1982 and again in April 1983; however, we have received no response from you. Another set of forms for this purpose is enclosed with this letter.

Please be advised that if we do not hear from you within thirty (30) days concerning the updating of your eligibility, your eligibility to acquire federal surplus personal property will be terminated.

In the event your eligibility is terminated, all property in your possession remaining under federal or State use restrictions must be returned to this agency at your expense.

Please give this matter your immediate attention.

Sincerely yours,

R. W. Evans

R. W. Evans, Chief
Surplus Property Section
Office of Surplus Property
(916) 323-8521

cc: O. W. Wilson
G. E. Smith

RWE:bh

STATE OF CALIFORNIA
APPLICATION FOR ELIGIBILITY
FEDERAL SURPLUS PERSONAL PROPERTY PROGRAM

Before preparing this application, please read carefully the definitions given under Part B. Fill out all applicable sections.

Part A.

Legal name of organization _____ Telephone _____
Address _____ City _____ County _____ ZIP _____

1. Application is being made as a (please check one) (a) Public agency or (b) Private, nonprofit and tax-exempt educational or public health organization . Please provide evidence that the organization is a public agency or enclose a copy of the letter or certificate from the United States Internal Revenue Service evidencing tax-exemption under Section 501 of the Internal Revenue Code of 1954.
2. Check type of agency or organization and attach a supplement to this application describing the program operations and activities. For private, nonprofit organizations, the following *additional* information is required: (a) For educational institutions, include a description of the curriculum, the number of days in the school year, and the number and qualifications of the faculty or staff; (b) If a public health institution or organization, include a description of the health services offered, qualifications of staff and, if applicable, the number of beds, number of resident physicians, and number of registered nurses on the staff.

- PUBLIC AGENCIES:** Check either state or local
- Conservation
 - Economic development
 - Education
Grade level _____
(Preschool, university)
 - Enrollment _____
 - No. of school sites _____
 - Parks and recreation
 - Public health
 - Public safety
 - Two or more of above
 - Other (specify) _____

- NONPROFIT INSTITUTION OR ORGANIZATION:**
- Education
Grade level _____
(Preschool, university)
 - Enrollment _____
 - No. of school sites _____
 - School for the mentally or physically handicapped
 - Educational radio or television station
 - Museum
 - Library
 - Medical institution
 - Hospital
 - Health center
 - Clinic
 - Other (specify) _____

3. Check if the applicant program is approved ; accredited ; or licensed . Enclose evidence of such approval, accreditation, or licensing. If the applicant lacks evidence of formal approval, accreditation, or licensing, check here and refer to the enclosed instructions.

4. Are the applicant's services available to the public at large? _____. If only a specified group of people is served, please indicate who comprises this group. _____

5. Checklist of attachments submitted with this application:
- Evidence that applicant's program is a public agency or exempt from paying taxes under Section 501 of the IRS Code of 1954
 - Description of program operations and activities
 - Evidence of approval, accreditation, or licensing or information submitted in lieu thereof
 - SASP Form No. 202, "Resolution," properly signed, designating representatives authorized to bind the applicant to the terms and conditions governing the transfer of federal surplus personal property
 - SASP Form No. 203, nondiscrimination compliance assurance
 - Statement concerning applicant's needs, resources, and ability to utilize the property
 - Other statements or documentation required, as specified in the instructions, for certain categories of applicants.

Date: _____ Signed: _____ Title: _____

FOR STATE AGENCY USE

Application approved: _____ Application disapproved: _____
Comments or additional information: _____

Date: _____ Signed: _____
Director

Accredited: Approval by a recognized accrediting board or association on a regional, state, or national level, such as state board of education or health; the American Hospital Association; a regional or national accrediting association for universities, colleges, or secondary schools; or another recognized accrediting association.

Approved: Recognition and approval by the State Department of Education, State Department of Health, or other appropriate authority. With respect to an educational institution, approval must relate to academic or instructional standards. An educational institution may be considered as approved if its credits are accepted by accredited or state-approved institutions or if it meets the academic or instructional standards prescribed for public schools in the state.

Child care center: A public or nonprofit facility where day care services such as educational, social, health, and nutritional services are provided to children through age 14 and which is approved or licensed by the state or other appropriate authority.

Clinic: An approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services including customary related services such as laboratories and treatment rooms.

College: An approved or accredited public or nonprofit institution of higher learning offering organized study courses and credits leading to a baccalaureate or higher degree.

Conservation: A program or programs carried out or promoted by a public agency for public purposes involving, directly or indirectly, the protection, maintenance, development, and restoration of the natural resources of a given political area. These resources include but are not limited to the air, land, forests, water, rivers, streams, lakes and ponds, minerals, and animals, fish, and other wildlife.

Economic development: A program or programs carried out or promoted by a public agency for public purposes which involve, directly or indirectly, efforts to improve the opportunities of a given political area for the successful establishment or expansion of industrial, commercial, or agricultural plants or facilities and which otherwise assist in the creation of long term employment opportunities in the area or primarily benefit the unemployed or those with low incomes.

Educational institution: An otherwise eligible public or nonprofit institution, facility, entity, or organization conducting educational programs, including research for any such programs, such as a child care center, school, college, university, school for the mentally or physically handicapped, educational radio or television station, museum, or library.

Educational radio stations: A radio station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax exempt under Section 501 of the Internal Revenue Code of 1954.

Educational television station: A television station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax exempt under Section 501 of the Internal Revenue Code of 1954.

Health center: An approved public or nonprofit facility utilized by a health unit for the provision of public health services, including related facilities such as diagnostic and laboratory facilities and clinics.

Hospital: An approved or accredited public or nonprofit institution providing public health services primarily for inpatient medical or surgical care of the sick and injured, including related facilities such as laboratories, outpatient departments, training facilities, and staff offices.

Library: A public or nonprofit facility providing library services free to all residents of a community, district, state, or region.

Medical institution: An otherwise eligible public or nonprofit institution, facility, entity, or organization the primary function of which is the furnishing of health and medical services to the public at large or promoting public health through the conduct of research for any such purposes, experiments, training, or demonstrations related to the cause, prevention, and methods of diagnosis and treatment of diseases and injuries. The term includes but is not limited to hospitals, clinics, alcoholic and drug abuse treatment centers, public health or treatment centers, research and health centers, geriatric center laboratories, medical schools, dental

schools, nursing schools, and similar institutions. The term does not include institutions primarily engaged in domiciliary care although a separate medical facility within such a domiciliary institution may qualify as a "medical institution."

Museum: A public or nonprofit facility which is attended by the public free or at a nominal charge and which provides museum services including the preservation and exhibition of artistic, cultural, historical, or scientific objects.

Nonprofit institution: An educational or public health institution or organization, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual and which has been held to be tax exempt under the provisions of Section 501 of the Internal Revenue Code of 1954.

Park and recreation: A program or programs carried out or promoted by a public agency for public purposes which involve directly or indirectly the acquisition, development, improvement, maintenance, and protection of park and recreational facilities for the residents of a given political area. These facilities include but are not limited to parks, playgrounds and athletic fields, swimming pools, golf courses, nature facilities, and nature trails.

Public agency: Any state; any political subdivision thereof, including any unit of local government or economic development district; any department, agency, instrumentality thereof, including instrumentalities created by compact or other agreement between a state and another state, a political subdivision, a multijurisdictional substate district established by or pursuant to state law, or any Indian tribe, band, group, pueblo, or community located on a state reservation.

Public health: A program or programs to promote, maintain, and conserve the public's health by providing health services to individuals and by the conduct of research, investigations, examination, training, and demonstrations. Public health services may include but are not limited to immunization, maternal and child health programs, sanitary engineering, sewage treatment and disposal, sanitation inspection and supervision, water purification and distribution, air pollution control, garbage and trash disposal, the control and elimination of disease-carrying animals and insects, and the control of communicable diseases.

Public safety: A program or programs carried out or promoted by a public agency for public purposes involving, directly or indirectly, the protection, safety, and law enforcement activities and the criminal justice system of a given political area. Public safety programs may include but are not limited to those carried out by public police departments, sheriffs' offices, the courts, penal and correctional institutions including juvenile facilities, state and civil defense organizations, and fire departments and rescue squads including volunteer fire departments and rescue squads supported in whole or in part with public funds.

School (except schools for the mentally or physically handicapped): A public or nonprofit, approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction, which operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

School for the mentally handicapped: A facility or institution operated primarily to provide specialized instruction to students of limited mental capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction of the mentally handicapped, have a staff of qualified instructors, and demonstrate that the facility meets state and local health and safety standards.

School for the physically handicapped: A school organized primarily to provide specialized instruction to students whose physical handicaps necessitate individual or group instruction. The schools must be public or nonprofit and operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the physically handicapped, have a staff of qualified instructors, and demonstrate that the facility meets state and local health and safety standards.

Tax-supported organization: One which receives a major portion of its financial support from moneys derived from state or local government revenues.

University: A public or nonprofit, approved or accredited institution of higher education empowered to confer degrees in special departments or colleges.