

RESOLUTION NO. 2016-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AUTHORIZING SUBMISSION OF AN APPLICATION TO STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES FOR CITY PARTICIPATION IN THE
STATE AND FEDERAL SURPLUS PROPERTY PROGRAM AND AUTHORIZING
CITY MANAGER TO EXECUTE ALL FORMS NECESSARY FOR APPLICATION TO
THE STATE AND FEDERAL SURPLUS PROPERTY PROGRAM

WHEREAS, the State of California Department of General Services manages and administers the State and Federal Surplus Property Program. The focus of this program is to provide state and federal surplus property for qualifying non-federal organizations within the State for their operational and business needs. The program refers to such a non-federal qualifying organization as a donee, and;

WHEREAS, all public agencies are eligible to receive federal, state, and local government surplus property. This program offers the opportunity to acquire equipment for operational and business needs for the City, including the Public Works Division, Police Department, Fire Department, Recreation Department and Airport, for the cost of transportation and service and handling fees, and;

WHEREAS, a complete application must be submitted to the California Department of General Services and on file for participation in the State and Federal Surplus Property Program. A complete application includes:

1. State of California New Application for Eligibility, State and Federal Surplus Property Program (“**EXHIBIT A**”)
2. State of California Department of General Services Office of Fleet and Asset Management Resolution (“**EXHIBIT B**”)
3. State of California Department of General Services Office of Fleet and Asset Management Non-Discrimination Certification (“**EXHIBIT C**”)
4. State of California Department of General Services Office of Fleet and Asset Management Racial and National Origins Certification (“**EXHIBIT D**”)
5. State of California Department of General Services Office of Fleet and Asset Management Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (“**EXHIBIT E**”).
6. State of California Department of General Services Office of Fleet and Asset Management Certifications and Agreements including Terms, Conditions Reservations and Restrictions (“**EXHIBIT F**”), and;

WHEREAS, there is no cost to apply for participation in the State and Federal Surplus Property Program, and;

WHEREAS, should a City Department or Division acquire surplus equipment, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee.

Other cost will include the transportation to pick up state and federal surplus property directly from where the property is located or the cost to arrange for the item to be picked up, and;

WHEREAS, costs for the acquisition of state and federal surplus property will be recorded accordingly in the City Department/Division budget that requests such property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Authorize submission of an application to State of California Department of General Services for City participation in the State and Federal Surplus Property Program, and;
2. Authorize City Manager to execute all forms necessary for application to the State and Federal Surplus Property Program.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Brown

ABSTAIN: COUNCIL MEMBERS: None

Frank O'Connell, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk

STATE OF CALIFORNIA
NEW APPLICATION FOR ELIGIBILITY
STATE & FEDERAL SURPLUS PROPERTY PROGRAM

In completing this form please print or type information.

A. Name of Organization Telephone
Address City County Zip
E-Mail Address Fax Number

1. Application is being made as a (please check one) (a) Public agency or (b) qualified nonprofit and tax-exempt organization. Check all spaces that apply and provide all requested data.

B. PUBLIC AGENCY: Check either state or local

NONPROFIT AGENCY OR ORGANIZATION:

- Conservation
Economic Development
Education
Grade Level
Enrollment
No. of faculty
No. of days in school year
Parks & Recreation
Public Health
Public Safety
Two or more of above
Other (specify)

- Education
Grade Level
School for the mentally or physically handicapped
Enrollment
No. of faculty
No. of days in school year
No. of school sites
Educational radio or television station
Museum
Library
Medical institution
Hospital
Health center
Clinic
Other (specify)

1. 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.

- 2. Checklist of signed and completed documents submitted with this application:
SASP Form No. 202 "Resolution," properly signed and approved by the Governing Board designating representatives, including their signatures, authorized to bind the applicant organization to service fees submitted by the State of California.
SASP Form No. 203, nondiscrimination compliance assurance.
Certification Regarding Debarment, Suspension, Ineligibility, & Voluntary Exclusion as required by the General Services Administration of the U.S. Government.
Other statements or documentation required, as may be specified.

Printed Name and Title of Administrator or Director:

Date: Signature of Administrator or Director:

FOR STATE SURPLUS AGENCY USE ONLY

Application approved Application disapproved

Comments or additional information:

Date: Signed:

Donee Number: Billing Code:

RESOLUTION
SASP 202 (Rev 11/14)

RESOLUTION

"BE IT RESOLVED by the 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 surplus property through the auspices of the California State Agency for Surplus Property and accept responsibility for payment of incidental fees by the surplus property agency under the Terms and Conditions accompanying this form or listed on the reverse side of this form."

NAME (Print or Type)	TITLE	SIGNATURE*	E-MAIL ADDRESS
A.			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

***Note: All signatures must be in original form. No copied or stamped signatures**

B. The above resolution was PASSED AND ADOPTED this _____ day of _____, 20____, by the Governing Board of the:
_____ by the following vote: AYES: _____; NOES: _____; ABSENT: _____
Agency Name

I, _____ Clerk of the Governing Board known as _____

Do hereby certify that the foregoing is a full, true and correct resolution adopted by the governing board of the below named organization at the meeting thereof held at its regular place of meeting on this date and by the vote above stated, a copy of said resolution is on file in the principal office of the Governing Board.

Signed by: _____

Name of Organization

Mailing Address

City / Zip Code / County

NOTE: ALL LOCAL GOVERNMENT & NON-PROFIT INCORPORATED ORGANIZATIONS HAVE A GOVERNING BOARD, THEREFORE COMPLETE ONLY SECTIONS "A" & "B". THE FOLLOWING SECTION "C" IS FOR STATE AGENCIES ONLY

C. AUTHORIZED this _____ day of _____, 20____, by: _____
Signature of Administrative Officer

Printed Name of Chief Administrative Officer / Title

Organization Name / Street Address

City / ZIP Code / County

STATE OF CALIFORNIA AGENCIES ARE REQUIRED TO PROVIDE THEIR STATE BILLING CODE: _____

STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
OFFICE OF FLEET AND ASSET MANAGEMENT
NON-DISCRIMINATION CERTIFICATION
SASP 203 (Rev 11/14)

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 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 _____

Donee Organization

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

Donee Mailing Address

**STATE OF CALIFORNIA
 NEW APPLICATION FOR ELIGIBILITY
 STATE & FEDERAL SURPLUS PROPERTY PROGRAM**

Pursuant to Federal Regulation 28 C.F.R. §§ 42.401 - 42.415, a recipient is mandated to report to the Federal Government the racial and national origins of all persons within your service area. You are therefore asked to supply the Office of Fleet and Asset Management with the race and national origins of individuals you serve in your service area (it may be helpful to refer to the US Census to determine the racial makeup of your service area at www.factfinder.census.gov/). This form must be completed and returned with the rest of the eligibility packet in order to qualify for the Federal Surplus Property Program. Your answers on this form in no way affect your eligibility; however, not returning the form will delay the processing of your application.

American Indian or Alaskan Native % _____	Persons having origins in any of the tribal people of North America, and who maintain cultural identification through tribal affiliation or community recognition.
Asian / Pacific Islander % _____	Persons having origins in any of the original peoples of the far east, Southeast Asia, Pacific Islands, or the Indian Subcontinent. This includes China, Japan, Korea, The Philippines, and Samoa.
Black % _____	Persons having origins in any of the black racial groups of Africa.
Hispanic % _____	Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White % _____	Person having origins in any of the original people of Europe, North Africa, or the Middle East.
Other % _____	(Specify) _____

Print Name _____

Title _____

Signature _____

Date _____

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

This certification is required by the General Services Administration regulations implementing Executive Order 12549-41 CFR 105-68 – for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage section of rule implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitation for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF DONEE APPLICANT

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE DATE

**Certifications and Agreements including Terms, Conditions, Reservations and Restrictions to be included
On Agency Issued or Distribution Documents**

A) The Donee Certifies That:

- 1) It is a public agency; or an approved non-profit institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1986; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the General Services Administration (GSA).
- 2) The property is needed and will be used by the recipient for carrying out for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization or 8(a) business, the property is needed for and will be used by the recipient for educational or public health purposes, or for programs for older individuals, or for business purposes. The property is not 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 CSASP.
- 3) Funds are available to pay any and all costs and charges incidental to the receipt of surplus property, and that property is not being acquired for any other use(s) or purpose(s), is not for sale. The fee schedule is available upon request from the CSASP.
- 4) Any transaction shall be subject to the nondiscrimination regulations governing the donation of federal surplus personal property issued under Title VI of the Civil Rights Act of 1964 (41 USC 2000d-2000d-4a), as amended, section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, section 303 of the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987.
- 5) If the Donee is designated by the Federal Small Business Administration 8(a) Program as a socially and economically disadvantaged small business and the SBA and CSASP have both determined the Donee is eligible to receive federal surplus property as a donation, the Donee certifies that the property acquired is needed and will be used solely for the conduct of the Donee's business enterprise: and the Donee certifies to A. (3), (4) and (5),

B) The Donee Agrees to the Following Federal Conditions:

- 1) All items of property, other than items with a unit acquisition cost of \$5000 or more and passenger motor vehicles, regardless of acquisition cost, shall be placed in use for the purpose(s) for which it was acquired within one year or receipt, and shall be placed in continuous use for one year from the date the property was placed in use. In the event the Donee does not place the property in use, or continuous use, the Donee shall immediately notify the CSASP, and, at the Donee's expense, make the property available for transfer or other disposal as directed by the CSASP.
- 2) Special handling or use limitations as are imposed by Federal GSA on any item(s) under which the item(s) are being allocated to the Donee.
- 3) In the event the Donee does not use the property as required by *Sections C (1) and (2)* below, at the option of the GSA, title and right to the possession of such property shall 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 Applicable to Items with a Unit Acquisition Cost of \$5,000 or More and Passenger Motor Vehicles, Regardless of Cost. Except Vessels 50 Feet or More in Length and Aircraft Regardless of Acquisition Cost:

- 1) The property shall be placed in use within one year of receipt, and shall be used only for the purpose(s) for which it was 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 it is acquired for a period of 18 months from the date the property is placed in use, except for such item(s) of major equipment for which the CSASP designates a further period of restriction.
- 3) In the event the property is not so used as required by *Sections C (1) and (2)*, at the option of the CSASP, title and right to the possession of such property shall, at the option of the CSASP, revert to the State of California, and the Donee shall release such property to such person as the CSASP shall direct.

D) The Donee Agrees to the Following Terms, Reservations and Restrictions:

- 1) From the date it receives the property and throughout the time period(s) imposed by Sections B and C (as applicable) 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 of California, without the prior approval of GSA or the CSASP. The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when the GSA or the CSASP authorizes such action, shall be remitted promptly by the Donee to GSA or the CSASP, as applicable. If the Donee takes action in ignoring or disregarding the foregoing restrictions after the date the Donee received the property and before expiration of the time periods imposed by Sections C or D as applicable, at the option of the GSA or the CSASP, the Donee shall pay to the GSA or the CSASP any proceeds derived from the disposal, and/or the fair market or rental value of the property at the time of such unauthorized disposal as determined by the GSA or the CSASP as applicable.
- 2) If at any time, from the date the Donee receives the property throughout the time periods by Sections B and C as applicable, the Donee determines that some or all of the property is no longer suitable, usable, or further needed for the purpose(s) for which it was acquired, the Donee shall promptly notify the CSASP and shall, as directed by the CSASP, return the property to the CSASP, or release the property to another Donee or another state agency, or a department or agency of the United States, or sell or otherwise dispose of the property. The Donee shall remit the proceeds from the sale promptly to the CSASP.
- 3) The Donee shall make reports to the CSASP which shall state the use, condition, and location of the property, and shall report on other pertinent matters as may be required from time to time by the CSASP.
- 4) At the option of the CSASP, the Donee may abrogate the conditions set forth in Section B and the terms, reservations and restrictions pertaining in Section D by payment of an amount as determined by the CSASP.

E) The donee Agrees to the Following Conditions, Applicable to all Items of Property:

- 1) The property acquired by the Donee is on an "As Is," "where is" basis, without warranty of any kind.
- 2) If the Donee carries insurance against damages to or loss of property due because of fire or other hazards, and the damage to, loss or destruction to donated property with unexpired terms, conditions, reservations or restrictions, occurs, the CSASP will be entitled to reimbursement from the Donee out of the insurance proceeds, in an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated property.

F) Terms, conditions, reservations and restrictions set forth in the Conditional Transfer Document executed by the authorized Donee representative are applicable to the donation of Aircraft and Vessels of 50 Feet or more in length having an acquisition cost of \$5,000 or more in length or more, regardless of the purpose for which acquired.

SIGNATURE: _____

DATE: _____

April 15, 2016

Item No. **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
AUTHORIZING SUBMISSION OF AN APPLICATION TO STATE OF
CALIFORNIA DEPARTMENT OF GENERAL SERVICES FOR CITY
PARTICIPATION IN THE STATE AND FEDERAL SURPLUS PROPERTY
PROGRAM AND AUTHORIZING CITY MANAGER TO EXECUTE ALL
FORMS NECESSARY FOR APPLICATION TO THE STATE AND
FEDERAL SURPLUS PROPERTY PROGRAM**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016-, authorizing submission of an application to State of California Department of General Services for City participation in the State and Federal Surplus Property Program, and;
2. Authorizing City Manager to execute all forms necessary for application to the State and Federal Surplus Property Program.

BACKGROUND:

The State of California Department of General Services manages and administers the State and Federal Surplus Property Program. The focus of this program is to provide state and federal surplus property for qualifying non-federal organizations within the State for their operational and business needs. The program refers to such a non-federal qualifying organization as a donee.

All public agencies are eligible to receive federal, state, and local government surplus property. This program offers the opportunity to acquire equipment for operational and business needs for the City, including the Public Works Division, Police Department, Fire Department, Recreation Department and Airport, for the cost of transportation and service and handling fees.

ANALYSIS:

A complete application must be submitted to the California Department of General Services and on file for participation in the State and Federal Surplus Property Program. A complete application includes:

1. State of California New Application for Eligibility, State and Federal Surplus Property Program (“**EXHIBIT A**”)
2. State of California Department of General Services Office of Fleet and Asset Management Resolution (“**EXHIBIT B**”)
3. State of California Department of General Services Office of Fleet and Asset Management Non-Discrimination Certification (“**EXHIBIT C**”)
4. State of California Department of General Services Office of Fleet and Asset Management Racial and National Origins Certification (“**EXHIBIT D**”)

5. State of California Department of General Services Office of Fleet and Asset Management Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (“**EXHIBIT E**”)
6. State of California Department of General Services Office of Fleet and Asset Management Certifications and Agreements including Terms, Conditions Reservations and Restrictions (“**EXHIBIT F**”)

Other Program requirements include:

- Direct Pickup: as an additional condition for determining eligibility, the donee must be able to pick up federal surplus property directly from where the property is located or must have the resources to arrange for the item to be picked up.
- Eligibility: all public agencies are eligible to receive federal, state, and local government surplus property. The application establishes the identity of the authorized buyers for the agency and who to contact for compliance reviews and for eligibility renewals (every three years).
- Renewal: in order to renew as a donee, the organization must meet all of the requirements of the strict renewal eligibility guidelines established by the federal government. To determine whether your organization is eligible to receive federal surplus personal property, refer to the eligibility guidelines. It provides a detailed listing of the types of qualifying non-federal organizations and instructions, including all necessary forms, for obtaining a renewal application. The California Federal Surplus Personal Property (CFSPP) makes the final determination as to eligibility.
- Restrictions: in order to receive an item of federal surplus personal property, the donee must agree to specific restrictions for its use and specific time periods for placing it in use. The restrictions are tied to the original acquisition cost of the item, or if the item is a motor vehicle, or if it is an item that the Federal Government has categorized as an "In Perpetuity Item." Refer to the restrictions page to review the use and time period restrictions.
 - If the item had an **original acquisition cost of less than \$5,000**, the Donee must agree to place the item in use for the purpose for which it was intended within 12 months from the date the Donee picked it up and must agree to place it in continuous use for 12 months from the date the Donee first placed it in use. During this period of restriction, the Donee may not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently for use outside the State of California without the prior approval of the California Federal Surplus Personal Property (CFSPP) program or the Federal General Services Administration.
 - If the item had an **original acquisition cost of \$5,000 or more or is a passenger motor vehicle**, regardless of its original acquisition cost, the Donee must agree to place it in use for the purpose for which it was intended within 12 months from the date the Donee picked it up, and must agree to place it in continuous use for 18 months from the date the Donee first placed it in use. During this period of restriction the Donee may not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently for use outside the State of California without the prior approval of the CFSPP or the Federal General Services Administration.

- If the **item is categorized as an "In Perpetuity Item"**, regardless of the original acquisition cost of the item, title to the item remains with the Federal Government and never passes to the Donee, and the Donee is never permitted to sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently outside the State of California.
- Service and Handling Charges: in order to sustain its operations as a self-supporting entity, the CFSPP assesses the donee a service and handling charge for each item of federal surplus personal property that the donee picks up.
 - **Effective November 1, 2013**, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee.

FISCAL IMPACT:

Should the City Council approve this request, there is no cost to apply for participation in the State and Federal Surplus Property Program.

Should a City Department or Division acquire surplus equipment, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee. Other cost will include the transportation to pick up state and federal surplus property directly from where the property is located or the cost to arrange for the item to be picked up.

Costs for the acquisition of state and federal surplus property will be recorded accordingly in the City Department/Division budget that requests such property.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Jeff Crechriou
Airport Services Manager
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina