



ADMINISTRATIVE REPORT

DATE: APRIL 30, 2010

TO: MAYOR AND CITY COUNCIL
BEN REYES, CITY ATTORNEY

FROM: BELINDA B. ESPINOSA, CITY MANAGER

PLACES TO BE

- MAY 1ST – FRIENDS OF THE LIBRARY BOOK SALE

The Friends of the Pinole Library Spring Book Sale is this SATURDAY, MAY 1, 2010 at the Pinole Library, 2935 Pinole Valley Road. The sale is open to the public and will run from 10:00 am until 5:00 pm. Thousands of donated books in excellent condition will be on sale.

ITEMS OF INTEREST

- PINOLE DOES NOT QUALIFY FOR HARDSHIP EXEMPTION – DELAY IN STATE GAS TAX FUNDS

The City of Pinole currently receives an estimated \$320,000 per year in Gas Tax funding also known as HUTA or funding from the Highway Users Tax Account. These funds are issued monthly and are used for undertaking various capital improvement projects such as our street overlay and street slurry programs as well as paying for salaries and benefits for three public works maintenance employees who work in the public right of way.

Due to the State budget problems, the State has decided to delay payment of our HUTA funds to us for the period of July 2010 – March 2011. The nine-month deferral amount will be approximately \$262,000. We will receive a lump sum payment no later than May 2, 2011. There is an exemption/hardship process (see attached) which automatically exempts rural counties under 50,000 that we could apply for. However the Hardship/ Exemption form outlines some questions that when we fill in the answers, we do not qualify.

At the present time, we do receive Prop 1B funds (see Item 2 B on Hardship/ Exemption form) totaling \$400,000 which is being used for Simas Avenue Street Reconstruction and

therefore we cannot “borrow” from this source. However, we do have Measure J Funds totaling \$570,000 that we use for capital projects such as streets that we could borrow from to tide us over until May 2011 when the HUTA funds are paid back to the cities. The impact would be that we would not have a street overlay or street slurry seal program outside of the Redevelopment Project Area this summer.

- **FLIPPERS TO FEET 5K RUN TO FUN A FANTASTIC SUCCESS**

The Pinole Seals and its many volunteers and supporters put a huge amount of time and effort into creating a successful fundraiser to keep the Pinole Swim Center open. On Saturday, April 17, Fernandez Park was filled with people participating in both the 5K Run to Fun and Pinole Community Day, a concurrent event hosted by the Pinole Community Services Commission. Almost 30 community booths were present as part of Community Day in an effort to inform our residents of the many ways to get involved with their local Pinole community. The stage was also filled with local talent including the PVHS Marching Band and Jazz Band, Brownie Troop 30268, St. Joseph’s Choir and the School of Performing Arts youth presenting *Guys & Dolls*.

The event raised an estimated \$15,000 with 482 people registered and 363 people who ran or walked at the event. Many people registered and donated the \$25 registration fee to support the effort with no plans of running. You can still donate \$25 or more and receive a free Run to Fun t-shirt by emailing SavePinolePool@gmail.com.

Big thank you to the many people who volunteered their Saturday (and some who gave many months of planning time before the event) and made this a successful fundraiser and community event. We hope this becomes an annual event!

- **PINOLE HISTORICAL SOCIETY ANNOUNCES UPCOMING EVENTS FOR HISTORICAL PRESERVATION MONTH**

May has been declared as National Historical Preservation month and the City of Pinole has many exciting opportunities to participate. The Pinole Historical Society is off to a great start planning numerous events for our citizens to enjoy. Included are:

MAY 1-31: Pinole Library exhibit

A month-long exhibit featuring artifacts and historical items from the City's history. Pinole Library, 2935 Pinole Valley Road.

May 5: Pinole Historical Society Preservation Month presentation, 6:30-8 p.m., Pinole Library, 2935 Pinole Valley Road. This special program will feature a short talk about the Society's National Preservation Month library exhibit, and a panel discussion about the meaning and merits of preservation in Pinole.

May 15: Walking Tour of Historic Downtown Pinole. George Vincent, Pinole Historical Society Vice President and Historian, will lead a one-hour tour of downtown Pinole's historic buildings at 2 p.m. Meet in front of the Faria house, 2100 San Pablo Avenue.

May 20: Pinole Historical Society meeting, 6:30 p.m., Alex Clark Room, Pinole Public Safety Building, 880 Tennent Avenue. The Society's annual meeting will feature the election of Board of Directors' members. The program will feature the reading of a 1952 letter written by Kathryn Burns Plummer, granddaughter of Dr. Samuel Tennent and Rafaela Martinez Tennent. The letter chronicles personal memories, stories, and historical anecdotes of Pinole's earliest settlers, as told to her by family members. The reading will be accompanied by a PowerPoint presentation.

- **FERNANDEZ BASEBALL FIELD**

A Public Works Maintenance crew recently completed installation of 100 yards of infield mix at Fernandez Park Baseball Diamond. After years of use and normal wear and tear the field had become uneven and down to bare dirt in some areas. The new infield mix will bring the field and warming track back to a suitable condition for play.

- **FINANCE**

Volunteer support within the Finance Department for April 2010 totaled 49 hours:

Business License	15.5
Accounts/Payable Filing/Mailing	11
Information Systems Clerical Support	22.5

Thank you to all our volunteers. We truly appreciate the dedication, time and energy you so generously donate to help lighten our workload.

-END

Article from **City Advocate Weekly** ()

April 16, 2010

Details of the HUTA Hardship Deferral Process Now Available Deadline May 17

Cities that plan to apply for a hardship exception from deferral of their Highway User Tax Account (HUTA) funds must do so by May 17 using the this [checklist](#).

Gov. Arnold Schwarzenegger on Thursday, March 4, signed ABX8 5 (Budget Committee), Chapter 1, Statutes of 2010, which establishes a cash management plan that defers various appropriations to state universities, county social services programs and other programs including local HUTA funds during FY 2010-11.

HUTA revenues will be deferred not exceeding \$50 million monthly from cities and counties combined for ten months, July 2010 through March 2011, with repayment no later than May 2, 2011. Cities and counties currently receive approximately \$85 million per month in HUTA revenues. The \$50 million cap means that cities and counties will receive a portion of their scheduled allocations.

Rural counties with a population under 50,000, and the cities *within* those counties, are exempt from this deferral.

The California Local Government Finance Almanac has a breakdown of [city by city](#) impacts of HUTA.

HUTA Deferral Hardship Exemption Process

Hardship consideration is being given to local agencies that meet specific criteria. The League and the California State Association of Counties worked with state agencies to clarify the process and conditions under which a local agency can seek relief from the HUTA deferral requirements. Cities must complete the checklist which is designed to identify situations where a local agency will be severely impacted by the HUTA deferral and does not have any other viable options.

Cities must apply for a hardship exemption by Monday, May 17. Complete the mandatory [checklist](#) and mail to:

California Department of Finance
Attn: Greg Bruss
915 L Street, 9th Floor
Sacramento, CA 95814

Published by [League of California Cities](#)
Copyright © 2010 League of California Cities. All rights reserved.

Powered by [IMN](#)

CITIES AND COUNTIES HARDSHIP EXEMPTION REQUEST CHECKLIST

This form must be completed for any hardship exemption request pursuant to Government Code Section 16325.5 from the deferral of a city or county's share of the Highway Users Tax Account (HUTA). Budgetary difficulties, however severe, are not in themselves justification for a hardship exemption. A municipality must demonstrate it is unable to manage the payment delays with its cash management tools and that the payment delays will result in unacceptable public safety hazards.

Name of City: _____ County: _____

Please check the appropriate boxes and provide appropriate attachments.

Yes **No**

1. Was the request submitted to the California Department of Finance **no later than May 17, 2010**? If the request is submitted after May 17, 2010, due to an unexpected disaster or emergency and the Governor has declared such an event, check "Yes".
2. Have all reasonable efforts been made to adjust the structures, amounts, terms, and timing of the municipality's cash flow borrowing for 2010-11 to accommodate the payment delays? Attach a complete but succinct explanation as to why the payment delays cannot be managed through cash flow tools available to the agency.
- 2a. Has the agency determined that the impact of the payment delays cannot be accommodated through external cash borrowing?
- 2b. Has the agency determined that the impact of the payment delays cannot be accommodated through internal cash borrowing (internal funds, county pool, Prop 1B, etc.)?
3. Is a schedule of the amounts and months requested for exemption from payment delay attached?
(note: monthly amount of a payment delay cannot exceed the entity's share of the \$50 million per month payment delay)

If any of the above boxes are checked "No", stop; the municipality does not qualify for exemption.

4. If the agency is unable to accommodate the payment delays through cash management, describe the programmatic impacts due to the payment delays (not due to other budgetary difficulties). What risks or public safety hazards will result from the payment delay? Provide specific examples and projects, if possible.
5. Has the city/county filed for bankruptcy or declared insolvency as defined in the U.S. Bankruptcy Code? If so, attach resolution of the governing board.
6. Has the city/county adopted a resolution declaring a hardship?
If so, please attach the resolution.

Submit exemption requests to:
California Department of Finance
Attn: Greg Bruss
915 L Street, 9th Floor
Sacramento, CA 95814

Signature of Authorized Representative

Title

Date

Contact Individual (Printed Name)

Contact Phone Number and Email Address

Highway Users Tax ⁽¹⁾ - Estimated FY2009-10 Revenues

	Streets & Highways Code Sec.				TOTAL
	Sec2105 ⁽³⁾	Sec2106 ⁽³⁾	Sec2107 ⁽³⁾	Sec2107.5 ⁽⁴⁾	FY2009-10
ALAMEDA COUNTY					
ALAMEDA	404,273	262,458	538,564	7,500	1,212,795
ALBANY	89,985	62,182	119,876	4,000	276,043
BERKELEY	568,886	367,356	757,860	10,000	1,704,101
DUBLIN	250,242	164,304	333,368	6,000	753,915
EMERYVILLE	51,862	37,890	69,090	3,000	161,842
FREMONT	1,138,402	730,271	1,516,557	10,000	3,395,230
HAYWARD	795,530	511,781	1,059,790	10,000	2,377,101
LIVERMORE	445,759	288,895	593,832	7,500	1,335,986
NEWARK	234,375	154,193	312,230	6,000	706,798
OAKLAND	2,240,329	1,432,458	2,984,523	10,000	6,667,310
PIEDMONT	59,386	42,684	79,112	3,000	184,181
PLEASANTON	369,962	240,594	492,857	7,500	1,110,914
SAN LEANDRO	436,413	282,939	581,381	7,500	1,308,232
UNION CITY	391,364	254,232	521,368	7,500	1,174,465
ALPINE COUNTY					
AMADOR COUNTY					
AMADOR	1,152	5,658	1,534	1,000	9,344
IONE	41,812	34,498	55,701	2,000	134,011
JACKSON	23,305	21,372	31,047	1,000	76,724
PLYMOUTH	5,726	8,903	7,629	1,000	23,258
SUTTER CREEK	15,702	15,979	20,918	1,000	53,599
BUTTE COUNTY					
BIGGS	9,645	12,344	12,849	1,000	35,839
CHICO	463,594	365,479	617,591	7,500	1,454,164
GRIDLEY	34,139	31,399	45,480	2,000	113,018
OROVILLE	77,258	64,941	102,921	3,000	248,120
PARADISE	142,492	115,688	237,835	6,000	502,016
CALAVERAS COUNTY					
ANGELS CAMP	19,157	27,378	25,521	1,000	73,056
COLUSA COUNTY					
COLUSA	30,780	20,894	41,005	2,000	94,680
WILLIAMS	28,312	19,607	37,717	2,000	87,635
CONTRA COSTA COUNTY					
ANTIOCH	538,772	352,274	717,742	10,000	1,618,789
BRENTWOOD	269,863	178,865	359,507	7,500	815,736
CLAYTON	58,596	42,628	78,061	3,000	182,285
CONCORD	665,706	434,129	886,841	10,000	1,996,676
DANVILLE	230,723	153,625	307,364	6,000	697,712
EL CERRITO	125,569	85,816	167,281	5,000	383,665
HERCULES	129,690	88,473	172,771	5,000	395,935
LAFAYETTE	130,154	88,772	173,389	5,000	397,316
MARTINEZ	196,700	131,685	262,041	6,000	596,427
MORAGA	88,108	61,658	117,376	4,000	271,142
OAKLEY	177,069	119,026	235,888	6,000	537,982
ORINDA	95,082	66,156	126,666	4,000	291,904
PINOLE	104,524	72,245	139,246	4,000	320,015