

DIXON PUBLIC LIBRARY DISTRICT

ACTING LIBRARY DIRECTOR CONTRACT OF EMPLOYMENT

This AGREEMENT is made and entered into on July 14, 2012, by and between the Board of Trustees (hereinafter "BOARD") of the Dixon Public Library District, a political subdivision of the State of California (hereinafter "LIBRARY") and Nancy Schrott (hereinafter "ACTING LIBRARY DIRECTOR"), collectively, the "Parties."

I. TERM OF AGREEMENT

The BOARD, in consideration of the promises by ACTING LIBRARY DIRECTOR herein contained, agrees to employ, and ACTING LIBRARY DIRECTOR hereby accepts temporary employment as ACTING LIBRARY DIRECTOR of the LIBRARY, for the term beginning July 14, 2012 and ending on the latter of either September 28, 2012 or within two (2) weeks after the permanent position of LIBRARY DIRECTOR is filled by the BOARD, not to exceed Nine Hundred Sixty (960) total hours in the 2012-13 fiscal year. The term of this AGREEMENT shall not be automatically extended. Any such extension shall be effective only upon action by the BOARD in open session at a regular public meeting [Gov. Code § 54945(b)].

ACTING LIBRARY DIRECTOR agrees that to the best of her ability and experience she will at all times loyally and conscientiously perform all of the services, duties and obligations required of her either expressly or implicitly by the terms of this AGREEMENT, the laws of the State of California, and rules, regulations, and LIBRARY policies.

II. DUTIES

A. ACTING LIBRARY DIRECTOR shall serve as the Chief Executive Officer and Secretary to the BOARD pursuant to California Education Code section 18402, respectively. ACTING LIBRARY DIRECTOR shall attend all regular and special meetings of the BOARD, except as otherwise authorized or directed by the BOARD.

B. ACTING LIBRARY DIRECTOR shall perform the duties of ACTING LIBRARY DIRECTOR as prescribed by the laws and regulations of the State of California and by the rules and regulations adopted by the BOARD. Any actions which require ratification by the BOARD shall first be presented to the BOARD President and then presented to the entire BOARD at the next scheduled BOARD meeting.

C. In addition, ACTING LIBRARY DIRECTOR shall, under the direction and supervision of the BOARD:

1. Have the responsibility for the execution of BOARD policies (whereas the BOARD shall retain the responsibility for formulating and adopting said policies).
2. Representing the interests of the BOARD and the LIBRARY in day-to-day contact and interactions with citizens, community and governmental agencies and

maintaining a program of public information designed to improve public understanding and support of LIBRARY objectives and operations.

3. Maintain responsibility to the BOARD for any powers and duties delegated to other LIBRARY staff.

4. Keep the BOARD informed of significant administrative decisions, litigation, personnel issues, LIBRARY related issues and incidents, and other significant events affecting the LIBRARY or its facilities.

5. Provide leadership and direction in working with LIBRARY employees.

6. Prepare notices of BOARD meetings, agendas in accordance with Brown Act requirements and advise the BOARD President and BOARD regarding lawful closed session meetings and reporting out closed session actions. Maintain all BOARD records and documents.

7. Report significant matters raised by BOARD members to the BOARD President for determination of whether they should be shared with the entire BOARD.

8. Manage and administer the LIBRARY's facilities.

9. Perform the following functions, as deemed reasonable and necessary:

- a. Manage, direct, and assign LIBRARY employees;
- b. Manage LIBRARY budget and finances;
- c. Manage business affairs, operations, and facilities for the LIBRARY;
- d. Administer and enforce policies established by the Board;
- e. Promulgate rules and procedures as necessary for the administration of the LIBRARY;
- f. Enter into contracts for and on behalf of the LIBRARY for the purchase of books, journals, publications, and/or other personal property subject to prior-BOARD approval pursuant to Education Code Section 18403;
- g. Submit financial and budgetary reports to the BOARD as required by Board policies consistent with Education Code Section 18451;
- h. File an annual report with the State Librarian pursuant to Education Code Section 18408;
- i. In general perform, all duties incident to the Office of the ACTING LIBRARY DIRECTOR and such other duties as may be prescribed by the BOARD from time to time;

- j. Advise the BOARD regarding financing/implementation of present or contemplated LIBRARY programs/services;
- k. Establish and maintain an appropriate community relations program;
- l. Serve as liaison/representative of the BOARD with respect to employer-employee matters, and make recommendations to the BOARD concerning those matters;
- m. Attend regular, special and closed session meetings and workshops of the BOARD; and
- n. Serve as an ex officio member on LIBRARY committees and subcommittees as requested by the BOARD.

D. BOARD/ACTING LIBRARY DIRECTOR Communications.

1. The BOARD, individually and collectively, and the ACTING LIBRARY DIRECTOR, agree that they shall work together in a spirit of cooperation and teamwork, and shall provide each other with periodic opportunity to discuss LIBRARY business, issues and new developments.

2. The BOARD's primary communications with the ACTING LIBRARY DIRECTOR shall be through its President, but the ACTING LIBRARY DIRECTOR shall maintain communication and working relationship with each BOARD member.

3. The BOARD, in their individual and/or collective discretion, may refer to ACTING LIBRARY DIRECTOR orally or in writing, any and all criticism, complaints, suggestions, communications or comments from the public regarding the LIBRARY for the ACTING LIBRARY DIRECTOR to act upon and/or resolve. ACTING LIBRARY DIRECTOR will thereafter report back to the BOARD, individually and/or collectively any and all action taken and/or resolution and/or recommendations for action and/or resolution.

III. COMPENSATION AND BENEFITS

A. Salary. The ACTING LIBRARY DIRECTOR shall earn a monthly salary of Five Thousand Two Hundred Sixty Two Dollars and Fifty Cents (\$5,262.50), based on an annual salary rate of Sixty-Three Thousand One Hundred Fifty Dollars (\$63,150.00). The total salary earned shall be paid in one lump sum payment, less all statutory and other deductions, on the ACTING LIBRARY DIRECTOR's last working day of the Term of this Agreement, which shall be pro-rated for any partial month of employment. The ACTING LIBRARY DIRECTOR acknowledges and agrees she shall not be entitled to overtime or compensatory time.

B. Benefits and Expense Reimbursement.

1. Health And Welfare; Other Benefits. The ACTING LIBRARY DIRECTOR acknowledges and agrees that she shall not be entitled to receive any health and

welfare benefits, including such benefits available to the Library's other employees, during the Term of this Agreement.

2. Expense Reimbursement. The ACTING LIBRARY DIRECTOR shall be reimbursed for reasonable business expenses, including travel, parking, business meetings, and professional dues, made and substantiated in accordance with the policies and procedures established from time to time by the BOARD. All such expenses shall be subject to BOARD approval.

IV. WORK YEAR, HOLIDAYS, VACATION AND SICK LEAVE

A. The ACTING LIBRARY DIRECTOR shall render full and regular days of service as required to fulfill the duties identified herein but such service shall not be less than five (5) days at forty (40) hours per a week during the Term of this Agreement. The ACTING LIBRARY DIRECTOR will notify the BOARD in writing whenever she intends not to be on duty in excess of two (2) consecutive days.

B. The ACTING LIBRARY DIRECTOR shall be entitled to all paid holidays and sick leave provided to other employees of the LIBRARY.

C. The ACTING LIBRARY DIRECTOR acknowledges and agrees that she shall not accrue any hours of paid vacation leave or administrative leave during the Term of this Agreement.

V. TERMINATION

A. The ACTING LIBRARY DIRECTOR understands and agrees that her employment as the ACTING LIBRARY DIRECTOR pursuant to this AGREEMENT is "at-will" and the BOARD may terminate this AGREEMENT at any time, with or without notice, with or without cause, except as otherwise provided by law. Nothing in this AGREEMENT shall prevent, limit or otherwise interfere with the right of the ACTING LIBRARY DIRECTOR to resign and terminate this AGREEMENT at any time.

B. In the event there is a dispute regarding the termination of this AGREEMENT prior to the end of its Term, the maximum cash settlement that the ACTING LIBRARY DIRECTOR may receive, at the discretion of the BOARD, shall not exceed an amount equal to the monthly salary of the ACTING LIBRARY DIRECTOR multiplied by the number of months left on the unexpired Term of the Agreement, pursuant to Government Code Section 53260.

VI. EXTENSION OF CONTRACT

This AGREEMENT may be extended by the BOARD at its sole discretion.

VII. ENTIRE AGREEMENT

This AGREEMENT contains the entire agreement between ACTING LIBRARY DIRECTOR and the BOARD, and constitutes the complete, final and exclusive embodiment of their agreement with respect to ACTING LIBRARY DIRECTOR's employment with the

LIBRARY. The terms of this AGREEMENT are contractual and not a mere recital. This AGREEMENT is executed without reliance upon any promise, warranty or representation by the Parties or any representative of the Parties other than those expressly contained in this AGREEMENT, and the Parties have carefully read this AGREEMENT, and sign the same of their own free will.

VIII. SUCCESSORS AND ASSIGNS

Subject to the provision regarding assignment, this AGREEMENT shall be binding on the heirs, executors, administrators, successors and assigns of the representative Parties.

IX. APPLICABLE LAW

This AGREEMENT is subject to all applicable laws of the State of California, and rules, regulations, and policies of the BOARD, all of which are made a part of the terms and conditions of this AGREEMENT as though fully set forth therein.

X. MODIFICATION

This AGREEMENT may be modified upon mutual written consent of the Parties.

XIV. INDEPENDENT LEGAL ADVICE / REPRESENTATION

The ACTING LIBRARY DIRECTOR and the BOARD each recognize that in entering into this AGREEMENT that: (1) they have each relied upon the advice of their own attorneys and/or other representative; and (2) they have each read, understood, voluntarily accepted, and agreed to the terms of this AGREEMENT. The ACTING LIBRARY DIRECTOR acknowledges and agrees that legal counsel for the BOARD represents the BOARD's interests exclusively and that no attorney-client relationship exists between the ACTING LIBRARY DIRECTOR and legal counsel for the BOARD.

XVI. BOARD APPROVAL OF AGREEMENT

This AGREEMENT shall be effective only upon approval of the BOARD in a regular, public meeting of the BOARD, duly noticed under the Ralph M. Brown Act. Such approval shall be recorded on the last page of this AGREEMENT. ACTING LIBRARY DIRECTOR understands and acknowledges that this Agreement is a public record which the LIBRARY may be required by law to disclose in response to a request pursuant to Government Code sections 6250, *et seq.*, and/or Government Code sections 54950, *et seq.*

XVII. WAIVER OF BREACH

No waiver of any breach of any term or provision of this AGREEMENT shall be construed to be, nor shall it be, a waiver of any other breach of this AGREEMENT. No waiver shall be binding unless in writing and signed by the Party waiving breach.

IN WITNESS WHEREOF, the Parties have caused this AGREEMENT to be executed on the date indicated below.

By: _____
Irina Okhremtchouk
President, Board of Trustees
Dixon Public Library District

Dated: _____

I hereby accept this offer of employment and agree to comply with the conditions thereof and to fulfill all of the duties of employment of ACTING LIBRARY DIRECTOR of the Dixon Public Library District.

By: _____
Nancy Schrott
ACTING LIBRARY DIRECTOR

Dated: _____

**DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES**

SUBJECT: APPROVAL OF MINUTES SPECIAL JULY 11, 2012

MEETING DATE: 8/22/2012

AGENDA ITEM: 5e

ITEM SUBMITTED FOR

- CONSENT
- PUBLIC HEARING
- ACTION, INFORMATION, DISCUSSION
- ACTION
- RESOLUTION
- RECEIVE
- DISCUSSION

WRITTEN BY: Sandra Myers

PRESENTED BY: Nancy Schrott

LIBRARY RECOMMENDATIONS:

DISCUSSION:

FINANCIAL IMPACT:

DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES
6:00 PM, WEDNESDAY, JULY 11, 2012

SPECIAL MEETING

MEETING LOCATION:
COUNCIL CHAMBER, CITY OF DIXON
600 EAST A ST., DIXON, CA
AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Trustees

Irina Okhremtchouk, President

Gildardo Piñon, Vice-President

Herb Cross, Secretary

Joe DiPaola

Guy Garcia

Staff

Sandy Myers, Acting District Librarian

NOTICE TO THE PUBLIC

Any member of the public wishing to address the Governing Board on a topic within the subject matter jurisdiction of the District and not on the agenda may do so during non-scheduled agenda items/public comment section under item 6 on the agenda. The Board President will recognize you for the discussion at the appropriate time.

4. Communications

RECEIVE

5. Approval of Agenda

ACTION

6. Approval of minutes

A. Regular Meeting of June 14, 2012
(ATTACHMENT)

ACTION

NOTICE TO THE PUBLIC

Public Comment

Persons wishing to introduce a topic within the subject matter jurisdiction of the District and not on the agenda may do so at this time. By law, subjects not on the agenda cannot be acted upon by the Board except to briefly respond, clarify, or refer to staff for review and presentation at a future meeting.

7. Public Comment

Receive

8. Old Business

- A. EIR Report
- B. ADA Update

Discussion/ Action
Discussion/ Action

9. New Business

- A. Public input regarding Acting District Librarian
- B. Budget Adjustments
- C. Authorize Independent Auditor:
Fiscal Years 2010-11 and 2011-12 (to date)
- D. New Library Building Project
- E. Calendar of Regularly Scheduled Meetings

Discussion/Action
Discussion/ Action

Discussion/ Action
Discussion/ Action
Discussion/ Action

10. Board Comments/Announcements

11. Adjournment

CLOSED SESSION-MANAGEMENT ITEMS

- 1. Acting District Librarian Contract
- 2. Appointment of Acting Director
- 3. Potential litigation – 1 case

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**DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES**

SUBJECT: EIR Report

MEETING DATE: 8/22/2012

AGENDA ITEM: OLD BUSINESS

ITEM SUBMITTED FOR

- CONSENT
- PUBLIC HEARING
- ACTION, INFORMATION, DISCUSSION
- ACTION
- RESOLUTION
- RECEIVE
- DISCUSSION

SUBMITTED BY: Nancy Schrott

PRESENTED BY: Nancy Schrott

LIBRARY RECOMMENDATIONS:

None. Informational.

DISCUSSION: EIR Administrative Draft with Addison Covert notations has been received and is filed at the Library.

FINANCIAL IMPACT:

None.

DIXON PUBLIC LIBRARY DISTRICT
GOVERNING BOARD OF LIBRARY TRUSTEES

SUBJECT: NEW BUSINESS

MEETING DATE: 8/22/2012

AGENDA ITEM: 12 a

ITEM SUBMITTED FOR

CONSENT

PUBLIC HEARING

ACTION, INFORMATION, DISCUSSION

ACTION

RESOLUTION

RECEIVE

DISCUSSION

SUBMITTED BY: N Schrott

PRESENTED BY: N Schrott

LIBRARY RECOMMENDATIONS:

DISCUSSION:

FINANCIAL IMPACT:

COUNTY OF SOLANO

REQUESTED PROJECTION: DEPARTMENT 9886 - DIXON PUBLIC LIBRARY

FOR THE FISCAL YEAR 2012-2013

SUBJECT CATEGORY DESCRIPTIONS	PRIOR YEAR ACTUALS	WORKING BUDGET	YTD ACTUALS PLUS ENCUMBRANCES	NY REQUESTED BUDGET 2013	CHANGE BETWEEN RQ AND WB
1000 - Salaries and Employee Benefits					
0001110 SALARY/WAGES REGULAR	343,921	374,413	317,834	339,730	(34,683)
0001121 SALARY/WAGES-EXTRA HELP	60,918	51,213	55,868	95,321	44,108
0001131 SALARY/WAGES OT/CALL-BACK	0	400	0	400	0
0001210 RETIREMENT-EMPLOYER	70,531	85,262	67,682	81,195	(4,067)
0001220 FICA-EMPLOYER	31,279	32,700	28,471	33,277	577
0001230 HEALTH INS-EMPLOYER	72,135	61,907	37,916	39,285	(22,622)
0001240 COMPENSATION INSURANCE	2,216	2,400	1,610	1,644	(756)
0001250 UNEMPLOYMENT INSURANCE	0	0	989	2,400	2,400
0001260 DENTAL INS-EMPLOYER	7,266	5,907	5,929	4,830	(1,077)
0001270 ACCRUED LEAVE CTO PAYOFF	6,559	0	0	0	0
TOTAL Salaries and Employee Benefits	\$ 594,824	\$ 614,202	\$ 516,298	\$ 598,082	\$ (16,120)
2000 - Services and Supplies					
0002028 TELEPHONE SERVICES	11,763	11,560	9,619	11,560	0
0002035 HOUSEHOLD EXPENSE	2,411	2,500	2,782	2,800	300
0002055 INSURANCE-OTHER	13,998	13,000	12,604	12,604	(396)
0002120 MAINTENANCE EQUIPMENT	7,493	5,000	5,670	6,000	1,000
0002140 MAINTENANCE-BLDGS & IMPROVE	7,383	7,000	3,381	29,701	22,701
0002141 MATERIALS AND SUPPLIES	2,126	0	2,390	2,000	2,000
0002170 MEMBERSHIPS	7,170	8,000	4,271	8,000	0
0002176 FEES AND PERMITS	349	350	324	350	0
0002178 CASH/INVENTORY SHORTAGE	0	100	2	100	0
0002200 OFFICE EXPENSE	5,508	4,726	6,446	7,000	2,274
0002201 EQUIPMENT UNDER \$1,500	502	1,400	173	1,400	0
0002203 COMPUTER COMPONENTS <\$1,500	1,676	9,504	10,666	9,504	0
0002205 POSTAGE	838	1,000	709	1,000	0
0002235 ACCOUNTING & FINANCIAL SERVICE	20,921	8,500	9,247	8,500	0
0002238 ENGINEERING SERVICES	1,331	0	1,500	1,500	1,500
0002239 LEGAL SERVICE	20,139	1,500	22,663	10,000	8,500
0002245 CONTRACTED SERVICES	110,002	125,000	96,721	125,000	0
0002250 OTHER PROFESSIONAL SERVICES	5,818	6,000	6,368	6,000	0
0002260 DATA PROCESSING SERVICES	850	0	0	0	0
0002261 SOFTWARE MAINTENANCE & SUPPORT	2,092	2,400	2,785	2,400	0
0002280 PUBLICATIONS AND LEGAL NOTICES	216	0	400	2,119	2,119
0002281 ADVERTISING/MARKETING	3,227	13,000	286	0	(13,000)
0002285 RENTS & LEASES - EQUIPMENT	5,255	4,000	4,676	4,500	500
0002320 LIBRARY SOFTWARE	1,500	1,500	1,600	1,500	0
0002322 LIBRARY ADULT BOOKS	18,831	20,973	15,317	21,973	1,000
0002324 LIBRARY JUVENILE BOOKS	10,169	18,000	17,089	18,000	0
0002325 LIBRARY PERIODICALS/MICROFORMS	7,857	7,400	2,516	5,400	(2,000)
0002326 LIBRARY AUDIO-VISUAL	1,886	8,000	5,378	8,000	0
0002327 LIBRARY BOOK RENTAL	7,631	7,630	7,728	7,800	170
0002328 LIBRARY MATERIALS PROCESSING	3,773	4,000	2,795	3,000	(1,000)
0002335 LIBRARY MATERIALS	2,303	2,022	1,850	2,022	0
0002337 TRAVEL EXPENSE	17	0	59	0	0
0002337 REFRESHMENTS	107	0	168	1,000	0
0002339 MANAGEMENT BUSINESS EXPENSE	107	0	168	0	0

COUNTY OF SOLANO

REQUESTED PROJECTION: DEPARTMENT 9886 - DIXON PUBLIC LIBRARY

FOR THE FISCAL YEAR 2012-2013

SUBJECT CATEGORY DESCRIPTIONS	PRIOR YEAR ACTUALS	WORKING BUDGET	YTD ACTUALS PLUS ENCUMBRANCES	NY REQUESTED BUDGET 2013	CHANGE BETWEEN RQ AND WB
0002355 PERSONAL MILEAGE	0	0	59	0	0
0002360 UTILITIES	14,886	15,500	10,928	15,500	0
0002361 WATER	4,298	4,000	3,340	4,000	0
TOTAL Services and Supplies	\$ 304,325	\$ 313,565	\$ 272,511	\$ 340,233	\$ 25,668
3000 - Other Charges					
0003020 REFUND OF PRIOR YEAR CHARGES	2,737	1,500	509	1,500	0
0003420 RETURNED CHECKS	(143)	8	0	8	0
TOTAL Other Charges	\$ 2,594	\$ 1,508	\$ 509	\$ 1,508	\$ 0
4000 - Fixed Assets					
0004202 CONSTRUCTION IN PROGRESS	297,645	69,988	52,276	0	(69,988)
TOTAL Fixed Assets	\$ 297,645	\$ 69,988	\$ 52,276	\$ 0	\$ (69,988)
5000 - Other Financing Uses					
8000 - Approp for Contingencies					
8500 - Other Expenditures(Non-Budget)					
0008888 DEPRECIATION	22,159	0	0	0	0
TOTAL Other Expenditures(Non-Budget)	\$ 22,159	\$ 0	\$ 0	\$ 0	\$ 0
9000 - Taxes					
0009001 CURRENT SECURED	281,944	268,388	278,897	306,872	10,080
0009002 CURRENT UNSECURED	16,447	15,749	17,256	278,468	1,734
0009003 PRIOR UNSECURED	605	565	522	17,483	(565)
0009004 SUPPLEMENTAL SECURED	1,505	1,242	714	1,472	230
0009005 PRIOR SECURED	7,359	5,503	319	559,440	(5,503)
0009015 LIBRARY SALES TAX - MEASURE B	496,690	500,000	473,185	17,584	59,440
0009018 UNITARY	16,316	15,425	17,584	17,584	2,159
0009019 ABX1 26 RESIDUAL TAXES	0	0	10,611	0	0
TOTAL Taxes	\$ 820,866	\$ 806,872	\$ 799,088	\$ 874,447	\$ 67,575
9400 - Revenue From Use Of Money/Prop					
0009401 INTEREST INCOME	4,935	4,000	2,127	2,120	(1,880)
0009405 BUILDING RENTAL	5,725	9,000	8,425	9,000	0
TOTAL Revenue From Use Of Money/Prop	\$ 10,660	\$ 13,000	\$ 10,552	\$ 11,120	\$ (1,880)
9500 - Intergovernmental Revenues					
0009505 STATE HIGHWAY RENTALS	3	0	2	0	0
0009507 HOMEOWNERS PROPERTY TAX RELIEF	3,914	2,000	3,769	3,826	1,826
0009569 STATE OTHER	39,205	22,000	18,148	0	(22,000)
0009591 GRANT REVENUE	0	0	20,700	0	0
0009592 REDEVELOPMENT PASS-THROUGH	28,391	25,000	26,769	26,500	1,500
TOTAL Intergovernmental Revenues	\$ 71,514	\$ 49,000	\$ 69,389	\$ 30,326	\$ (18,674)
9600 - Charges For Services					
0009603 PHOTO/MICROFICHE COPIES	4,090	4,000	3,576	4,000	0