ADMINISTRATIVE BULLETIN NO. 13

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(Number only)

SUBJECT: ACCEPTANCE OF GIFTS OR LOANS FROM PRIVATE PARTIES TO THE COUNTY

I. Gifts

A. Department Head Authority:

Pursuant to Government Code Section 25355, the Board of Supervisors has delegated to County department heads the authority to accept or reject any gift, bequest, devise, or lease/rental of a facility made to or in favor of the County, the value of which does not exceed ten-thousand dollars ($10,000).

Department heads are to send letters of acceptance or rejection to the donors of such items, over their own signatures. A copy of each letter should be filed with the Clerk of the Board.

B. Board of Supervisors Action:

1. Any gift or lease/rental use of a facility which exceeds $10,000 in value, or for which the donor specifically requests recognition by the Board of Supervisors, will be referred to the Board agenda for consideration by the Board of Supervisors. Department heads should also prepare a letter of acknowledgment to the donor for the Chairman's signature as part of the agenda item.

2. Gifts with conditions attached will require approval by the Board of Supervisors, regardless of the amount since such donations may present unusual or potentially unacceptable requirements for the County. Prior to placing such an item on the agenda for Board consideration, departments will request an evaluation from the County Administrative Officer and County Counsel.

3. Gifts of used equipment may require undue maintenance/operational costs. The department should review the condition of the item and its potential maintenance requirements with General Services,. If the item is not in good condition, it should not be recommended for acceptance for use by the County.

C. Auditor-Controller-County Clerk Notification:

Inventory accounting for fixed assets is the responsibility of the Auditor-Controller-County Clerk. Departments shall provide a copy of the acceptance letter to the Auditor-Controller-County Clerk for all items which qualify as fixed assets.

II. Loans:

Approval of the Board of Supervisors is required before a department may accept the offer of a loan of personal property or equipment which exceeds $10,000 in value. The Board of

Supervisors must approve any loan of cash. Because of insurance and liability factors which must be taken into account for the use of loaned property, review of the offer by County Counsel is required prior to submittal to the Board of Supervisors. A memorandum to County Counsel and the County Administrative Officer requesting approval to accept loaned property should include, as a minimum, the following information:

a. An explanation of the need for the property, and for what period of time the loan is made.
b. A statement of who is responsible for repairs or maintenance of the property. If the County is to be the responsible party, the condition of the item and its maintenance needs should be reviewed by the General Services Division of the County Administrative Office. If the item is not in good condition, or requires undue maintenance because of its condition, it should not be accepted for use.
c. A statement of person responsible for cost of replacement if property is damaged.
d. An explanation of how the property is to be used, if equipment is involved, and whether employees are skilled in its operation.

The Insurance and Claims Division of County Counsel will review the request to determine that County liability and insurance needs are met.

If County Counsel and the County Administrative Officer approve the departmental request, the department head may seek Board acceptance of the loan by placing the matter on the Board's agenda for consideration. Departments may also wish to prepare a letter of acknowledgment to the donor for the Chairman's signature as part of the agenda item.

The above procedures with respect to loans of personal property or equipment do not apply in emergency situations when, in the judgment of the involved Department Head or his/her designee, it is necessary to take advantage of a loan in order to protect the public health and safety. The involved Department Head or his/her designees must approve the use of loaned equipment and ensure that the employee(s) operating said equipment possess the necessary training and expertise to operate the equipment. In the case of a declared Local or State emergency, it is the responsibility of the Department Head to notify the Assistant County Administrative Officer for General Services (or the Emergency Services Manager), at the earliest practicable time. Those departments involved in providing emergency services which may have the need to use loaned personal property shall develop and maintain regulations governing the authorization for use and operation of such property.

The above procedures with respect to loans of personal property or equipment do not apply to investigations/arrests made by law enforcement personnel. Those departments involved in investigations/arrests which may have the need to use loaned personal property shall develop and maintain regulations governing the authorization for use and operation of such property.