



AGENDA ITEM NO. C-1

COUNTY OF HUMBOLDT

DATE: **January 9, 2001**

For meeting of: **JAN 23 2001**

TO: **BOARD OF SUPERVISORS**

FROM: **Lindsey McWilliams, Administrative Services Director**

SUBJECT: **Policy for Accepting Gifts on the Part of the County**

RECOMMENDATION:

That the Board of Supervisors adopt the attached policy regarding the acceptance of gifts to benefit County departments or operations.

DISCUSSION:

On occasion private citizens or groups will donate real or personal property or funds to acquire property to the County. For example, the local bar association several years ago provided funds to acquire "pigeon-hole" mail boxes for attorney-court documents; a local church, changing its seating from pews to chairs, donated the pews to the County which is using them for Court seating; and recently Friends of the Library have donated stacking chairs and photocopiers. The issue is that there is no Board policy, except for Probation, on the process of accepting such donations.

Prepared by: Lindsey McWilliams CAO Approval: K. Seukin

REVIEW:
Auditor _____ County Counsel SM Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

pc: **Administrative Services**

attachment _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor **RODONI**
seconded by Supervisor **NEELY**
and unanimously carried by those members present, the Board hereby adopts the recommended action contained in this report.

Dated: JAN 23 2001
LORA CANZONERI, Clerk of the Board

by: Lora Canzoneri

Government Code Section 25355 defines the Board's authority:

The board may accept or reject any gift, bequest, or devise made to or in favor of the county, or to or in favor of the board in trust for any public purpose. The board may delegate to any county officer or employee the power to accept any gift, bequest, or devise made to or in favor of the county. The officer or employee shall file with the board each quarter a report that describes the source and value of each gift valued in excess of ten thousand dollars (\$10,000) or any other amount as determined by the board. The board may hold and dispose of the property and the income and increase thereof for those lawful uses and purposes as are prescribed in the terms of the gift, bequest, or devise. In accounting for or inventorying gifts, bequests, or devises, the officer or employee shall follow the appropriate procedures contained in the State Controller's manual entitled "Accounting Standards and Procedures for Counties."

The Board in 1978, citing the above code, authorized the Chief Probation Officer to accept money gifts up to \$2,500 (the statutory limit at the time) to "assist in the prevention or correction of delinquency or crime when the donor requests the Probation Officer to disburse such funds for such purposes." (Welfare & Institutions Code Section 276(e))

Another Government Code, Section 27281 restricts governmental acceptance of real property.

Deeds or grants conveying any interest in or easement upon real estate to a political corporation or governmental agency for public purposes shall not be accepted for recordation without the consent of the grantee evidenced by its certificate or resolution of acceptance attached to or printed on the deed or grant.

The purpose of this statute was to protect government agencies from accepting hazardous waste sites of little or no value without the governing body approving of the property transfer.

Staff recommends that all real property donations be set for Board review and that any personal property donation – other than money to the Chief Probation Officer – with a value of greater than \$200.00 be brought to the Board for acceptance. This will provide the Board with the opportunity to recognize the donor and express the County's gratitude and will generate a Board order which may have some value to the donor for tax purposes. It also provides tracking information for County inventory and insurance requirements.

FINANCIAL IMPACT:

Depends on the number of donations. If the Board approves the policy, there will be staff time in disseminating it to all departments. Subsequent donations over \$200.00 would require staff time to prepare agenda items.

OTHER AGENCY INVOLVEMENT:

Potentially all departments.

County of Humboldt

Board of Supervisors

Policy on Accepting Gifts and Donations

The Board of Supervisors, within the confines of the budget process, strives to provide all departments resources necessary to fulfill their missions and the department staff with the tools, equipment, and support they need to accomplish their jobs. The Board recognizes that the County does not always have the funds that departments would like and the Board is grateful to those members of the public or groups who are willing to augment department budgets with a donation of real or personal property or services. Further, the Board would like the opportunity to recognize and thank the donor for contributing to the public good.

Therefore, it is the policy of the Board of Supervisors, in accordance with state law and except as otherwise provided for by the Board, that department heads shall submit an agenda item for Board approval when a donor wishes to donate any real property regardless of value or personal property or services having an expressed value of \$200.00 or more.