

**COUNTY OF SAN DIEGO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b>Subject</b>	<b>Policy Number</b>	<b>Page</b>
Loan of County Property to Non-County Activities	K-6	1 of 4

**Purpose**

To establish procedures whereby ~~in~~ County-owned personal property (excluding motor vehicles) ~~that~~ ~~which~~ is still required for future use may be loaned for short term use to non-County agencies/activities. This Board Policy does not pertain to County-owned personal property loaned to governmental entities.

**Background**

Utilization of County-owned personal property within/between County departments is provided for in Administrative Code sections 419 - 421. Administrative Code sections 422 and 427 and Board Policy A-94 provide for disposal of ~~p~~Personal ~~p~~Property determined surplus and no longer needed for County use. This Board Policy ~~will~~ addresses loans of County-owned personal property to ~~community agencies, non-profit organizations or other~~ County contractors ~~holding valid County contracts who~~ ~~that~~ can ~~use~~ utilize County-owned personal property ~~on a loan basis~~ in lieu of purchasing, leasing, or renting like property with contract funds. This Board Policy also addresses loans of County-owned personal property to ~~There may also be occasions where~~ community-based agencies and non-profit organizations for use ~~have need for loan of County-owned personal property on a joint project or~~ ~~wherein~~ ~~which~~ the County has a financial or community interest ~~but which are not currently funded by a County contract or other contract.~~ References/Related Policies: =

Administrative Code Section 420, Report of Personal Property No Longer Needed by Department.

Administrative Code Section 421, Acquisition of Excess Property from Director, Purchasing and Contracting.

Board of Supervisors Policy A-94, Disposal of Personal Property. Policy

It is the policy of the Board of Supervisors that:

1. ~~Temporary transfer of excess~~ The County may loan County-owned personal property ~~on a loan basis~~ to County contractors with current County contracts, ~~provided that~~ ~~can be effected~~ providing:

- a. The ~~n~~Need for such loan is justified to the loaning department and the loaning department head concurs and authorizes the loan of County-owned personal property

**COUNTY OF SAN DIEGO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

Subject	Policy Number	Page
Loan of County Property to Non-County Activities	K-6	2 of 4

for a specified period. ~~Motor vehicles of any type are excluded from this policy.~~

b. Any funds provided in such contract for purchase of property ~~that, which~~ is subsequently loaned to the contractor by the County, may be reallocated to other program purposes.

c. County contractors use the loaned property for the benefit of the contract program and agree to return it to the County when requested or at the termination or expiration of the contract in like condition to when received, normal wear and tear excepted.

d. County contractors assume liability for any and all damage or loss to said property and further agree that the amount of any such loss or damage shall be ascertained by the Director, Department of Purchasing and Contracting with concurrence of the Chief Administrative Officer and the Auditor and Controller. Such amount may be deducted by the County from payments due to the County contractors as provided for under their contract.

e. ~~If not~~ Any loan shall be addressed in the Contractor's contract. ~~If there is no contract,~~ a written loan agreement, encompassing the Loan Agreement Principles in Paragraph 3, shall be consummated between the County loaning department and County contractor. The loan shall be approved by the loaning department head and signed by an authorized representative of the contractor.

2. ~~The County may loan~~ Transfers of excess County-owned personal property to community-based agencies or nonprofit organizations who, although not holding County Contracts, where such agencies or organizations have a need for such property and such loan transfer would be beneficial to the County and/or the public, provided that of San Diego ~~can be effected providing:~~

a. ~~The n~~ Need for such loan is justified to the loaning department, ~~and the~~ loaning department head concurs, ~~and requests review as to legality of said loan by County Counsel~~ has reviewed the legality of said loan; if County Counsel concurs, the loaning department head authorizes the loan of County property for a specified period. Motor vehicles of any type are excluded from this policy.

b. ~~Community agencies or non-profit organizations that~~ who request a loan of property under this section of the policy assume liability for any and all damage or loss to said property and further agree that the amount of any such loss or damage

~~shall be ascertained by the Director, Purchasing and Contracting, with concurrence of the~~

**COUNTY OF SAN DIEGO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

Subject	Policy Number	Page
Loan of County Property to Non-County Activities	K-6	3 of 4

~~loaning department head and the Auditor and Controller.~~

~~be.~~ A written loan agreement, encompassing the Loan Agreement Principles in Paragraph 3, shall be consummated between the ~~County~~~~loaning department~~ and community-based agency or non-profit organization. The loan agreement shall be approved by the ~~loaning department head~~ and signed by an authorized representative of the ~~community-based agency~~ or non-profit organization.

3. The loan agreement shall include the following principles:

a. ~~That~~ the borrower is responsible for returning the borrowed items listed in the loan agreement and ~~agrees to assume~~ the risk of loss from any cause whatsoever.

b. In the event the property is lost, the borrower ~~must~~~~agrees to~~ pay the agreed value indicated in the loan agreement.

c. In the event the property is damaged, the borrower agrees to pay the cost of repair, ~~said amount to be as~~ determined by the Director, Purchasing and Contracting, with concurrence of the ~~loaning department head and the Auditor and Controller, however,~~ not to exceed the agreed value indicated in the loan agreement.

d. The borrower ~~agrees to hold~~ the County and its agents, officers and employees harmless from all claims arising from use of the loaned items.

e. ~~Whether the County or the borrower~~ ~~Who~~ is responsible for paying pickup and/or delivery charges ~~(County or borrower)~~.

f. ~~That~~ the borrower ~~must~~~~agrees to~~ return the loaned items ~~loaned at any time at the~~ upon request of the County.

g. ~~That~~ the County retains the right to physically inventory and inspect loaned property at reasonable hours.

h. ~~A list of the loaned property being loaned, including~~ The list shall indicate description,; quantity,; assigned County property number(s) (serial number if available and no County property number assigned),; acquisition value,; agreed value,; and location code of the assigned contractor/borrower.

4. The loaning department shall submit each September, to the Group General Manager/Deputy Chief Administrative Officer, a report of all items on loan to contractors

**COUNTY OF SAN DIEGO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b>Subject</b>	<b>Policy Number</b>	<b>Page</b>
Loan of County Property to Non-County Activities	K-6	4 of 4

and community-based agencies or non-profit organizations, the organization's name, the loaned item's description and quantity, assigned County property number(s) (serial number if available and no County property number assigned), acquisition number, agreed value, and expiration date of the respective loan agreement.

Exclusions: Motor vehicles of any type. Sunset

Date

This policy will be reviewed for continuance by 12-31-~~24~~31.

Board Action

1-27-76 (55)

12-4-84 (27)

12-15-87 (43)

6-29-93 (61)

6-15-04 (25)

12-09-08 (33)

12-07-10 (27)

11-14-17 (27)

10-08-24 (##)

CAO Reference

County Counsel