

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

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

Purpose

To establish procedures whereby County-owned personal property (excluding motor vehicles) that 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 personal property determined surplus and no longer needed for County use. This Board Policy addresses loans of County-owned personal property to County contractors that can use County-owned personal property in lieu of purchasing, leasing, or renting like property with contract funds. This Board Policy also addresses loans of County-owned personal property to community-based and non-profit organizations for use on a joint project or where the County has a financial or community interest. 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. The County may loan County-owned personal property to County contractors with current County contracts, provided that:
 - a. The 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 for a specified period.
 - b. Any funds provided in such contract for purchase of property that is subsequently loaned to the contractor by the County may be reallocated to other program purposes.

**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

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 addressed in the Contractor's contract, a written loan agreement encompassing the Loan Agreement Principles in Paragraph 3 shall be consummated between the County 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 County-owned personal property to community-based or nonprofit organizations where such agencies or organizations have a need for such property and such loan would be beneficial to the County and/or the public, provided that:

a. The need for such loan is justified to the loaning department, the loaning department head concurs, County Counsel has reviewed the legality of said loan, and the loaning department head authorizes the loan of County property for a specified period.

b. A written loan agreement, encompassing the Loan Agreement Principles in Paragraph 3, shall be consummated between the County and community-based 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 or non-profit organization.

3. The loan agreement shall include the following principles:

a. The borrower is responsible for returning the borrowed items listed in the loan agreement and assumes the risk of loss from any cause whatsoever.

b. In the event the property is lost, the borrower must 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 as determined by the Director, Purchasing and Contracting with concurrence of the loaning department head and the Auditor and Controller, not to exceed the agreed value indicated in the loan agreement.

**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

d. The borrower holds 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 is responsible for paying pickup and/or delivery charges.

f. The borrower must return the loaned items upon request of the County.

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

h. A list of the loaned property, including 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 and community-based 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 12-31-31.

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)

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

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

10-08-24 (##)

CAO Reference
County Counsel