



City of Elk Grove

Donation of Surplus Commodities and Equipment Property Policy

No. xxx-xx-xxx

Date: 06-26-2013 Revised:	Department: City Manager Division:	Authority: City Manager
This Administrative Policy is declarative of existing City policy, is issued under the authority vested in the City Manager, and shall remain in place unless and until rescinded or superseded.		_____ Laura S. Gill, City Manager

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PURPOSE

To establish a policy and set procedures for the donation of surplus commodities and equipment property. This policy does not apply to the donation of surplus real property.

SCOPE

This policy affects all City departments that generate surplus commodities and equipment property.

ASSIGNMENT OF RESPONSIBILITY

- A. **City Council** City Council shall approve the disposition of commodities and/or equipment if the value of each item is equal to or exceeds Two Thousand and no/100ths (\$2000) dollars.
- B. **City Manager** The City Manager shall approve the disposition of commodities and/or equipment when the estimated value of each item is less than Two Thousand and no/100ths (\$2000) dollars.
- C. **Department Managers** Department Managers are responsible for monitoring their commodities and equipment, and reporting that which is no longer used or which have become obsolete or worn out to the Finance Director, at such times and in such forms as the Finance Director prescribes.
- D. **Finance Director** Once declared surplus, the Elk Grove Municipal Code provides the Finance Director with the authority to dispose of the surplus commodities and equipment property, including disposal through donation to eligible organizations. The Finance Director is responsible for maintaining and reviewing this policy.

DEFINITIONS

- A. **City Surplus Commodities and Equipment Property:** all commodities, equipment and material which cannot be used by any department or which have become unsuitable for city use, obsolete, or worn out.
- B. **Donation:** to contribute funds, materials or personal property to a public, not-for-profit, or charitable organization.
- C. **Eligible Organizations:** public bodies, charitable, civic or not for profit 501(c)(3) organizations.
- D. **Unclaimed/Abandoned Property:** property in the custody of the Police Department, for which an owner or owner's representative cannot be

identified, and may legally be disposed of or converted to City use.

POLICY

It is the policy of the City of Elk Grove to determine all surplus commodities and equipment property and offer eligible items for donation in conformance with the following guidelines:

1. Identifying Surplus Commodities and Equipment Property and its Value

- a. Department Managers are responsible for identifying and reporting all surplus commodities and equipment property to the Finance Director. They will draft a memo to the Finance Director reporting all items rendered to be labeled surplus material.
- b. Upon receiving the memo of surplus items, the Finance Director will determine the market value of said property and will pass it forward to the City Manager or City Council for their approval to declare the items as surplus material.
- c. If the surplus items are valued less than \$2,000, the City Manager will have the authority to declare the items as surplus commodities and equipment property. If the surplus items are valued more than \$2,000, the City Council will have the authority to declare the items as surplus commodities and equipment property.
- d. Once items are declared “surplus”, the Finance Director is responsible for the disposal of the surplus commodities and equipment property, including disposal through donation to eligible organizations.

2. Surplus Commodities and Equipment Property Eligible for Donation

- a. All surplus commodities and equipment belonging to the City and abandoned/unclaimed property coming into the custody of the Police Department identified as suitable for donation and converted to City property for that purpose, within the guidelines of local, state, and federal laws, will be eligible for donation.
- b. A webpage will be created on the city’s website to inform eligible organizations of newly declared surplus commodities and equipment property.
- c. Eligible organizations will have 30 days to apply for the surplus item(s).

3. Eligible Organizations

Eligible organizations interested in obtaining surplus commodities and equipment property from the City of Elk Grove must first register on the City’s website at www.elkgrovecity.org and provide proof of their 501(c)(3) status to be verified by the Finance Director. Once approved, the organization will have the option to create a username and password for access to the city’s webpage of surplus material. Per the EGMC, designated surplus items are only eligible for donation to public bodies, charitable, civic or non-for-profit organizations.

4. Process of Consideration

- a. Registered Eligible Organizations will receive an email notification when city surplus commodities and equipment property are available for donation.
- b. Eligible Organizations interested in the available property will complete a Surplus Commodities and Equipment Property Request Form. The form will be available online at www.elkgrovecity.org. Completed forms must be sent to the Finance Director within 30 days of the surplus property posting.
- c. Thirty days after the property posting online, the posting will be removed and all applications will be reviewed.
- d. The Finance Director will establish an internal review committee (composed of city staff members) to evaluate each application. Applications will be prioritized based on need, affiliation with the City, and impact to the community in accomplishing a defined goal of the City Council.
- e. The internal review committee will review each application and provide a recommendation to the Finance Director. The Finance Director will review the recommendation and approve or deny the proposed application.

5. Donation of Surplus Commodities and Equipment Property Valued Less than \$2,000

If the surplus items are valued less than \$2,000, the City Manager will have the authority to declare the items as surplus commodities and equipment property.

6. Donation of Surplus Commodities and Equipment Property Valued More than \$2,000

If the surplus items are valued more than \$2,000, the City Council will have the authority to declare the items as surplus commodities and equipment property.

7. Surplus Commodities and Equipment Property Request Form

The Director of Finance will process all Surplus Commodities and Equipment Property Request Forms. The form requires the requesting organization to provide the following:

- a. proof of public agency, charitable or registered not-for-profit 501(c)(3) organization;
- b. statement of benefit that the donated surplus commodities and equipment property will provide for the requesting organization;
- c. a detailed plan of transporting the surplus property from City Hall to the requesting organization location (all federal, state, local and international laws must be adhered to for transporting surplus goods and materials within the state of California, outside the state, and through other foreign countries). All expenses associated with the transportation of the surplus property must be detailed upfront and have an identified funding source to be eligible for consideration.

8. Sample Surplus Commodities and Equipment Property Request Form (see next page)

SURPLUS COMMODITIES AND EQUIPMENT PROPERTY REQUEST FORM

Organization Name: _____

(Attach proof of public agency, charitable or not for profit 501(c)(3) organization)

Point of Contact

Name: _____

Address: _____

Email: _____

Phone: _____

Organization Address:

Organization Website: _____

City Surplus Commodities and Equipment Property Item(s) of Interest:

How will the requested surplus property items benefit your organization?

How do you plan to transport the surplus property from City Hall to your location? Please prepare a detailed plan including (if applicable): all federal and state laws you must adhere to for transport of goods and materials within and out of the state of California; all expenses associated with shipment and removal; and a timeline for when the surplus property will be removed. This plan must be included upfront and have an identified funding source for any expenses to be eligible for consideration. You can attach additional explanation to this form if needed.

DISCLAIMER OF WARRANTIES. The City makes no agreement, warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for any particular purpose or fitness for the use contemplated by the recipient or user, of the subject surplus property or any portion thereof. The recipient acknowledges that the City is not a manufacturer of the subject

property or a dealer therein, that the property is being provided “as-is” and “with all faults,” it being agreed and understood that all of the aforementioned risks are to be borne by the recipient or user of the property. In no event shall the City be liable for any damages, including, without limitation, incidental, indirect, special or consequential damages, in connection with or arising out of the recipient’s or any other person’s or entity’s use of the property.

Signature of Applicant _____ Date _____