

County of Santa Cruz 109

SHERIFF - CORONER

701 OCEAN STREET, SUITE 340, SANTA CRUZ, CA 95060

(831) 454-2985 FAX: (831) 454-2353

MARK TRACY
SHERIFF - CORONER

April 22, 1999

AGENDA: May 25, 1999

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

REQUEST FOR BOARD APPROVAL FOR SHERIFF-CORONER TO BE ELIGIBLE TO OBTAIN SURPLUS GOVERNMENT PROPERTY THROUGH THE STATE OF CALIFORNIA, DEPARTMENT OF GENERAL SERVICES

Dear Members of the Board:

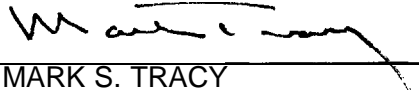
With the downsizing of the military, and the subsequent closing of many bases, there is a high volume of surplus military equipment. Some of this equipment has been authorized to be transferred to civilian and law enforcement agencies for use in public service. The Sheriff's Office has already taken advantage of some of this surplus equipment dispersal through existing federal programs. This equipment was much needed and provided significant savings in not having to purchase it on the retail market. Some examples of obtained equipment include: two (2) pick up trucks and three (3) cars for use in the recently opened Sheriff's Office Service Centers, new generation riot helmets and gas masks for use in crowd control situations, fire retardant gloves for use in handling explosive/corrosive devices and materials, chemical resistant gloves used for handling biologically hazardous items of evidence.

The State of California, through the Department of General Services, is a distribution/dispersal point for much of this surplus property. As an administrative detail, they require the Board's approval for the Sheriff's Office to be eligible to obtain surplus property through them. This is a routine and one time step in obtaining surplus property. As an example, the Public Works Department has been approved by your Board in the past to receive surplus properties.

Equipment obtained through this program fills needs within the Sheriff's Office, that not *only* provide better service to our constituents, but realize a significant monetary savings in the process. When obtaining equipment that impacts maintenance services, the Sheriff's Office will coordinate acquisitions with General Services.

It is, therefore, RECOMMENDED that your Board approve the request by the Sheriff-Coroner to obtain surplus properties being distributed by the Federal Government.

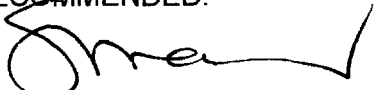
Sincerely,



MARK S. TRACY
Sheriff-Coroner

Attachments

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

DEPARTMENT OF GENERAL SERVICES
PROCUREMENT DIVISION
SURPLUS PROPERTY
1421 NO. MARKET BLVD.
SACRAMENTO, CA 95834-1938
(916) 928-4630

1 1 0

ELIGIBILITY RENEWAL APPLICATION
FEDERAL SURPLUS PROPERTY PROGRAM

A. Name of organization SANTA CRUZ COUNTY SHERIFF'S OFFICE Telephone (408)454-2440
Address 701 OCEAN ST. #340 City SANTA CRUZ County ZIP TA CRUZ 95060

Organization is a:

PUBLIC AGENCY ☒

- A. Conservation
B. Economic Development
C. Education - ADA
D. Parks & Recreation
E. Public Health
F. Public Safety
G. 2 or more listed
H. other (includes library/museums)
I. Homeless Program

NONPROFIT AGENCY

- J. Private Education
K. Private Health
L. Older Americans Act for Sr.Citiz.
M. Homeless Program

NOTE: Categories J-K-L-M

Number of sites _____

Enrollment or number of clients served _____

RESOLUTION

B.

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME-(Print or type)

TITLE

SIGNATURE

STEVEN J. HARTNESS

LIEUTENANT

JAMES SKILLICORN

SERGEANT

Steven J. Hartness
James W. Skillicorn

PASSED AND ADOPTED this _____ day of _____, 19____, by the Governing Board of

_____ by the following vote:

Ayes: _____; Noes: _____; Absent: _____.

I, _____, Clerk of the Governing Board of

_____ do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a _____ meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

(Signed) _____

* NOTE: IF YOU HAVE A GOVERNING BOARD, SECTIONS "A" AND "B" SHOULD BE COMPLETED.
IF YOU DO NOT HAVE A GOVERNING BOARD, SECTIONS "A" AND "C" SHOULD BE COMPLETED.

C. AUTHORIZED this 6th day of APRIL, 1998, by:
MARK TRACY SHERIFF-CORONER, SANTA CRUZ COUNTY
Name of Chief Administrative Officer Title
(Signed) *Mark Tracy*

FOR STATE AGENCY USE

Application approved: _____ Application disapproved: _____

Comments or additional information: _____

19 Date _____

Signed: _____

(Title)

TERMS AND CONDITIONS

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(A) THE DONEE CERTIFIES THAT:

(1) It is a public agency, or a nonprofit institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1954; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services.

(2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes. or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for such purpose, or for programs for older individuals. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the state, except with prior approval of the state agency.

(3) Funds are • nikkb to pay all costs and charges incident to donation.

(4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964, Title VI, Section 606, of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975.

(B) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purpose(s) for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the state agency and, at the donee's expense, return such property to the state agency, or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency.

(2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.

(3) In the event the property is not so used or handled as required by (B)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES. REGARDLESS OF ACQUISITION COST. EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

(1) The property shall be used only for the purpose(s) for which • quirrd and for no other purpose(s)

(2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.

(3) In the event the property is not so used as required by (C)(1) and (2) and federal restrictions (B)(1) and (2) have expired then title and right to the possession of such property shall at the option of the state agency revert to the State of California and the donee shall release such property to such person as the state agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

(1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the state, without the prior approval of GSA under (B) or the state agency under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such • clien is authorized by GSA or by the state agency, shall be remitted promptly by the donee to GSA or the state agency, as the case may be.

(2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the state agency, the donee, at the option of GSA or the state agency, shall pay to GSA or the state agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the state agency.

(3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the state agency, and shall, as directed by the state agency, return the property to the state agency, release the property to another donee or another state agency or a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the state agency.

(4) The donee shall make reports to the state agency on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the state agency.

(5) At the option of the state agency, the donee may abrogate the conditions set forth in (C) and the terms, reservations, and restrictions pertinent thereto in (D) by payment of an amount as determined by the state agency.

(E) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.

(2) Where a donee carries insurance • gxiut damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, the state agency will entitk to reimbursement from the donee out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms, conditions, reservations, • nd restrictions set forth in the Conditional Transfer, Document executed by the authorized donee representative.

Office of Surplus Property
OS? Form 203
(3-32)

ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 606
OF TITLE VI OF THE FEDERAL PROPERTY AND ADMINISTRATIVE
SERVICES ACT OF 1949, AS AMENDED, SECTION 504 OF
THE REHABILITATION ACT OF 1973, AS AMENDED,
TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED
AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975.

SANTA CRUZ COUNTY SHERIFF OFFICE, (hereinafter called the "donee"
(Name of donee organization))

HEREBY AGREES THAT the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

DATE APRIL 6, 1998

SANTA CRUZ COUNTY SHERIFF OFFICE
Donee Organization

By 

(President/Chairman of the Board
or comparable authorized official)

701 OCEAN ST. #340

SANTA CRUZ, CALIF. 95060
Donee Mailing address