

ORDINANCE NO. _____

An ordinance amending Section 22.547 of the Los Angeles Administrative Code to facilitate and streamline the process for donating City-owned surplus equipment.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Section 22.547 of the Los Angeles Administrative Code is amended in its entirety to read as follows:

Sec. 22.547. Procedures for Initiating and Processing Donations of Surplus Equipment.

(A) Definitions.

(1) **Donation.** Donation means the sale of City-owned surplus equipment at less than market value or the provision of City-owned surplus equipment at no cost.

(2) **Donor.** Donor means the City of Los Angeles or any of its departments or offices.

(3) **Donee.** Donee means the recipient of a Donation of City-owned surplus equipment. To qualify for a Donation from Donor, a Donee must be one of the following:

(a) A non-profit organization located in the City of Los Angeles when the Donation will benefit the residents of the City of Los Angeles;

(b) A governmental entity established to support services provided by the City of Los Angeles;

(c) A domestic or foreign governmental entity under the following conditions:

(i) A government or government entity responding to, recovering from, or carrying out reconstruction after an emergency or natural disaster;

(ii) An official sister city of the City of Los Angeles or its official organizations may receive a Donation of surplus equipment up to an annual aggregate of \$100,000 measured by fair market value at the time of the Donation; and

(iii) Any other government entity, up to three times per year.

(d) Any other Donee, whether individual, organization, or government entity, provided the cost to discard, recycle, or transport the surplus equipment would otherwise impose a documented net financial cost to the City.

(B) Process for Designating Equipment as Surplus.

(1) To declare any City equipment as surplus, the head of any City department (including a proprietary department) or office must approve the designation of equipment within its custody as surplus to its ongoing needs.

(2) After approving the designation, the department or office shall advise the General Services Department in writing of the surplus equipment available for Donation. A copy of this information shall be provided to the Office of the Chief Legislative Analyst, hereinafter "CLA."

(3) No salvaged City-owned hazardous electronic equipment regulated under Section 7.82 of this Code, may be donated under this section as surplus City equipment.

(C) Process for the Donation of Surplus Equipment.

(1) Any request for a Donation shall be in writing, directed to the CLA, and shall include the following minimum information:

(a) The type of equipment requested;

(b) The quantity requested; and

(c) The name, address, and phone number of the proposed Donee, including the contact person, their title, and a brief summary description of the Donee.

(2) The CLA shall place each request for a Donation on a list in the order the request is received by the CLA and shall process Donation requests in the order received.

(3) The CLA shall review each request to determine if the potential Donee qualifies for the Donation under the criteria established in Subsection (A)(3), above. The CLA shall report adverse findings to the City department or office requesting the Donation.

(4) If the CLA determines that surplus equipment matching a Donation request is available for Donation, the CLA shall prepare a motion for introduction in Council to consider the Donation request and shall include in each motion a fiscal impact statement estimating the revenues to be forgone by the City if the City Council approves the motion.

(5) Upon approval of any Donation by the City Council and prior to the Donation of any surplus equipment, a contract for the Donation shall be signed on behalf of the Donee by an authorized representative of the Donee, and on behalf of the Donor by the head of the City department or office requesting the Donation. The Donee shall agree to accept the surplus equipment "as is," and shall hold harmless and indemnify the City against any liability or loss with regard to the Donation.

(6) Any payment required for the Donation must occur prior to the release of the surplus equipment to the Donor. Proceeds of any sale under this section shall be paid into the City Treasury and placed in the fund of the City department or office which declared the equipment within its custody as surplus.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
KIMBERLY MIERA
Deputy City Attorney

Date 6/15/21

File No. 20-1269

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____