



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

County Counsel

DATE: July 2, 2004

BOARD MEETING DATE: July 27, 2004

TO: Honorable Board of Supervisors
FROM: County Counsel
SUBJECT: Ordinance Concerning Lost or Unclaimed Property in the Sheriff's Possession

Recommendation

Adopt an ordinance amending the current ordinance code provisions concerning lost or unclaimed property in the possession of the Sheriff.

Background

The current provisions of the ordinance code provide that after an item of lost or saved property is taken into possession by the Sheriff, the property may be destroyed, sold at public auction, or otherwise disposed of in whatever manner the Sheriff deems to be in the public interest.

Discussion

State law provides that a county may adopt an ordinance authorizing providing that if any such property transferred to it for sale is needed for a public use, such property may be retained by the agency and need not be sold.

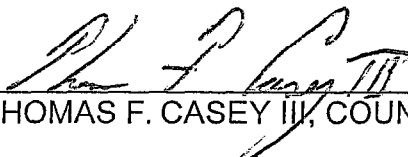
While the current ordinance does not permit the Purchasing Agent or the Sheriff to keep lost or abandoned property and to use it for law enforcement purposes, the proposed ordinance would permit the Purchasing Agent and the Sheriff to do so. The ordinance would permit them to use lost, abandoned and unclaimed items such as cameras and other electronic equipment for law enforcement purposes. This would result in a greater benefit to law enforcement than if the items were simply sold, which would be likely to result in a nominal recovery.

Vision Alignment

The action is consistent with goal No. 20, government decisions are based on careful consideration of future impact rather than on temporary relief or immediate gain.

Fiscal Impact

The action will have a minor positive fiscal impact, in that it will give the Sheriff's Office access to lost and unclaimed property which it would otherwise have purchased.



THOMAS F. CASEY III, COUNTY COUNSEL

cc: John Maltbie, County Manager
Don Horsley, Sheriff