



# RESOLUTION No. 23-401

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION ACCEPTING A DONATION OF A 2011 TUCKER SNO-CAT MODEL 2000XL FROM PACIFIC, GAS AND ELECTRIC COMPANY (PG&E) FOR USE BY THE SHERIFF'S OFFICE FOR SEARCH AND RESCUE ACTIVITIES

WHEREAS, the Sheriff's Office regularly conducts search and rescue efforts in the Nevada County High Country; and

WHEREAS, the Sheriff's Office has the opportunity to receive a capital asset donation of a 2011 Tucker Sno-Cat from Pacific, Gas and Electric Company free of charge and valued at \$112,785; and

WHEREAS, the Sheriff's Office has funds available for any future maintenance as well as transportation costs; and

WHEREAS, the Sheriff's Office would like to receive this capital asset donation that will increase the search and rescue capabilities of the Sheriff's Office.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Supervisors, of the County of Nevada, State of California, that the Board hereby formally authorizes the acceptance of the 2011 Tucker Sno-Cat from Pacific, Gas and Electric Company, and recognizes such as a capital asset.

Funding: 0101 20201 152 1000 540500

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 8th day of August, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarhout, Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Edward C. Scofield, Chair

## IN-KIND CONTRIBUTIONS FORM

### **Contents:**

- 1) Step-by-Step Instructions for Completion.
- 2) In-Kind Contributions Form: Descriptions of property, land use interest, and/or labor to be donated, valuation of property, and approvals.
- 3) Attachments A and A-1: to be completed whenever PG&E property is donated.
- 4) Attachment B: to be completed whenever PG&E employees donate services utilizing PG&E equipment.
- 5) Attachment C: General rules applying to in-kind donations and additional documents required.

**STEP-BY-STEP INSTRUCTIONS**  
**FOR COMPLETION OF IN-KIND TRANSACTION**

STEP 1: Verify that the applicant for an in-kind donation is a nonprofit charitable organization (classified by the IRS as a 501(c)(3) organization) or a public agency (which includes public schools). We recommend that the sponsoring employee contact the nearest local Government Affairs field staff to discuss the donation request prior to the applicant completing the grant application.

Fleet vehicle or equipment donations require sponsoring employee's functional department to fund a below the line order for the fair market value of the donated asset in accordance with FERC Donation Account 426.1.

STEP 2: The In-Kind Donation Form must be completed – *in order* – by:

1. The local Government Affairs Manager (who, with the sponsoring employee, is responsible for garnering the information and signatures required in Sections 1-4). The Government Affairs Director must sign Section 5, and then send it to:
2. The appropriate department within Shared Services (e.g., Investment Recovery, Technical & Land Services, or Corporate Real Estate if the donation includes a real property or land use interest component) for valuation and any other required analysis, and to the CPUC Section 851 Review Team (led by Operations Proceedings in Regulatory Relations), so that an appropriate person will sign Section 6, who then will send it to:
3. The Charitable Contributions Department (which is responsible for garnering any approvals necessary based on the Charitable Contributions Delegation of Authority) for final approval and signature in Section 7.

STEP 4: After the Community Relations Department approves the transaction under the Community Relations Delegation of Authority, the Government Relations Director must ensure that Attachments A, and/or A-1, and/or B are completed prior to the actual transaction. If Section 851 approval from the CPUC is necessary, it must be obtained before the transfer is completed. In many cases, Investment Recovery (Shared Services) will ensure that required signatures from grantees are garnered.

STEP 5: All donations must be accompanied by a grant transmittal letter.

STEP 6: All original documents (including a copy of the on-line grant application and all attachments) must be kept in the grant file held by Community Relations and Government Relations. Copies of all final documents must be sent to the

Community Relations Department and General Services and Performance Management.

**GENERAL RULES THAT APPLY TO  
ALL IN-KIND DONATIONS**

- California law prohibits Pacific Gas and Electric Company from donating or reducing the cost of gas and/or electric services.
- Individuals who use Pacific Gas and Electric Company property do not have the authority to make decisions regarding how to dispose of that property. Such property belongs to Pacific Gas and Electric Company, not to the employees who have used the property or have access to it.
- Pacific Gas and Electric Company can not make contributions to individuals.
- With regard to donations of real property and land use interests, preliminary conversations with Charitable Contributions and the Tax Department are required to ensure that such transfers would qualify as charitable contributions.
- Pacific Gas and Electric Company can make contributions to religious-based organizations. However, all such contributions must be used for non-sectarian purposes that do not discriminate among attendees, such as a church's hunger-relief program open to all.
- Recognition for any contribution must be given to Pacific Gas and Electric Company, not to the individual or department that used the property or arranged for the contribution.

**GENERAL RULES THAT APPLY TO ALL VEHICLE DONATIONS**

- Due to *CA Air Resources Board* regulations, PG&E may not donate:
  - Any on-road vehicle that meets *ALL* of the following conditions:
    - 1) Over 14,000 pounds GVW
    - 2) Diesel-powered
    - 3) Engine model year is 2006 or earlier (2007 and later is ok)
  - Any off-road equipment that is both diesel-powered and over 25 hp, including construction equipment (e.g., backhoes, tractors, hole-diggers, snow-cats, etc.)

- Any portable equipment that is over 50 hp (either gas or diesel), including equipment that is mounted on trailers, skids, or is otherwise moveable but not self-driven (e.g., portable generators, air compressors)

## In-Kind Contribution Form

***Section 1: Pacific Gas and Electric Company sponsoring employee information:***

Date	March 6, 2023
Employee Contact Name, Address, Telephone No., and Email Address	Joe Wilson, VP, North Valley & Sierra Region 350 Salem Street Chico, CA 95928 530-513-8199 J8WE@pge.com
Department Name	North Valley & Sierra Region
Department Director's Name, Address, and Email Address	Joe Wilson, VP, North Valley & Sierra Region 350 Salem Street Chico, CA 95928 J8WE@pge.com
Director's Concurrence and Date	<i>Routed through PG&amp;E EDRS system</i>

***Section 2: Description of property to be contributed:***

Proposed Date of Contribution	Week of April 17, 2023
Description of Contribution	2011 Tucker Sno-Cat Model 2000XL
Location of Property, if applicable	N/A
Sponsor's Estimate of Market Value of Contribution, if known	\$112,785
Serial Numbers	2011R431
Is it Surplus Property?	Yes
SBE and Building Numbers	N/A

***Charges Incurred:*** Any expenses or labor costs incurred to prepare property for a charitable contribution generally are charged to an order number in the department to which the Surplus Property belongs, unless other arrangements are made. Labor and expenses related to preparing property for a charitable contribution may be charged to the appropriate Area Public Affairs Director's operating budget, but only actual dollars spent are charged to that operating budget, not the value of the Property being donated.

**Section 3: Description of volunteer labor using PG&E assets:**

Proposed Date of Contribution	
Description of Volunteer Labor to be Performed	
Location of Volunteer Labor to be Performed	
Types of Physical Assets to be Used	
Are Employee(s) Certified to Use Physical Assets Described Above?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Donations of volunteer labor using PG&E assets:** Includes services such as, but not limited to, using Pacific Gas and Electric Company employee labor and trucks and/or equipment to make improvements to real property. Any costs associated with the donation of Volunteer Labor Using Physical Assets are charged to the sponsoring employee's department's operating budget. Sponsoring employee must also complete Checklist B and have his/her supervisor and superintendent approve the request.

**Section 4: Local Government Affairs Director approval:**

Director Name	Anna Brooks
Signature	<i>Routed through PG&amp;E EDRS system</i>
PCC/SAP Charge #	
Date	

**Section 5: Shared Services approval (for contributions of property):**

- For donations of Surplus Property (furniture, materials, supplies, etc.), contact Investment Recovery representative (Debbie McGowan at DAM0@pge.com) or visit the Investment Recovery website at <http://uo/SSOS/MAT/Mat+Planning/ir.htm> for additional information and contacts.
- For donations of vehicles, contact Transportation Services representative (Marty Parker at mjp0@pge.com) for availability and then contact Investment Recovery (8-223-6136) for valuation.
- For donations of real property, contact Real Estate Transactions (Mark Redford at m2rw@pge.com) of the Corporate Real Estate Department.
- For temporary use of real property, contact the GO Conference Center at (8) 223-3558, or the local building superintendent.
- For printing services, contact G.O. Reprographics Services Supervisor at (8) 223-4017, or submit a request through the PG&E Reprographics link at <http://dcs02/purchasing1/docsvcs/repro.htm> or contact the local support services supervisor.

Reviewer Name, Address, Telephone No., and Email Address	Brian Voyles 316 L St Davis, CA 95616 530-902-7645 Brv4@pge.com
Signature	<i>Routed through PG&amp;E EDRS system</i>
Title/Department	Director, Engineering & Business Ops/Transportation Services
Date	3/6/23
Market Value of Contribution	\$112,785

Additional approval is required (attached email is acceptable) from Capital Accounting for in-kind contributions of \$100,000 and more, and from the Law Department for in-kind contributions of

\$200,000 and more. For contributions of real property, the Law Department approves all legal documents and Capital Accounting reviews financial analysis.

Internal



**Section 6: Approval per Community Relations Delegation of Authority:**

Person(s) authorized to approve this contribution per Board Resolution and Delegation of Authority for contributions	<i>Stephanie Isaacson</i>
Signature and Date	<i>Routed through PG&amp;E EDRS system</i>

The Community Relations Department will inform the Area Government Relations Director when all approvals are secured. Only at that point, may the transfer of the Property or provision of Volunteer Labor occur.

**Section 7: Additional documents required for legal, accounting, and tax purposes:**

- Materials, equipment, furniture, other item(s): Terms and Conditions Form (Attachment A) and receipt from recipient organization.
- Vehicles: Terms and Conditions Form (Attachment A), pink slip, other DMV documents, and receipt from recipient organization. Note: Fleet handles all the documents.
- Vehicles & Equipment: Donated assets are required to be recorded at fair value to below-the-line donation expense account in accordance with FERC Account 426.1 Donations. Fair market value is assessed based on the average auction proceeds for like assets over the preceding 12 month period.
- Printing services: receipt from recipient organization.
- Volunteer Labor using Physical Assets: Agreement and Release from Liability (Attachment B) and receipt from recipient organization.
- Permanent contribution of real property: Purchase and Sale Agreement and related Exhibits. Note: Corporate Real Estate handles all negotiations and documents (see Section 10).
- Temporary use of Pacific Gas and Electric Company real property: Use Agreement and Liability Waiver for External Use of PG&E Meeting Facilities. GO Conference Center or local building superintendent handles all documents; the GO Conference Center can be contacted at (8) 223-3558 or visit its website at <http://dcs01/conferencecenters/GO/default.htm>

## ATTACHMENT A

### TERMS AND CONDITIONS FOR IN-KIND CONTRIBUTIONS OF PERSONAL PROPERTY

#### 1. DEFINITIONS

- 1.1 "Donor:" Pacific Gas and Electric Company, with headquarters at P.O. Box 770000, 77 Beale Street, San Francisco, California 94177.
- 1.2 "Recipient:" The non-profit organization, government agency, or school named below which will be receiving the donated Article(s).
- 1.3 "Article(s):" The items of property being donated to Recipient and listed on Attachment A-1 to this agreement, attached hereto and incorporated herein.

#### 2. NO WARRANTIES / LIMIT OF LIABILITY

- 2.1 The Article(s) are donated by Donor "AS IS" and "WITH ALL FAULTS." Donor makes no guarantee, warranty or representation, express or implied, as to the Article(s). The entire risk as to the quality and performance of the Article(s) is with the Recipient. Should the Article(s) prove defective following receipt, the Recipient and not the Donor assumes the entire cost of all necessary servicing or repair. DONOR DISCLAIMS ANY IMPLIED WARRANTIES, INCLUDING BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND RECIPIENT AGREES THAT THE ARTICLE(S) ARE RECEIVED AS IS AND WITH ALL FAULTS.
- 2.2 Recipient hereby releases and will indemnify and hold harmless Donor, its employees, officers, and agents, from and against any and all losses, expenses, demands and claims connected to or resulting from injury to or death of any persons, or injury to property, except to the extent caused by the gross negligence or willful misconduct of Donor, its employees, officers, and agents.
- 2.3 IN NO EVENT SHALL DONOR BE LIABLE FOR ANY INCIDENTAL, SPECIAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES, WHETHER SUCH DAMAGES ARISE IN CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE.

#### 3. HAZARDOUS MATERIALS

The California Health and Safety Code requires businesses to provide warnings prior to exposing individuals to materials listed by the Governor as chemicals "known to the State of California to cause cancer, birth defects or reproductive harm." Donor uses chemicals on the Governor's list at many of its facilities. In addition, many of these chemicals are present at non-PG&E-owned facilities and locations. Accordingly, in receiving the Article(s) under this agreement, Recipient, its clients, employees and agents may be exposed to chemicals on the Governor's list. Recipient is responsible for notifying its clients, employees and agents that use of the Article(s) may result in exposures to chemicals on the Governor's list.

#### 4. DELIVERY

- 4.1. The Article(s) will be available for Recipient to pick up at Donor's location identified on Attachment A-1 ("Place of Delivery"), unless alternate arrangements are specified on such attachment. Recipient is responsible for transporting the Article(s) from the Place of Delivery at Recipient's cost and expense.
- 4.2. Title to and risk of loss of all donated Article(s) passes to Recipient when the Article(s) are loaded into Recipient's car or truck, or that of a common carrier, at the Place of Delivery. If the Article(s) include a vehicle, title to and risk of loss to the vehicle passes to Recipient upon delivery to Recipient of the ownership papers and the keys to the vehicle at the Place of Delivery.

#### 5. GENERAL

- 5.1. If requested by Donor, Recipient agrees to remove any and all trademarks, labels, distinctive markings and designs identifying Donor which may appear on the Article(s) or on the packaging material at the time of delivery.
- 5.2. If this contribution is contingent upon Recipient performing dismantling or other work on property owned or controlled by Donor, Recipient agrees to execute a supplementary agreement or contract expressly covering such dismantling or other work.
- 5.3. If the Article(s) include a vehicle, Recipient hereby agrees to adequately and properly insure the vehicle. In addition, Recipient acknowledges Donor's recommendation that Recipient perform its own safety inspection of the vehicle.
- 5.4. This agreement shall be governed by and interpreted in accordance with the laws of California, except for any choice of law rules that direct the application of the laws of another jurisdiction.

6. PURPOSE

By signing this agreement, (a) Recipient confirms that this donation will be used only for charitable, educational or other community service purposes. The donation will not be used to promote or oppose the election of any candidate for any office, or to personally benefit any elected official, or to promote or defeat any ballot measure. As such, Donor will not disclose this donation on any campaign or lobby report; and (b) Recipient warrants and represents that it is a (check one):

- Organization described in section 501(c)(3) of the Internal Revenue Code
- Federal, state or local government agency
- School
- Business-related or other form of nonprofit organization, such as a chamber of commerce or economic development association.

Donor:  
PACIFIC GAS AND ELECTRIC  
COMPANY,  
a California corporation

By: *Joe Wilson*  
Name: Joe Wilson  
Title: Vice President  
Date Signed: 06/29, 2023

Recipient:  
Nevada County Sheriff Search and  
Rescue

By: *Dennis Haack* For the  
NEVADA COUNTY SHERIFF'S OFFICE  
Name: Dennis Haack  
Title: Sergeant  
Date Signed: 06/29, 2023

ATTACHMENT A-1

The Article(s) will be available for Recipient to pick up after \_\_\_\_\_ (date) at the following address:

The following Article(s) are being donated:

Vehicle

\_\_\_\_\_ 2011 \_\_\_\_\_ Tucker \_\_\_\_\_ 2000 Terra/Orange \_\_\_\_\_  
Year Manufacturer Model and color

Vehicle License: \_\_\_\_\_ N/A \_\_\_\_\_ N/A \_\_\_\_\_  
State License Number

VIN: 2011R431 \_\_\_\_\_

Fair Market Value <sup>(1)</sup> \$112,785 \_\_\_\_\_

Check here for additional vehicles and attach description.

Other property – describe:

(1) Fair market value is assessed based on the average auction proceeds for like assets over the preceding 12 month period.

ATTACHMENT B

**AGREEMENT AND RELEASE FROM LIABILITY**

Recipient, the charitable organization or school named below, has requested that the PG&E employee \_\_\_\_\_ [name] assist Recipient by performing the following services:

\_\_\_\_\_, to be performed on \_\_\_\_\_, 200\_, at the following location: \_\_\_\_\_.

As consideration for the services described herein, Recipient agrees to RELEASE AND DISCHARGE PACIFIC GAS AND ELECTRIC COMPANY, its parent company, affiliates, directors, employees, agents, contractors and suppliers, from any liability that may arise from the services. Recipient, its assigns and legal representatives, WILL NOT make a claim against or sue Pacific Gas and Electric Company or any of its parent company, affiliates, directors, employees, agents, contractors or suppliers, for personal injury or property damage resulting from or in any way connected with the services.

Recipient: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Date signed: \_\_\_\_\_

## ATTACHMENT C

### ***Section 8: Rules that apply to all in-kind donations:***

1. California law prohibits Pacific Gas and Electric Company from donating or reducing the cost of gas and/or electric services.
2. Individuals who use Pacific Gas and Electric Company property do not have the authority to make decisions regarding how to dispose of that property. Such property belongs to Pacific Gas and Electric Company, not to the employees who have used the property.
3. Pacific Gas and Electric Company can not make contributions to individuals.
4. Pacific Gas and Electric Company can make contributions to religious-based organizations. However, all such contributions must be used for non-sectarian purposes that do not discriminate among attendees, such as a church's hunger-relief program open to all.
5. Recognition for any contribution must be given to Pacific Gas and Electric Company, not to the individual or department that used the Property or arranged for the contribution.

# 2023-19203 Document Routing Request

[Print](#) [View Edit Log](#)

**Created on:** 4/26/2023 12:58:03 PM  
**Requestor:** Voyles, Brian  
**Document Type:** Gift In Kind Authorization  
**Document Title:** In-Kind Contribution: Three Snow Cats for Butte, Plumas & Nevada County Search & Rescue  
**Dollar Amount:** \$338,355  
**Job Order Num.:**  
**ITWR Number:**  
**Major Work Category:**

**Status:** EDR request approved.  
**Department:** Transportation  
**Readable by All:** No

Documents		Reviewers/Approvers	
<b>Title</b>	<b>Version</b>	<b>Add to CC List</b>	
In-Kind Contributions Form B25565.doc	Original	<b>Approvers</b>	
In-Kind Contributions Form B25093.doc	Original	Brooks, Anna	Approved on 5/4/2023 10:33:46 AM
In-Kind Contributions Form B25092.doc	Original	Glover, Michael	Approved on 4/27/2023 1:25:24 PM
<a href="#">Consolidate Files</a>		Isaacson, Stephanie	Approved on 5/4/2023 12:05:41 PM
		Santos, Marlene	Approved on 4/27/2023 4:02:15 PM
		Wilson, Joe	Approved on 4/26/2023 3:53:17 PM
		<a href="#">Show CC List</a>	

**Comments** [Add Comment](#)

4/27/2023 12:51:47 PM - Voyles, Brian

**BTL order 8202427 resides in the C&C organization under Marleen Santos**

4/26/2023 3:29:32 PM - Voyles, Brian

In-kind contribution request for three Tucker 2000XL Terra 5 Person Cab Snow Cats valued at \$112,785 each to be donated to Butte County Search and Rescue (Tax ID# 68-0424791), Plumas County Search and Rescue (Tax ID# 95-3446723) and Nevada County Search and Rescue. The snow cats to be donated reached planned lifecycle, have been replaced by new units and will go to auction if not donated. Butte County Search and Rescue, Plumas County Search and Rescue and Nevada County Search and Rescue have confirmed they can accept ARB Tier 3 units. Approval of this EDRS authorizes the total value (\$338,355) to be recorded against the below the line order 8202427.





**COUNTY OF NEVADA  
CAPITAL ASSET BUDGET REQUEST**

**TYPE OF REQUEST:**

- Infrastructure Improvements and Preservation
- Building Structures & Improvements - Please identify building: \_\_\_\_\_
- Land: Rights of Way, Easements & Land Improvements
- Equipment: Technological - *Information Systems approval date:* \_\_\_\_\_
- Equipment: Automotive
- Equipment: Office, Furniture & Fixtures
- Equipment: Other:

Fiscal Year: 2023-24  
 Dept Name: Sheriff's Office  
 Fund: 0101  
 SBU: 20201  
 Office2: 152  
 Sub-Service: 1000  
 PCN:  
 Acct Code: 540500

**IMPORTANCE OF CAPITAL ASSET:**     Urgent     Necessary     Desirable

**PRIORITY RANKING OF CAPITAL ASSET:** \_\_\_\_\_ out of \_\_\_\_\_ Total Department Requests

**JUSTIFICATION FOR CAPITAL ASSET** (Attach additional pages as necessary)

Donated 2011 Tucker Sno-Cat Model 2000XL  
 From Pacific Gas and Electric Company  
 Market Value Estimated at \$112,785

**FUNDING SOURCE FOR CAPITAL ASSET**

1. Is this grant-funded?     Yes     No    Granting Agency: \_\_\_\_\_    BOS Reso. # Accepting Grant: \_\_\_\_\_  
 Other funding source: \_\_\_\_\_

2. What is the general fund and/or other fund balance dollar impact?     None     As follows: \_\_\_\_\_

3. Who will technically own this asset?     County of Nevada     Granting Agency    Notes regarding ownership: \_\_\_\_\_  
*Notes regarding funding (including deadlines)*

**CAPITAL ASSET ITEMIZED COSTS - Estimated**

Item	Quantity	Unit Cost	Sales Tax	Shipping	Installation	Other Cost	Total Cost
Tucker Sno-Cat 2000 XL	1	\$0	\$0	\$0	\$0	\$0	\$0
			\$0				\$0
			\$0				\$0
			\$0				\$0
			\$0				\$0
<b>TOTAL:</b>							<b>\$0.00</b>

*Please attach documentation (ISSB approval minutes, quotes, etc.)*

**APPROVED BY:**

Prepared by: \_\_\_\_\_ Georgette Aronow    Date: 7/21/2023    Dept. Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Phone: X-1592    CEO Analyst Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*CEO Staff use only*

Notes: \_\_\_\_\_    Initials \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_     Denied  
 \_\_\_\_\_     Approved \$ \_\_\_\_\_  
 \_\_\_\_\_    Capital Asset Approval # \_\_\_\_\_