



Legislation Details (With Text)

File #: 16-0100 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 1/27/2016 **In control:** Board of Supervisors
On agenda: 2/23/2016 **Final action:** 2/23/2016
Title: Health and Human Services Agency (HHS), Community Services Division, in accordance with Government Code 25355 and HHS Policy B-HH-004, "Accepting Donations," recommend the Board respectfully decline Joyce Marie Lurch's last will and testament residuary bequest consisting of a mobile home, a 1987 Buick automobile and a \$1,000 deposit at a credit union.

FUNDING: There is no funding associated with this Agenda item.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Executor of Last Will letter 2-23-16

Date	Ver.	Action By	Action	Result
2/23/2016	1	Board of Supervisors	Approved	Pass

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FUNDING: There is no funding associated with this Agenda item.

DEPARTMENT RECOMMENDATION

Health and Human Services Agency (HHS) recommending the Board respectfully decline Ms. Joyce Marie Lurch's last will and testament residuary bequest consisting of a mobile home, a 1987 Buick automobile, and a \$1,000 deposit in a credit union. Government Code 25355 states that the "Board may accept or reject any gift, bequest, or devise made to or in favor of the county, or to or in favor of the Board in trust for any public purpose." HHS recommends declining the residual bequest because the Executor of the decedent's will has identified a person who lives in a recreational vehicle in the same mobile home park who could benefit from living in the mobile home. Additionally, the automobile does not run and the residual bank deposits can be used to reimburse the decedent's daughters for cremation expenses and to pay the remainder of the decedent's creditors.

DISCUSSION / BACKGROUND

Government Code 25355 permits the Board to accept or reject any gift, bequest, or devise made to or in favor of the county. In her last will and testament, Ms. Joyce Marie Lurch named HHS as the beneficiary of residual and lapsed gifts not otherwise disposed of, to benefit the County's Public Housing Authority, Housing Choice Voucher Program. The Executor of Ms. Lurch's will contacted HHS to indicate the following bequests: A mobile home that was constructed in 1959 and is in poor condition, a 1987 Buick automobile that does not run, and a \$1,000 bank deposit. If the County were to accept this donation, we would be responsible for paying the monthly space rental fee for the mobile home which totals \$565/month until such time we were able to sell the mobile home. During

discussions with the Executor, he stated due to the age of the mobile home, it is essentially of no monetary value.

The Executor contacted HHSA to propose donating the home to a person who lives in the same mobile home park where the home is currently located. This individual is presently living in a recreational vehicle and is willing to assume ownership of the mobile home. Additionally, the mobile home park manager has approved this proposal. The automobile can be repaired and sold or towed and donated to charity. The bank deposit can be used to reimburse Ms. Lurch's daughters for cremation expenses and pay the remainder of the decedent's creditors in order of statutory priority.

HHSA appreciates Ms. Lurch's generosity, while respectfully concurring with the Executor's proposals. The Executor has agreed to handle all bequests at no cost to the County.

A copy of Ms. Joyce Marie Lurch's last will and testament is available upon request from the Board Clerk's office.

ALTERNATIVES

The Board may direct HHSA to accept the bequest.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no financial impact related to this Agenda item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Clerk of the Board to provide HHSA with one (1) certified minute order.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Don Ashton, M.P.A., Director