

**County of Monterey
Board Policy Manual**

Policy Name Board of Supervisors’ Discretionary Fund Policy	Policy Number G-25	Page 1 of 2
Policy Category Government and Administration		

I. Purpose

- a. To provide guidance and processes for expenditures of discretionary funds by the members of the County of Monterey Board of Supervisors.

II. Background

- a. Pursuant to Article XVI, Section 6 of the California Constitution, a public agency is prohibited from making any gift of public funds to any person. Funds may be spent, however, if there is a significant “public purpose” for the expenditure. This policy is designed to ensure public money is spent for a public purpose by requiring review of expenditures by either the County Administrative Officer (“CAO”) and County Counsel or by the full Board of Supervisors depending on the expenditure amount.

- b. As set forth in Government Code section 26227, the Board of Supervisors “may appropriate and expend money from the general fund of the county to establish county programs or to fund other programs deemed by the board of supervisors to be necessary to meet the social needs of the population of the county, including but not limited to, the areas of health, law enforcement, public safety, rehabilitation, welfare, education, and legal services, and the needs of physically, mentally and financially handicapped persons and aged persons.” (Cal. Gov't Code § 26227).

III. Definitions

- a. “Board” means the County of Monterey Board of Supervisors.

- b. “CAO” means the County Administrative Officer.

- c. “Discretionary fund(s)” mean specific funds designated each year for the Board of Supervisors to spend at their choice for public benefit purposes. “Discretionary funds(s)” are not intended to mean money regularly budgeted to offices of the Board of Supervisors to conduct the day-to-day business of the Board, including but not limited to staff salaries, office expenses and supplies, and travel expenses.

IV. Policy and Procedure

- a. This Policy applies to the Board of Supervisors and all County officers and departments. County departments may have policies specific to their departments, not in conflict with this Policy.

- b. Any questions concerning compliance with this Policy should be directed to the Office of the County Counsel.
- c. The policy and procedures are as follows:
 - i. Discretionary fund expenditures of \$5,000 or less will be reviewed and approved, as appropriate, by the CAO, or their designee, and the County Counsel, or their designee, using the form attached as Exhibit A to this policy.
 - ii. Discretionary fund expenditures of greater than \$5,000 will be reviewed and approved, as appropriate, by the Board of Supervisors at a regularly agendized meeting of the Board of Supervisors. For convenience, attached as Exhibit B is a recommended form for use for approvals of expenditures in excess of \$5,000. It is anticipated that expenditures of greater than \$5,000 will be approved through the Board of Supervisors' consent agenda.
 - iii. After the end of the County's fiscal year, a report will be published to the Board summarizing the Board of Supervisors' discretionary fund expenditures.

V. Review Date

- a. This Policy will be reviewed for continuance by September 10, 2029.

VI. Board Action

- a. Legistar File Number: RES 24-167, September 10, 2024.

DISCRETIONARY FUND APPROVAL
(FOR USE OF EXPENDITURES \$5,000 OR LESS)

Name of organization or entity receiving funding: _____

Amount of proposed expenditure: _____

Brief description of what the money will be spent for:

PUBLIC PURPOSE FINDINGS:

In approving this expenditure, the County Administrative Officer and County Counsel or their designees find that the expenditure is for a public purpose and the transaction is not prohibited by Article XVI, Section 6 of the California Constitution. Any benefit to an individual is incidental to the significant public purpose identified in the description above.

Date: _____

By: _____
County Administrative Office

By: _____
Office of the County Counsel

..Title

a. Approve expenditure of \$_____ to fund _____ [*include identity of recipient and summary of public purpose*] from District _____'s discretionary fund.

..Report

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve expenditure of \$_____ to fund _____ [*include identity of recipient and summary of public purpose*] from District _____'s discretionary fund.

SUMMARY/DISCUSSION:

If approved, the money will be spent on: [*include brief description*].

PUBLIC PURPOSE FINDINGS:

In approving this expenditure, the Board of Supervisors finds that the expenditure is for a public purpose and the transaction is not prohibited by Article XVI, Section 6 of the California Constitution. Any benefit to an individual is incidental to the significant public purpose identified in the description above.

FINANCING:

There is no impact to the General Fund.

Supervisor xxxxxxxx

Attachments: