



# GREAT REDWOOD TRAIL AGENCY

**MEETING DATE:** May 15, 2025

**AGENDA ITEM:** 8. Adopt a Resolution Introducing, Reading the Title of, and Waiving Further Reading of an Ordinance Entitled Great Redwood Trail Agency Unclaimed Property Disposition

**FROM:** Elaine Hogan

Adopt a Resolution Introducing, Reading the Title of, and Waiving Further Reading of an Ordinance Entitled Great Redwood Trail Agency Unclaimed Property Disposition

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## **EXECUTIVE SUMMARY:**

This item presents to your Board a resolution introducing, reading the title of, and waiving further reading of an ordinance pursuant to Section 2080.6 entitled "Great Redwood Trail Agency Unclaimed Property Disposition." If adopted, this ordinance would establish that after the statutory three-month period for maintaining possession of lost or unclaimed items, the Executive Director may conduct a virtual or in-person auction of items remaining unclaimed on GRTA property, and dispose of any unsold items at her discretion.

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## **BACKGROUND:**

GRTA manages over 2,000 acres of land comprised of 230+ miles of right-of-way and adjoining parcels. As our Operations & Maintenance Division continues to survey existing conditions on our property and prioritize clean up and dumping prevention efforts, the agency is in need of an ordinance outlining its process for the disposal of abandoned items left on its property, in accordance with state statutes.

Pursuant to Civil Code Section 2080.6, public agencies are authorized to adopt ordinances establishing procedures for the disposition of unclaimed property. This item presents to your Board a resolution introducing, reading the title of, and waiving further reading of an ordinance pursuant to Section 2080.6 entitled "Great Redwood Trail Agency Unclaimed Property Disposition." If adopted, this ordinance would establish that after the statutory three-month period for maintaining possession of lost or unclaimed items, the Executive Director may conduct a virtual or in-person auction of items remaining unclaimed on GRTA property and dispose of any unsold items at her discretion.

If your Board directs any revisions to the draft language, such changes may be incorporated into the attached draft prior to adoption of the resolution. Should your Board vote to adopt the resolution introducing the ordinance, as may be amended during the agenda item, staff will return to the Board at its next regular meeting to recommend adoption. Upon proper noticing of such proposed ordinance, it would become effective 30 days after adoption.

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**RECOMMENDATION:**

Receive introductory first reading of Ordinance 2025-01 Great Redwood Trail Agency Unclaimed Property Disposition.

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**FISCAL IMPACT:**

Nominal. Administrative costs associated with the disposal process outlined in the ordinance are expected to offset any potential revenue generated by the sale of unclaimed property.

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**ATTACHMENTS:**

- A. ORDINANCE 2025-01 UNCLAIMED PROPERTY DISPOSITION
- B. RESOLUTION 2025-08 UNCLAIMED PROPERTY DISPOSITION ORDINANCE

## **ORDINANCE NO. 2025-01**

# **ORDINANCE OF THE BOARD OF DIRECTORS OF THE GREAT REDWOOD TRAIL AGENCY, ESTABLISHING PROCEDURE FOR DISPOSITION OF UNCLAIMED PROPERTY**

### **Sec. 1. Title.**

This ordinance shall be known as the Great Redwood Trail Agency Unclaimed Property Disposition Ordinance.

This ordinance is adopted by the Great Redwood Trail Agency, pursuant to authority granted by California Civil Code ("Civil Code") Section 2080 et seq. Pursuant to Civil Code Section 2080.6, the agency has elected to adopt and follow reasonable agency regulations, in lieu of the default provisions in the Civil Code, for the care, restitution, sale or destruction of unclaimed property in its possession.

### **Sec. 2. Definitions.**

For the purposes of this Ordinance, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

“Agency” means the Great Redwood Trail Agency.

“Personal property” shall include money, goods, chattels, negotiable instruments, written evidence of rights in legal actions, evidences of debts, and other items of intrinsic value which are not considered by law to be real property, but shall exclude animals.

“Unclaimed property” shall mean personal property of others taken into the possession of the Agency, left in its possession or left upon real property owned or operated by the Agency, including intentionally abandoned property, or turned over to it by a person who found or saved such property, except:

(1) Property subject to confiscation under the laws of the State or of the United States;  
and

(2) Vehicles, the storage, sale, or other disposition of which is governed by the provisions of the Vehicle Code of the State; and

(3) Dangerous or deadly weapons, narcotics or dangerous drugs, explosives or property of any kind whatsoever, which is prohibited, restricted or outlawed by state or federal statutes,

“Intentionally abandoned property” shall mean property which has been intentionally abandoned by its owner, based on an objectively reasonable belief supported by facts or evidence that the property has been intentionally abandoned or relinquished, or property the purported owner of which has been notified of Agency’s possession, and of which the purported owner has not taken possession during the holding period as set forth hereinbelow.

### **Sec. 3. Holding Period of Unclaimed Property.**

All unclaimed property in the possession of the agency shall be held and stored by the agency for a period of at least three (3) months from the date of receipt or discovery. Such unclaimed property can be stored at any available locations within the jurisdiction of the agency as may be necessary or convenient as determined by the Executive Director of the agency. Unclaimed property or property otherwise received by the agency that is refuse, solid or liquid waste, presents an immediate threat to public health or safety, or otherwise does not permit of practical, safe and reasonably efficient storage may be disposed of immediately by the agency.

### **Sec. 4. Disposition of Unclaimed Property.**

All unclaimed property which has been in the possession of the agency and not otherwise disposed of for the period of storage set forth herein shall be disposed of by the Executive Director as follows:

a. Public Auction Procedures. All unclaimed property shall be made available for purchase at a public auction to the highest bidder. Such public auction may be conducted in person, or via electronic means such as online virtual meeting platform or online public auction platform, at the discretion of the Executive Director. The terms of such auction, including the time place and manner for payment of sums by a successful bidder, shall be set by the Executive Director, and may include limitations on the placing of bids such that only bids from bidders immediately willing, ready, and able to remove the unclaimed property from agency property immediately upon the completion of the auction shall be deemed responsive bids.

The Executive Director or his or her designee, including any entity contracted to provide auction services shall give notice of the auction sale, at least five (5) days before the time fixed therefor, by publication once in a newspaper of general circulation published in the county in which the property was found. The notice shall state the day and hour when such sale shall commence, the place at which it is to be held, and



WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and  
SO ORDERED.

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Chair, Board of Directors, Great Redwood Trail Agency

ATTEST:

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Clerk of the Board

## Resolution No. 2025-08

Resolution No. 2025-08  
Unclaimed Property  
Disposition Ordinance

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GREAT REDWOOD TRAIL AGENCY** that further reading of the ordinance is waived.

Introduced and adopted this \_\_\_\_ day of \_\_\_\_\_, at a meeting of the Board of Directors of  
Great Redwood Trail Agency by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

So ordered.

ATTEST:

\_\_\_\_\_  
GRTA Executive Director  
Elaine Hogan

\_\_\_\_\_  
GRTA Chair