



# STAFF REPORT

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**MEETING DATE:** February 5, 2024

**MEETING TYPE:** City Council meeting

**SUBMITTED BY:** Steve Perry, Police Chief

**AGENDA CAPTION:** Discuss and consider Resolution R2024-02-1169 OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE THE TERMS AND CONDITIONS OF THE ASSET DISPOSITION SERVICES AGREEMENT BY AND BETWEEN THE CITY OF HUTCHINS AND PROPERTYROOM.COM FOR THE DISPOSAL OF SURPLUS PROPERTY FOR THE HUTCHINS POLICE DEPARTMENT.

Presented by: Steve Perry, Police Chief

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## **Background Information**

Consider and act on Resolution No. R2024- ???? APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF HUTCHINS AND PROPERTY ROOM.COM TO CONDUCT ONLINE AUCTIONS OF FORFEITED SURPLUS PROPERTY FROM THE HUTCHINS POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Presented by: Steve Perry Police Chief

## **Budget Implication**

Funds received from the sale of surplus property would go to the City General Fund.

## **Operational Impact**

The Police department has a surplus of property that cannot be returned to an owner due to the rightful owner is unknown, the property was seized in connection with criminal conduct, or the property is found, and the owner is unknown. The police department currently has property that includes misc., power tools, hand tools, bicycles, music equipment, and articles of jewelry that are declared nonevidentiary surplus property. Many of these items have value and can be sold at auction in accordance with the Texas Code of Criminal Procedure 18.17 Disposition of abandoned or unclaimed property.

If the property has a fair market value of \$500 or more and the owner or the address of the owner is unknown, the person designated by the municipality, the county purchasing agent, or the sheriff, as the case may be, shall cause to be published once in a paper of general circulation in the municipality or county a notice containing a general description of the property held, the name of the owner if known, the name and address of the officer holding such

property, and a statement that if the owner does not claim such property within 90 days from the date of the publication such property will be disposed of and the proceeds, after deducting the reasonable expense of keeping such property and the costs of the disposition, placed in the treasury of the municipality or county disposing of the property. If the property has a fair market value of less than \$500 and the owner or the address of the owner is unknown, the person designated by the municipality, the county purchasing agent, or the sheriff may sell or donate the property. The person designated by the municipality, the purchasing agent, or the sheriff shall deposit the sale proceeds, after deducting the reasonable expense of keeping the property and costs of the sale, in the treasury of the municipality or county selling or donating the property.

(d) The sale under this article of any property that has a fair market value of \$500 or more shall be preceded by a notice published once at least 14 days prior to the date of such sale in a newspaper of general circulation in the municipality or county where the sale is to take place, stating the general description of the property, the names of the owner if known, and the date and place that such sale will occur. This article does not require disposition by sale.

### **Legal Review**

Reviewed and approved by City Attorney Joe Gorfida

### **Staff Recommendation**

Approve the City administration to negotiate the terms of the contract with

Property room.com.

### **Supporting Documentation and Attachments**

Resolution

Agreement with Property room.com