

RESOLUTION NO. 612

**A RESOLUTION OF THE CITY OF LAKE FOREST PARK,
WASHINGTON ESTABLISHING A POLICY RELATING
TO THE DISPOSAL OF SURPLUS OTHER THAN REAL
ESTATE**

WHEREAS, the City Council of the City of Lake Forest Park finds that the establishment of policies to dispose of surplus property other than real estate is an important element of a fixed assets control system; and

WHEREAS, it is important to establish procedures for disposition of property, other than real estate, which is surplus to the needs of the City. It is the intention of this policy that the procedures set forth here are preferred over others; therefore, special procedures called for under other legislation are to be deemed exceptions to this chapter, and their use is to be limited accordingly; and

WHEREAS, City staff have worked with the Municipal Research & Service Center to review standard municipal practices on this subject; and

WHEREAS, the City Administrator has presented them to the City Council for their review and deliberation.

NOW, THEREFORE, the City Council of the City of Lake Forest Park, Washington, does resolve that the "City of Lake Forest Park Disposal of Surplus Property Other Than Real Estate Policy," attached as Exhibit "A" to this resolution is adopted as the official Policies for the Disposal of Surplus Property Other Than Real Estate.

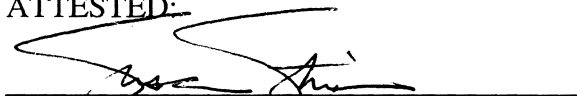
PASSED BY A MAJORITY VOTE of the members of the City of Lake Forest Park City Council this 25th day of January, 2001, and signed into authentication this 30th day of January 30, 2001.

APPROVED:



David R. Hutchinson, Mayor

ATTESTED:



Susan Stine, City Clerk

Posted: January 31, 2001

Exhibit A
**City of Lake Forest Park Disposal of
Surplus Property Other Than Real Estate Policy**

PURPOSE

It is important to establish procedures for disposition of property, other than real estate, which is surplus to the needs of the City. It is the intention of this policy that the procedures set forth here are preferred over others; therefore, special procedures called for under other legislation are to be deemed exceptions to this chapter, and their use is to be limited accordingly.

DEFINITION

Surplus is defined as any tangible material owned by the City which is not needed at present or for foreseeable future job requirements. Items included are those purchased or received as gifts.

RESPONSIBILITY FOR ADMINISTRATION

The City's City Administrator, or such other officer as may from time to time be appointed, is responsible for the administration of this policy. The City Administrator shall coordinate the disposition of surplus property, and shall aid the City Council in determining the best method of disposal.

DETERMINATION OF VALUE

A department wishing to dispose of a single item of surplus property, or a group of items, shall make an estimate of the reasonable market value in "as is, where is" condition. If the department cannot make the estimate, the City Administrator shall determine the reasonable market value.

INITIAL PROCEDURE

A City department responsible for property which it wishes to declare surplus shall provide the City Administrator with a detailed description of the property, its location and condition, and its estimated value. The City Administrator shall then:

- A. Determine if any other department of the City has use for the property. If such a use is found, the City Administrator shall carry out the transfer of ownership and shall ensure that, if necessary, the fund disposing of the property is reimbursed for its reasonable market value,

- B. If the property is not needed by the City, and the estimated value is less than \$500.00 the City Administrator may dispose of the property in one of the approved methods listed herein.

PROCEDURE -- PROPERTY WITH AN ESTIMATED VALUE BETWEEN FIVE HUNDRED AND THREE THOUSAND DOLLARS

The Mayor has authority to direct disposition of surplus property with an estimated value between \$500 and \$3,000. The procedure is as follows:

- A. The Mayor shall examine a report of the City Administrator and shall direct the City Administrator to dispose of the property in one or more specified ways. The Mayor may also impose such reasonable conditions of disposition as shall be in the best interests of the City.
- B. The City Administrator shall then dispose of the property in the manner specified, and shall ensure that the proper fund is credited with any resulting proceeds. Any cost incurred in the sale shall then be paid from the receiving fund. (i.e. auctioneer commission, advertising, etc.)
- C. If the City Administrator cannot dispose of the property in the manner specified, he shall report to the Mayor and make his recommendations for further action.

PROCEDURE -- PROPERTY WITH AN ESTIMATED VALUE OVER THREE THOUSAND DOLLARS

Disposition of surplus property with an estimated value over three thousand dollars must be approved by a majority of the City Council. The procedure is as follows:

- A. The City Council shall consider the report of the City Administrator and shall then give further directions to the City Administrator.
- B. The full Council shall consider the recommendations of its City Administrator, and may then:
 1. Approve the disposition by Resolution;
 2. Approve the disposition with additional special conditions; or
 3. Disapprove the proposed disposition, whereupon it shall give the City Administrator directions for further action.

METHODS OF DISPOSITION

Permissible methods of disposition of surplus property include, but are not limited to:

- A. Public auction;
- B. Solicitation of written bids;
- C. Negotiated sale to one or more designated buyers;
- D. Transfer to another agency of government at or below reasonable market value;
- or
- E. Disposal as trash

POLICY

City employees shall not directly take or dispose of city property other than in their official duties. This includes but is not limited to articles of clothing, supplies, tools and vehicles. Items (including clothing) owned by the city found to be unfit for further service on the job shall be turned in to a designated point within the department. As the number of items turned in are justified, they will be declared surplus and sold as directed by the City Administrator. No city owned item shall be turned over to an individual (employee or other person) for their personal use other than items purchased by employee clothing allotments.

Employees shall not request and will not receive any preferential treatment in the disposal or sale of city surplus material. Likewise, employee shall receive no special prices on the sale of surplus.

Certain City employees are excluded from purchasing items from the City by Washington State law. These include those directly involved in declaring items surplus, elected officials, department heads and those administering the sale. RCW 42.23.030(6)

FOUND ITEMS

Items found by City employees in the course of their duties and not falling into one of the following areas shall be turned in to the department head as a "lost and found" item:

- A. Those that are perishable;
- B. Those that would create a health, sanitary or safety problem if stored;
- C. Those items that would reasonably be considered garbage.

Items found and fitting into one of the above categories may be disposed of as seems reasonable. Other items will be turned in as "lost and found" items.

RCW 63-21-070 specifically disallows employees from personally keeping any property found in the course of employment.