

ORDINANCE NO. 1947

(An ordinance amending Section 2.32.070—Disposition of Surplus Personal Property of the Hood River Municipal Code)

BY CM CODIFIED
Date 6/27

WHEREAS, the Hood River Municipal Code contains provisions addressing City owned personal property, providing for a method to surplus and dispose of personal property;

WHEREAS, currently, the City Manager is responsible for surplussing and disposing of all personal property;

WHEREAS, it would be more efficient and cost effective if Department Heads had limited authority to surplus and dispose of personal property;

WHEREAS, provision for donation of surplus property to qualified tax exempt organizations would allow for recycling of surplus personal property and could provide a benefit to those organizations;

WHEREAS, provision for disposal as waste (including for recycling) may be the most cost effective means of disposing surplus personal property with a value of less than \$500; and

WHEREAS, under certain circumstances, provisions to allow a retiring police officer to purchase the handgun he or she was using upon retirement should be provided for.

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 2.32.070 of the Hood River Municipal Code is amended to read as follows:

2.32.070 Disposition of Surplus Personal Property

A. Department Heads have the authority to determine when personal property owned by the City and used in the Department Head's department is surplus, when the value of the personal property individually or together does not exceed \$500.00. The City Manager has the authority to determine when all other personal property owned by the City is surplus.

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B. Surplus property may be disposed of by using one of the following methods. The method that maximizes the value the city will realize from disposal of the surplus property should be chosen. Factors to consider in determining maximum value to the city include costs of sale, administrative costs, and public benefits to the city. The authorized person declaring and disposing of surplus property shall maintain a record of the property, surplus determination, disposal method selected, and the manner of disposal, including the name of the person to whom the surplus property was transferred.

1. Sold to the highest qualified buyer meeting the sale terms when the value of each item so offered is less than two thousand dollars and the sale has been advertised at least once in a newspaper of general circulation in the Hood River area not less than one week prior to the sale,
2. Traded in on the purchase of replacement equipment or supplies,
3. Sold at public auction advertised at least once in a newspaper of general circulation in the Hood River area not less than one week prior to the auction or, for an auction conducted electronically on the world-wide web, within 3 days of the date the personal property is delivered to the entity conducting the auction. The published notice shall specify the time, place and terms upon which the personal property shall be offered and a general description of the personal property to be sold; for auctions conducted electronically on the world-wide web, the published notice shall include a general description of the personal property to be auctioned and the world wide web address of the auction location,
4. Sold at a fixed price retail sale if doing so will result in substantially greater net revenue to the city,
5. Contracted for use, operation or maintenance by one or more private or public entities. Prior to approval of such a contract, the City Manager shall determine that the contract will promote the economic development of the city.
6. By donation to any organization operating within or providing a service to residents of the city which is recognized by the Internal Revenue Service as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended.
7. Surplus property that has a value of less than \$500, or for which the costs of sale are likely to exceed sale proceeds, may be disposed of by any means determined to be cost-effective, including by recycling and, as the last option, by disposal as waste.

C. All personal property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind,

D. Sales of surplus personal property may be conducted electronically.

E. An item (or individual set) of specialized and personal use, other than police officer's handguns, with a current value of less than \$100 may be sold to the employee or retired or terminated employee for whose use it was purchased. These items may be sold for fair market value without bid and by a process deemed most efficient by the City Manager.

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F. Upon honorable retirement from service with the city, a police officer may purchase the handgun that he or she was using at the time of retirement. The purchase price shall be fair market value of the handgun as determined by an independent appraisal performed by a qualified weapons appraiser. An officer electing to exercise this option shall notify the city at least 30 days prior to the expected retirement date and request an appraisal of the handgun. Upon receipt of the appraisal fee from the officer, the city shall arrange for the appraisal. A copy of the completed appraisal shall be provided to the officer, who will have up to 30 days from the date of retirement to purchase the handgun at the appraised fair market value.

G. City employees are not restricted from competing, as members of the public, for the purchase of publicly sold surplus property, but are not permitted to offer to purchase the property to be sold to the first qualifying bidder until at least three days after notice of the sale is first publicly advertised.

Read for the first time: 5/12/08, 2008.
Read for the second time and passed: 5/27/08, 2008, to become effective thirty (30) days hence.
Signed 5/27/08, 2008.


Linda Streich, Mayor

ATTEST:

Jennifer McKenzie, City Recorder