

## RESOLUTION NO. 330

**A RESOLUTION OF THE CITY OF WOODINVILLE, WASHINGTON, AMENDING RESOLUTION NO. 236; REVISING THE POLICIES AND PROCEDURES RELATING TO THE DISPOSAL OF SURPLUS CITY ASSETS; AND DELEGATING AUTHORITY FOR THE SURPLUS DECLARATION AND DISPOSAL OF ITEMS OF MINIMAL VALUE TO THE CITY MANAGER.**

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**WHEREAS**, the City Council adopted Resolution No. 236, establishing policies and procedures relating to the disposal of surplus City assets on October 7, 2002; and

**WHEREAS**, the City Council desires to delegate to the City Manager the authority to declare certain items of limited value surplus to the City's needs and to dispose of said assets without the necessity of prior Council approval; and

**WHEREAS**, the City Council finds that the majority of surplus items of the City are of little or minimal value; and

**WHEREAS**, the City Council finds that it is more efficient to dispose of such surplus items by administrative action;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

**Section 1. Amendment of Resolution No. 236.** The Disposal of Surplus Assets Policy attached to Resolution No. 236 is hereby amended to provide in its entirety as follows:

### **DISPOSAL OF SURPLUS CITY ASSETS POLICY**

- a. **Determination of Surplus:** Except as otherwise provided by this Policy, assets of the City that are no longer usable, are no longer of value to the City, and/or are surplus to the City's needs may not be removed from City ownership, sold or in any other way disposed of without a declaration by the City Council.

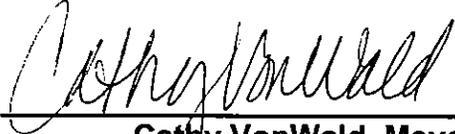
**PROVIDED, that** the City Manager is hereby authorized to declare public assets, valued at \$1,000 or less, as surplus and to dispose of such items

in accordance with the City of Woodinville's policies for the disposal of public assets.

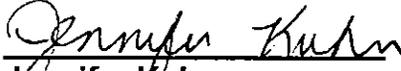
- b. **Reassignment of Assets:** When a City department makes a determination that an asset is surplus to its needs, notification shall be made to the City Manager. Prior to bringing the item to the City Council for a declaration of surplus, the first option will be to reassign the asset within the City where it can be of use or value.
- c. **Minimum Requirements:** If it is not possible to be reassigned, the City Manager shall prepare the asset for a determination by the City Council. Each asset requiring a declaration of surplus must have a value assigned and a recommended method of disposal.
- d. **Methods of Disposal:** Primary methods of disposal may include direct sale sealed bid, trade-in, or auction to the general public, if the asset is considered to have any useful value. In the event that the asset is deemed to have no value, nor repairable properties, that item may be disposed of in any commercially reasonable means available to the City. Other methods of disposal to the general public must be clearly detailed in writing and must have the consent of the City Council.
- e. **Additional Requirements; Assets Over \$50,000; Utility Assets:** If the asset proposed as surplus is evidence released by the Court, seized assets, or unclaimed property, the City Manager shall review the appropriate statutes prior to asking the City Council to declare it surplus. If the value of the asset is estimated to be more than \$50,000, and if the sale or conveyance is to another governmental entity, the provisions of Section 39.33.020 RCW shall apply. This includes several requirements, including a public hearing and certain notice provisions. If the asset was originally purchased for utility purposes, the provisions of Section 35.94.040 shall apply. This includes several requirements, including a resolution and public hearing.
- f. **Final Determination of Value:** When disposal is made to the general public through direct sale, sealed bid or auction, final determination of value shall be the highest responsible bid or offer.
- g. **Prohibited Benefit; Delegation of Authority:** It is recognized that City Council members are prohibited by state law from benefiting from the disposal of public assets of the City. The City Council may elect to delegate the task of declaring items surplus to the City Manager by amending or adding to this policy and identifying the conditions thereof within this policy. If such a delegation is made, the prohibition of benefiting from the disposal of public assets is extended to the City Manager if the City Manager is delegated.

**Section 2. Severability.** If any section, sentence, clause, or phrase of this Resolution or any resolution adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

**RESOLVED this 5<sup>th</sup> Day of February, 2007.**

  
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**Cathy VonWald, Mayor**

**ATTEST/AUTHENTICATED:**

  
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**Jennifer Kuhn**  
**City Clerk/CMC**