

**City Of Woodland  
City Council Meeting Agenda Summary Sheet**

**Agenda Item:**

Adopt Resolution No. 631- declaring items for surplus and authorizing sale of same

**Agenda Item #:** ( C ) Consent

**For Agenda of:** 04/15/2013

**Department:** Clerk-Treasurer

**Date Submitted:** 04/10/2013

**Cost of Item:** N/A

**Amount Budgeted:** N/A

**Unexpended Balance:** N/A

**BARS #:**

**Description:**

**Department Supervisor Approval:** Mari E. Ripp, Clerk-Treasurer / s /

**Committee Recommendation:** Public Safety on 3/18/2103

**Agenda Item Supporting Narrative:**

Resolution No. 631

Exhibit A – which details the items to surplus

**Summary Statement/Department Recommendation:**

There is one (1) vehicle from Fire to declare surplus. The disposal of the vehicle was discussed previously at the Public safety Committee. The Woodland Fire Department Association, a Non-Profit organization, is interested in acquiring the "Big John" Fire Truck. Per RCW they would need to bid on it as they are not a "Governmental Agency". The Administration will coordinate the sale of this vehicle by sealed bid and/or on craigslist or similar process. The proceeds from this will be deposited in the Equipment Acquisition Reserve fund for replacement vehicles. The mileage and condition of the vehicle is listed on the attached "Exhibit A".

City ID#	Type	Asset #	VIN#	Year	Description
F-01	Vehicle	11663	GF685F121316	1971	Mack Fire Truck "Big John"

**RESOLUTION NO. 631**

**A RESOLUTION PROVIDING FOR THE DISPOSAL OF CERTAIN INVENTORY ITEMS DEEMED TO BE SURPLUS TO THE REASONABLY FORESEEABLE NEEDS OF THE CITY OF WOODLAND.**

**WHEREAS**, certain items of equipment belonging to the City of Woodland are obsolete and no longer used by the City; and

**WHEREAS**, the value, obsolescence and condition of these items of inventory make it impractical to trade the same in on future purchases of new inventory items from the list of assets of the City, and to obtain the maximum return for said inventory items, it should be in the best interest of the City to dispose of the same in a manner that will be to the best advantage to the City of Woodland;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Woodland as follows:

1. Based upon the findings and recommendations of the City, the items of inventory belonging to said City as shown in Exhibit "A", attached hereto, are declared to be surplus to the foreseeable needs of the City.
2. That it is deemed to be for the common benefit of the residents of said City to dispose of said inventory.
3. That the Mayor is authorized to dispose of items listed in Exhibit "A", attached hereto, in a manner that will be to the best advantage to the City of Woodland.

PASSED by the City of Woodland, Washington and approved by its Mayor this 15<sup>th</sup> day of April, 2013.

\_\_\_\_\_  
Grover B. Laseke, Mayor

Attest:

\_\_\_\_\_  
Mari E. Ripp, Clerk-Treasurer

Approved as to form:

\_\_\_\_\_  
William Eling City Attorney

## Resolution No. 631 - Exhibit A

City ID#	Type	Asset #	VIN#	Year	Description
F-01	Vehicle	11663	GF685F121316	1971	Mack Fire Truck "Big John"

License # \_\_\_\_\_

Mileage \_\_\_\_\_

Condition \_\_\_\_\_

Minimum bid \$ \_\_\_\_\_

*Disclaimer: The City of Woodland reserves the right to cancel this request or reject any and all bids or waive any minor formalities for the surplus items listed herein if in the judgment of the Mayor or City Council that would best serve the interest of the City of Woodland.*

<http://www.mrsc.org/index.aspx>

## Sale of Surplus City or Town Property

### Introduction

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Cities and towns frequently need to sell or convey equipment or property which is no longer needed for municipal purposes. There are relatively few statutes concerning procedures for sale of surplus property. Cities and towns should be familiar with those listed in the [Statutes](#) section below.

### Statutes

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- Basic authority to purchase and dispose of real estate and personal property:
- 1st class cities - [RCW 35.22.280\(3\)](#)
- 2nd class cities - [RCW 35.23.010](#)
- Code Cities - [RCW 35A.11.010](#)
- Towns - [RCW 35.27.010](#) and [RCW 35.27.370\(2\)](#)
- [RCW 39.33.010](#) - Cities, towns and counties can sell or transfer property to other governmental entities "on such terms and conditions as may be mutually agreed upon." This statute permits transfer for less than value. See AGO 1997 No. 5 for how to harmonize this statute with [RCW 43.09.210](#) which requires that a local government entity receive "full value" when there is an intergovernmental transfer of property.
- [RCW 39.33.020](#) - This statute requires that a public hearing be held if the value of the property being surplussed exceeds \$50,000. MRSC has interpreted this statute as only applying when property is sold or conveyed to another governmental entity. The statute includes timing and notice provisions. [This statute was amended by Chapter 123, Laws of 1995 to raise the dollar limit from \$5,000 to \$50,000.]
- [RCW 35.94.040](#) - this statute requires that a public hearing be held if property (real estate or personal property) originally purchased for utility purposes is no longer needed for that use and the city desires to lease, sell or convey the property. A hearing is required regardless of the value of the property.
- [RCW 42.30.110\(1\)\(c\)](#) - Cities and towns can discuss in executive session the minimum price at which it will sell a particular parcel of real estate if public knowledge regarding such consideration would cause a likelihood of decreased price. This statute enables the council to provide negotiation direction and flexibility to the person delegated to sell real estate.
- [RCW 42.56.260](#) - This statute exempts from public disclosure real estate appraisals obtained by the city prior to completion of a sale of the property.
- [RCW 43.09.210](#) - This statute requires that a local government entity receive "full value" when there is an intergovernmental transfer of property. See AGO 1997 No. 5 which concludes that the concept of "full value" is flexible, depending on the facts.
- [Ch. 35.94 RCW](#) - If a city or town wishes to sell or lease a public utility, or portions of the utility, it can do so by following the procedures in this chapter. Bids are required, and the council must approve the sale by a two-thirds vote, followed by submitting the issue to the voters.

You should keep these points in mind:

- Prior to sale, always determine the fair market value of the item to be sold. If you sell it for less, you may be violating Article VIII, Sec. 7 of the State Constitution, the "gift clause."