



## Legislation Details (With Text)

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**Title:** AN ORDINANCE AMENDING SECTION 41-29 OF THE DULUTH CITY CODE, TO AUTHORIZE ADDITIONAL PROCEDURES FOR DISPOSAL OF SURPLUS PROPERTY.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/22/2018	1	City Council	adopted	
1/8/2018	1	City Council	tabled	
12/11/2017	1	City Council	read for the first time	

AN ORDINANCE AMENDING SECTION 41-29 OF THE DULUTH CITY CODE, TO AUTHORIZE ADDITIONAL PROCEDURES FOR DISPOSAL OF SURPLUS PROPERTY.

### CITY PROPOSAL:

The city of Duluth does ordain:

Section 1: That Section 41-29 of the Duluth City Code is hereby amended to read as follows:

Sec. 41-29. Surplus property disposal procedures ~~stock~~.

All using agencies shall submit to the city purchasing agent, at such times and in such form as ~~he~~ the Purchasing Agent shall prescribe, reports ~~listing showing stocks of any personal property ("surplus property") owned by the city that is all supplies which are no longer used or which have~~ has become obsolete, worn out, damaged or scrapped.

(a.) The purchasing agent shall have the authority to transfer surplus property ~~stock~~ to other using agencies.

(b.) The purchasing agent shall have the authority to sell all surplus property ~~supplies~~ which ~~has~~ become unsuitable for public use or to exchange the same for or trade in the same on new supplies. Sales under this Section shall be made to the highest responsible bidder and in conformance with provisions of this Chapter relating to formal contract procedure or open market procedure, as the case may be.

(c) The purchasing agent shall have the authority to sell, or transfer for nominal or no consideration, surplus property to another public corporation, federal agency, state agency or political subdivision in accordance with Minnesota Statutes §§ 471.85 or 471.64. If the estimated value of the surplus property is \$10,000.00 or greater, the sale or transfer shall be completed only after authorization by resolution of the city council.

(d) The purchasing agent shall have the authority to donate surplus property to a nonprofit organization in accordance with Minnesota Statutes § 471.3459 and based upon the principles contained in the City of Duluth Policy for Donation of Surplus Property to a Nonprofit Organization. The Policy for Donation of Surplus Property to a Nonprofit Organization will be created and maintained by the Purchasing Agent. If the value of the surplus property is \$10,000.00 or greater, the transfer under this subdivision shall be completed only after authorization by resolution of the city council.

(e) Due to the intense and extended one-on-one training involved with a police officer and the

officer's assigned Canine Partner, the Purchasing Agent may transfer for nominal or no consideration, the Canine Partner to the police officer upon the Canine Partner's retirement from service to the Duluth Police Department due to the Canine Partner's inability to continue in service due to age, health or other valid justification.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: The purpose of this ordinance is to authorize the sale or transfer of surplus property in accordance with Minnesota law. In 2016 the Minnesota legislature passed a new law authorizing local governments to donate surplus property within certain parameters. Incorporating these laws into the Duluth city code adds clarity regarding the options available to the city.