



APPROVED
BY THE CITY COUNCIL

1.4

NOV 10 1998

DEPARTMENT OF
FINANCE

PROCUREMENT SERVICES DIVISION

CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY CLERK

5730 - 24TH STREET
BUILDING FOUR
SACRAMENTO, CA
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October 30, 1998

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City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: UPDATE OF AUTHORIZATIONS TO SCREEN AND SELECT STATE AND FEDERAL SURPLUS PROPERTY ON BEHALF OF THE CITY

LOCATION AND COUNCIL DISTRICT: City-wide; All districts

RECOMMENDATION:

Staff recommends that the City Council adopt the attached Resolution which updates the list of City personnel authorized to screen and select State and Federal surplus property on behalf of the City of Sacramento.

CONTACT PERSON: Bob Holbrook, Procurement Services Manager, 433-6202

FOR COUNCIL MEETING: November 10, 1998

SUMMARY:

The State Department of General Services, Procurement Division Office of Surplus Property, requires that the City periodically update the list of City personnel authorized to screen and select State and Federal surplus property items for use by the City. This list must be approved by resolution of the City Council. The authorization allows the designated City personnel to obtain State and Federal surplus property items for use in City operations.

BACKGROUND:

In the course of their normal business operations the State and Federal governments routinely declare various items of property surplus to their needs. After being declared surplus property, many items are made available to local government agencies for their use at prices significantly lower than normal market prices. The types of property vary greatly, ranging from office furnishings, tools, hardware and equipment to surplus military goods. Over the years, the City of Sacramento has obtained many items of State and Federal surplus, resulting in significant cost-savings to the City.

The State Department of General Services, Procurement Division Office of Surplus Property acts as the agent for disposition of both State and Federal surplus property. Periodically they request that participating local government agencies provide updated lists of personnel authorized to screen and select surplus items on behalf

of their agency. Such authorization must be in the form of a resolution of the agency's governing board. This report provides for Council approval of a Resolution which contains an updated list of City personnel representing various City departments that would like to continue to utilize the State and Federal surplus property program.

The Procurement Services Division acts as liaison between the City and the State Department of General Services, Procurement Division Office of Surplus Property, to coordinate surplus property acquisitions. Following Council approval of the attached Resolution, the Procurement Services Manager may subsequently, on a case-by-case basis, authorize additional City personnel beyond those included on the attached list to screen and select State and Federal surplus property items for use in City operations.

FINANCIAL CONSIDERATIONS:

Surplus property items obtained by the City under this program are usually acquired at no or nominal cost. If offered at a cost, items are typically priced well below normal market value, resulting in significant cost savings to the City. Any costs incurred are paid from the approved budgets of the City organization which acquires the surplus items.

ENVIRONMENTAL CONSIDERATIONS:

Ongoing administrative and maintenance activities, such as purchases of supplies, equipment or materials which are not made for purposes of a public works construction project, do not constitute a "project" and are exempt from the California Environmental Quality Act (CEQA). CEQA Guidelines, Sections 15061(b)(1), 15378(b)(3).

POLICY CONSIDERATIONS:

This report is consistent with the City Council's policy of fiscal responsibility and of working cooperatively with other government agencies for the betterment of the City of Sacramento.

MBE/WBE EFFORTS:

Because the subject surplus items are obtained directly from State and Federal government agencies, minority/women business enterprise (M/WBE) goals are not applicable.

Respectfully Submitted,



Robert B. Holbrook
Procurement Services Manager

RECOMMENDATION APPROVED:



W WILLIAM H. EDGAR
City Manager

2 Attachments

APPROVED
BY THE CITY COUNCIL

NOV 10 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-555

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**RESOLUTION AUTHORIZING CITY PERSONNEL
TO SCREEN AND SELECT STATE AND FEDERAL SURPLUS PROPERTY
ON BEHALF OF THE CITY OF SACRAMENTO**

WHEREAS, the City of Sacramento, in concert with its policy of fiscal responsibility and cooperation with other government agencies, desires to periodically obtain surplus property from the State and Federal governments for use in City operations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SACRAMENTO that the City Council does hereby authorize the City Clerk to execute the attached California State Department of General Services Resolution form, which specifies the City personnel authorized to screen and select State and Federal surplus property for use in City of Sacramento operations.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____


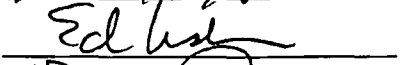


Ca. State Dept. of General Services
 Office of Surplus Property
 1421 No. Market Blvd.
 Sacramento, CA 95834

SP Form No. 202 (2/87)

RESOLUTION

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME (Print or type.)	TITLE	SIGNATURE
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A.	<u>Robert B. Holbrook</u>	<u>Procurement Services Manager</u>	
	<u>Ed Astone</u>	<u>Old Sacramento Town Manager</u>	
	<u>Doug Renz</u>	<u>Marina/Boating Facilities Supv.</u>	
	<u>Gary Anderson</u>	<u>Traffic Control/Lighting Gen. Supv.</u>	

PLEASE SEE CONTINUATION PAGE FOR ADDITIONAL AUTHORIZED REPRESENTATIVES

B. PASSED AND ADOPTED this _____ day of _____, 19____, by the Governing Board of _____
 by the following vote: Ayes: _____; Noes: _____; Absent: _____

I, _____, Clerk of the Governing Board of _____ do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a _____ meeting thereof held at its regular place of meeting at the date and by the vote above stated, which resolution is on file in the office of the Board.

 Name of organization

 Mailing address

 City County Zip Code

(Signed) _____

OR

C. AUTHORIZED this _____ day of _____, 19____, by:

 Name of chief administrative officer

 Name of organization

 Mailing address

 City County Zip Code

Title _____

(Signed) _____

NOTE: IF YOU HAVE A GOVERNING BOARD, SECTIONS "A" AND "B" SHOULD BE COMPLETED.
 IF YOU DO NOT HAVE A GOVERNING BOARD, SECTIONS "A" AND "C" SHOULD BE COMPLETED.

TERMS AND CONDITIONS

(A) THE DONEE CERTIFIES THAT:

(1) It is a public agency; or a nonprofit institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1954; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services.

(2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for such purpose, or for programs for older individuals. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the state, except with prior approval of the state agency.

(3) Funds are available to pay all costs and charges incident to donation.

(4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964, Title VI, Section 606, of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975.

(B) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purpose(s) for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the donee shall immediately notify the state agency and, at the donee's expense, return such property to the state agency, or otherwise make the property available for transfer or other disposal by the state agency, provided the property is still usable as determined by the state agency.

(2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.

(3) In the event the property is not so used or handled as required by (B)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

(1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).

(2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.

(3) In the event the property is not so used as required by (C)(1) and (2) and federal restrictions (B)(1) and (2) have expired then title and right to the possession of such property shall at the option of the state agency revert to the State of California and the donee shall release such property to such person as the state agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

(1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property or remove it permanently, for use outside the state, without the prior approval of GSA under (B) or the state agency under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance, or other disposal of the property, when such action is authorized by GSA or by the state agency, shall be remitted promptly by the donee to GSA or the state agency, as the case may be.

(2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the state agency, the donee, at the option of GSA or the state agency, shall pay to GSA or the state agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the state agency.

(3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the state agency, and shall, as directed by the state agency, return the property to the state agency, release the property to another donee or another state agency or a department or agency of the United States, sell, or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the donee to the state agency.

(4) The donee shall make reports to the state agency on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the state agency.

(5) At the option of the state agency, the donee may abrogate the conditions set forth in (C) and the terms, reservations, and restrictions pertinent thereto in (D) by payment of an amount as determined by the state agency.

(E) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.

(2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations, or restrictions occurs, the state agency will be entitled to reimbursement from the donee out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms, conditions, reservations, and restrictions set forth in the Conditional Transfer, Document executed by the authorized donee representative.

RESOLUTION (Continuation Page)

"BE IT RESOLVED by the Governing Board, OR by the Chief Administrative Officer of those organizations which do not have a governing board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire federal surplus property from the California State Agency for Surplus Property under the Terms and Conditions listed on the reverse side of this form."

NAME (Print or type.)	TITLE	SIGNATURE
A. <u>Forrest Adams</u>	<u>Fire Division Chief</u>	<u>[Signature]</u>
<u>Ron Agrimonte</u>	<u>Sr. Fire Service Worker</u>	<u>[Signature]</u>
<u>Ed Bassett</u>	<u>Fire Captain</u>	<u>[Signature]</u>
<u>Marc Bentovoja</u>	<u>Fire Captain</u>	<u>[Signature]</u>
<u>Jay Bowdler</u>	<u>Fire Captain</u>	<u>[Signature]</u>
<u>Roderick Chong</u>	<u>Fire Division Chief</u>	<u>[Signature]</u>
<u>Dennis Smith</u>	<u>Fire Deputy Chief</u>	<u>[Signature]</u>
<u>Jacky Joe Smith</u>	<u>Fire Service Worker</u>	<u>[Signature]</u>
<u>Kelly Montgomery</u>	<u>NPDS Area Director</u>	<u>[Signature]</u>
<u>Nancy Killian</u>	<u>NPDS Admin. Services Officer</u>	<u>[Signature]</u>
<u>Murray Levison</u>	<u>NPDS Administrative Analyst II</u>	<u>[Signature]</u>
<u>Lori Harder</u>	<u>NPDS Administrative Analyst II</u>	<u>[Signature]</u>
<u>Ashley Kozuma</u>	<u>Police Property Mgmt Administrator</u>	<u>[Signature]</u>
<u>Christopher Hadley</u>	<u>Police Property Management Supv.</u>	<u>[Signature]</u>
<u>James G. Sequeira</u>	<u>Director of Utilities</u>	<u>[Signature]</u>
<u>David Grant</u>	<u>Utilities Dept. Machinist Supervisor</u>	<u>[Signature]</u>
<u>Kenneth Guerard</u>	<u>Utilities Dept. Storekeeper</u>	<u>[Signature]</u>
<u>Robert Lobdill</u>	<u>Utilities Dept. Machinist Supervisor</u>	<u>[Signature]</u>