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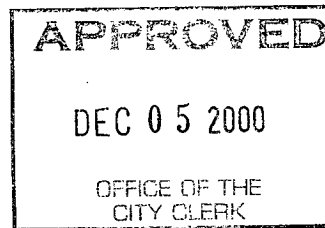
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November 30, 2000

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Donation of Surplus Property



LOCATION AND COUNCIL DISTRICT: All Districts

RECOMMENDATION: Adopt resolution authorizing donation of City surplus property, one (1) 1987 Ford Tempo, to the Salvation Army pursuant to Chapter 3.80 of Title 3 of the City Code.

CONTACT PERSON: Sergeant Timothy Hunter, Police Department, 264-7500
Sandra G. Talbott, Supervising Deputy City Attorney, 264-5346

FOR COUNCIL MEETING OF: December 5, 2000

SUMMARY: The Sacramento Police Department conducted a sting operation wherein the above-referenced vehicle was confiscated. The registered owner had sold the vehicle to the arrested party, however, transfer of title was never conferred to the arrestee. Pursuant to Sacramento City Code Section 8.14.040, notice was given to all interested parties. The registered owner signed over title of the vehicle to the City and title was thereafter transferred to the City on the official records of the Department of Motor Vehicles.

BACKGROUND: On October 3, 2000, the City of Sacramento received title of a 1987 Ford Tempo which was confiscated during a sting operation held on August 18, 2000. On November 1, 2000, title of the vehicle was transferred in the name of the City of Sacramento. Chapter 8.14 of the City Code authorizes the City to sell vehicles seized during enforcement of the "beat feet" ordinance, with any proceeds distributed pursuant

City Council
Donation of Surplus Property
December 5, 2000 Council Meeting

to a specified procedure. An alternative method for disposition of the vehicle is set forth in Chapter 3.80, which allows for donation of surplus City property to non-profit organizations upon resolution of the City Council. Section 3.80.030 provides:

F. Donation. By resolution of the city council, surplus property may be donated to any other public agency or charitable organization exempt under Section 501(c) (3) of the Internal Revenue Code.

Due to the age and condition of the vehicle, it is unlikely the vehicle could be sold without cosmetic reconditioning and repair. Rather than undertaking these expenses and attempting to sell the vehicle, the Sacramento Police Department and the City Attorney's Office desires to dispose of the seized 1987 Ford Tempo by donation to a non-profit organization pursuant to Chapter 3.80. The Sacramento Police Department and the City Attorney's Office have advised the City's purchasing department that the vehicle is surplus and requested its disposition by donation pursuant to Chapter 3.80.

FINANCIAL CONSIDERATIONS: This report does not have a financial impact on the City's budget. The non-profit organization will handle transport of the vehicle off site and, thereafter, transferring of title of the vehicle and any necessary repairs.

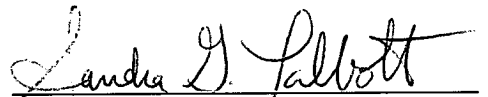
ENVIRONMENTAL CONSIDERATIONS: The subject of this report does not involve a project that requires compliance with the California Environmental Quality Act (CEQA), inasmuch as it does not involve an activity which may cause a direct or indirect change in the environment (Public Resources Code Section 21065).

POLICY CONSIDERATIONS: This report is consistent with Council policy of aiding the poor, impoverished, destitute, underprivileged, needy, sick, refugee or handicapped.

MBE/WBE: Since no goods or services are being purchased, this report does not impact the City's MBE/WBE policies.

Respectfully submitted,


CAPTAIN RICHARD BRAZIEL
Special Investigations Division


SANDRA G. TALBOTT
Supervising Deputy City Attorney

RECOMMENDATION APPROVED:


ROBERT P. THOMAS
CITY MANAGER



RESOLUTION NO. 2000-702

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF DECEMBER 5, 2000

RESOLUTION AUTHORIZING THE DONATION OF SURPLUS PROPERTY TO THE SALVATION ARMY PURSUANT TO CHAPTER 3.80 OF TITLE 3 OF THE CITY CODE

WHEREAS, the City seized a 1987 Ford Tempo pursuant to Chapter 8.14 ("Beat Feet Ordinance") of the City Code;

WHEREAS, the City is now the owner of the 1987 Ford Tempo, pursuant to the provisions and procedures of Chapter 8.14;

WHEREAS, due to the age and condition of the vehicle, the vehicle be declared surplus and said vehicle has in fact been declared surplus by the City Attorney; and City Staff recommends the vehicle be donated to a non-profit organization pursuant to Chapter 3.80 of the City Code, rather than attempting to sell the vehicle as authorized by Chapter 8.14;

WHEREAS, pursuant to Chapter 3.80, Section 3.80.030, by resolution of the City Council, surplus property may be donated to any other public agency or charitable organization exempt under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, various non-profit organizations are in need of old vehicles, in operable or inoperable condition.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Sacramento that pursuant to Chapter 3.80 of the City Code, the 1987 Ford Tempo referenced above shall be donated to the Salvation Army, and City Staff shall take all steps necessary to accomplish this in a timely and expeditious manner.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____
DATE ADOPTED: _____