

NORTHGLENN POLICE DEPARTMENT

COUNCIL MEMORANDUM #10-03

TO: Honorable Mayor Joyce Downing and City Council

THRU: William Simmons, City Manager *WAS*

FROM: Russell L. Van Houten, Chief of Police *RVH*

DATE: March 11, 2010

**SUBJECT: CB 1708, Amending 6-12-6 of the Northglenn Municipal Code
Regarding the Disposition of Abandoned Personal Property**

RECOMMENDATION:

Attached to this memorandum is a proposed amendment to 6-12-6 of the Northglenn Municipal Code dealing with the disposition of surplus City Property. The amendment, if approved, would clean up out dated language as well as allow the City Manager to, at his discretion, dispose of abandoned personnel property utilizing other than a traditional public auction.

BACKGROUND:

This amendment is specifically requested to allow the Police Department to utilize on-line auction methodology to dispose of abandoned property in the police property room. The current language of the Municipal Code has no provision for more modern processes.

BUDGET IMPLICATIONS:

Current on-line technology allows buyers from around the world to bid on items in police department property rooms nation-wide through a number of vendors (e.g., Property Room.Com). The vendor essentially acts as the City's agent in finding buyers, accepting or rejecting bids and arranging for transfer of the purchased items to the successful bidder. The property remains in the City's custody until a transaction is complete including payment. For the most part, the items being disposed of out of the police property room are of a low value. Generally, the cost of a physical public auction of the items in the police property room, as is currently required by ordinance, may be more than the funds the auction generates.

The proposed amendment retains the public auction option but allows other methods of disposal. It also changes some restrictive wording regarding accounting for the proceeds of such disposal to by allowing the City Manager to determine, "...how best to account for the proceeds."

STAFF REFERENCE:

If Council members have any comments or questions they may contact Chief Van Houten at 303-450-8864 or by e-mail at rvanhouten@northglenn.org.

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1708
Series of 2010

Series of 2010

A BILL FOR AN ORDINANCE AMENDING SECTION 6-12-6 OF THE NORTHGLENN MUNICIPAL CODE REGARDING THE DISPOSITION OF PERSONAL PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 6-12-6 of the Northglenn Municipal Code is amended to read as follows:

Section 6-12-6. Disposal. The Chief of Police shall from time to time, at least once a year, submit to the City MANAGER ~~administrator~~ a list of abandoned personal property that has not been claimed by the owner or finder which is subject to disposition as provided by the Northglenn Purchasing Ordinance. The City MANAGER ~~administrator~~ may from time to time cause abandoned personal property subject to disposition at his direction to be DISPOSED OF AS FOLLOWS ~~destroyed or to be sold at public auction;~~:

(a) PUBLIC AUCTION. THE CITY MANAGER OR THE CITY MANAGER'S AUTHORIZED REPRESENTATIVE MAY CONDUCT A PUBLIC AUCTION. IF A PUBLIC AUCTION IS CONDUCTED, ~~A~~at least fifteen (15) days prior NOTICE SHALL BE POSTED IN AT LEAST THREE (3) PUBLIC PLACES IN THE CITY OF NORTHGLENN, WHICH NOTICE SHALL INCLUDE ~~to any such public auction,~~ a list of the property to be sold ~~there at shall be posted in at least three public places in the City of Northglenn,~~ together with notice of the date, time and place of the auction. ~~Such auction shall be conducted by the City administrator or his authorized representative. who shall receive and account for all receipts of the auction, which receipts shall be deposited in the treasury of the City of Northglenn.~~

(b) OTHER METHODS OF DISPOSITION. ~~In his discretion,~~ The City MANAGER MAY ALSO DETERMINE TO USE OTHER METHODS OF DISPOSITION, INCLUDING AN ONLINE AUCTION, DONATIONS TO APPROPRIATE ORGANIZATIONS, OR OTHER METHODS OF DISPOSITION, AND DETERMINE HOW BEST TO ACCOUNT FOR THE PROCEEDS OF SUCH OTHER METHODS OF DISPOSITION.

(c) VESTING TITLE TO THE CITY. THE CITY MANAGER MAY ALSO ~~administrator may~~ elect not to sell such abandoned personal property and to vest title to the same in the City of Northglenn, adding it to the City's inventory of personal property.

(d) REGARDLESS OF THE MECHANISM USED BY THE CITY MANAGER TO DISPOSE OF SUCH ABANDONED PERSONAL PROPERTY, THE CITY MANAGER SHALL ACCOUNT FOR ANY PROCEEDS RECEIVED BY THE CITY.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2010.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney