

**RESOLUTION OF THE CHARLOTTE CITY COUNCIL
PRESCRIBING PROCEDURES
FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY
VALUED AT LESS THAN \$30,000.00**

Whereas the City of Charlotte, from time to time has personal property which is no longer needed or required;

Whereas North Carolina General Statute 160A-266 authorizes City Council to adopt procedures for the disposal or exchange of personal property valued at less than \$30,000 for any one item or group of items; and

Whereas North Carolina General Statute 160A-270 provides that City Council may conduct electronic auctions of the City's personal property by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services; and

Whereas City Council desires to adopt procedures for the disposal and exchange of surplus personal property valued at less than \$30,000 for any one item or group of items, including but not limited to disposal and exchange by electronic means;

NOW THEREFORE BE IT RESOLVED:

Section 1. Property That Can be Disposed of Under this Resolution. The City Manager is hereby authorized to declare surplus and dispose of any personal property owned by the City of Charlotte when, in the City Manager's judgment, each of the following three criteria are met:

- a) the item or group of items to be disposed of has a fair market value of less than thirty thousand dollars (\$30,000.00);
- b) the property is no longer necessary for the conduct of City business; and,
- c) sound property management principles and financial considerations indicate that the interests of the City of Charlotte would be best served by disposing of the property.

Personal property that, in the judgment of the City Manager, meets these three criteria is referred to in this Resolution as "Surplus Property."

Section 2. Methods of Disposition. The City Manager may dispose of Surplus Property by any means which the City Manager judges reasonably calculated to secure for the City the fair market value in money or other consideration and to accomplish the disposal efficiently and economically, including but not limited to the methods of sale provided in Article 12 of North Carolina General Statutes, Chapter 160A-266 and 160A-270. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. **Sale by Electronic Auction.** As one of several means of disposing of Surplus Property, the City Manager is specifically authorized to dispose of Surplus Property by electronic means. The City Manager is authorized to establish procedures for disposing of Surplus Property by electronic means, and is further authorized to use existing public or private electronic auction services to dispose of Surplus Property. Notwithstanding the requirements of North Carolina General Statute 160A-270, the City shall not be required to provide advance notice of electronic auctions of such Surplus Property.

Section 4. **Terms of Disposition.** The Surplus Property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the City of Charlotte if greater value may be obtained in that manner, and the City Manager is hereby authorized to execute and deliver any applicable title documents necessary or appropriate to consummate such sale. If no offers are received within a reasonable time, the City Manager may retain the property for the City, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No Surplus Property may be donated except by resolution of the City Council.

Section 5. **Records and Reports.** The City's Asset Recovery and Disposal Manager shall keep a record of all property sold under the authority of this Resolution and that record shall describe the property sold or exchanged, to whom it was sold, or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange. This record shall be reported to City Council on a semiannual basis. One report will be due each February 1, summarizing sales from the preceding July 1 through December 31, and the other report will be due each August 1, summarizing sales from the preceding January 1 through June 30.

Section 6: **Delegation.** The City Manager is authorized to delegate any or all of the authority granted or responsibilities assigned under this Resolution to other City employees.

Section 7. This Resolution is adopted pursuant to the provisions of North Carolina General Statutes 160A-266 and 160A-270.

Section 8. This Resolution shall become effective upon adoption.

Adopted this _____ day of _____ 2018.

Vi Alexander Lyles, Mayor

ATTEST:

Stephanie Kelly, City Clerk