

**CITY OF RIVIERA BEACH CITY COUNCIL
AGENDA ITEM SUMMARY**

MEETING DATE: JUNE 20, 2012

AGENDA ITEM SUMMARY NO. N12-062-1

- AWARDS / PRESENTATIONS / PETITIONS
- CONSENT
- PUBLIC HEARING
- ORDINANCE ON SECOND READING
- ORDINANCE ON FIRST HEARING

- REGULAR
- RESOLUTION
- DISCUSSION & DELIBERATION
- BOARD APPOINTMENT
- WORKSHOP

TITLE/SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A POLICY WHICH OUTLINES THE PROCEDURE FOR SALE, EXCHANGE, OR DONATION OF CITY OWNED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECOMMENDATION / MOTION: Staff recommends a motion to approve the resolution.

• City Attorney <i>PHR 6/7/12</i>	Library - N/A
• City Clerk <i>CA 6/11/12</i>	Marina - N/A
• Community Development <i>MMK 5-30-12</i>	Police - N/A
• Finance <i>K/A 6/8/12</i>	Public Works - N/A
Fire - N/A	Purchasing - N/A
Human Resources	Recreation & Parks - N/A
• Deputy City Manager <i>[Signature]</i>	Utility District - N/A

APPROVED BY CITY MANAGER: *[Signature]*

DATE: 6-13-12

Originating Dept. CITY MANAGER <i>[Signature]</i>	Costs: <u>None to City</u>	City Council Actions: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> Tabled to _____ <input type="checkbox"/> Referred to Staff _____
User Dept. THE CITY	Current FY: _____ Funding Source: <input type="checkbox"/> Capital Improvement <input type="checkbox"/> Operating <input type="checkbox"/> Other: _____	Attachments: 1. FIA 2. Resolution 3. Sale, Exchange, or Donation of City owned property policy
Advertised: No Date: Paper: <input checked="" type="checkbox"/> Not Required	Budget Account Number: _____	
Affected Parties <input type="checkbox"/> Notified <input checked="" type="checkbox"/> Not Required		

SUMMARY: The City is in need of a policy for the sale, exchange, or donation of surplus City owned property. Staff has prepared a policy for this purpose (attached). The policy outlines the procedure for the sale, exchange, or donation of City owned property, including the method for determining the value of the property and the City Council's role in authorizing the sale, exchange, or donation of the property.

RECOMMENDATION/MOTION: Staff recommends a motion to approve the resolution.

Item No. 16

EXHIBIT A-1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact: Sale, Exchange, or Donation of City owned property Policy.

Fiscal Years	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Capital Expenditures	0				
Operating Costs					
External Revenues					
Program Income (City)					
In-Kind Match (City)					
NET FISCAL IMPACT	0				

NO. ADDITIONAL FTE POSITIONS (Cumulative)

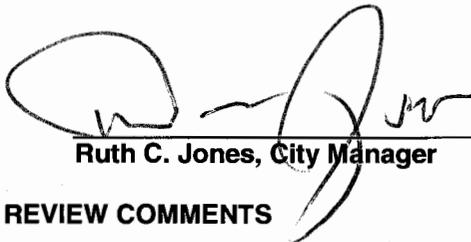
Is Item Included in Current Budget? Yes No X

Budget Account No.: Fund Dept/Div. Org. Object

Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 - None.

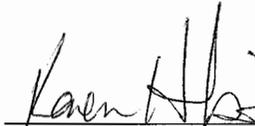
C. Departmental Fiscal Review:



Ruth C. Jones, City Manager

III. REVIEW COMMENTS

A. Finance Department and/or Purchasing/Intergovernmental Relations/Grants Comments:



 Finance Department

 Purchasing and Grants

B. Other Department Review:

 City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A POLICY WHICH OUTLINES THE PROCEDURE FOR SALE, EXCHANGE, OR DONATION OF CITY OWNED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently the City does not have a policy adopted by City Council for the sale, exchange and donation of City owned property; and

WHEREAS, staff has drafted a policy for the sale, exchange, or donation of City owned property; and

WHEREAS, this policy will provide the framework for an equitable process for the sale, exchange, or donation of City owned property; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The sale, exchange, or donation of City owned property policy (Exhibit A) is approved and adopted for City use.

SECTION 2. This Resolution shall take effect immediately upon approval by City Council.

PASSED and APPROVED this _____ day of _____, 2012.

RESOLUTION NO. _____
PAGE 2

APPROVED:

THOMAS A. MASTERS
MAYOR

BILLIE E. BROOKS
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN S. PARDO
CHAIR PRO TEM

CEDRICK A. THOMAS
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. BROOKS _____

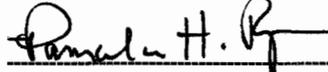
D. PARDO _____

C. THOMAS _____

J. DAVIS _____

S. LOWE _____

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 6/7/12

Exhibit A

	POLICY AND/OR PROCEDURE	NUMBER ADMIN:
	SUBJECT: PROCEDURE FOR SALE, EXCHANGE, OR DONATION OF CITY OWNED PROPERTY.	EFFECTIVE: REVIEW DATE: PAGE 1 OF 2
PURCHASING DEPARTMENT APPROVED: <hr/> DATE:	CITY MANAGER APPROVED: <hr/> DATE:	DISTRIBUTION: ALL DEPARTMENT HEADS

PURPOSE OF THE POLICY

The purpose of this policy is to establish a procedure for the sale, exchange, or donation of City owned property.

PROCEDURE

Prior to the commencement of formal negotiations for the sale, exchange, or donation of City property, the request to negotiate regarding the subject property shall first be presented to the City Manager by the requesting party and the City Manager shall:

1. Determine that the City property is not needed for City purposes and is eligible to be declared as surplus property; and
2. Evaluate a selling price for the property using the following procedure:
 - a) Review public records for market value. If the Palm Beach County Property Appraiser's market value is under \$50,000.00, then no formal appraisal is needed. The property can be sold for not less than 85 percent of the Palm Beach County Property Appraiser's market value.
 - b) If the property's Palm Beach County Property Appraiser's market value is over \$50,000.00, then two (2) formal appraisals by the City will be necessary. Thereafter, the value of the property should be based upon the average price between the two appraisals obtained by the City and the sale price shall be not less than 85 percent of the average of the two appraisals.
3. Present to the City Council, a recommendation for the method of disposition which may include one of the following:
 - a) Authorizing formal negotiations or a final sale amount with the interested party, if there is one;
 - b) Issuing a competitive request for proposals from interested parties;
 - c) Authorizing disposition by auction and establishing the minimum acceptable bid and other parameters to allow disposal at auction;

**POLICY AND/OR PROCEDURE****NUMBER ADMIN:****SUBJECT: PROCEDURE FOR
SALE, EXCHANGE, OR
DONATION OF CITY OWNED
PROPERTY.****EFFECTIVE:****REVIEW DATE:****PAGE 2 OF 2**

- d) Requests to donate City owned property will only be accepted from the Community Redevelopment Agency (CRA) for the purpose of implementing the Community Redevelopment Plan.
 - e) The City will not donate City owned property to any other entity or person.
 - f) Submitting to the electors, in a referendum the question, as to whether or not the property should be sold.
4. The City Council will authorize the Finance Director to deposit the proceeds from the disposal of any City property to the appropriate account.