



Legislation Details (With Text)

File #:	Ord 2121	Version:	1	Name:	Property Surplus Ordinance Amendment
Type:	Ordinance	Status:	Passed		
File created:	1/9/2017	In control:	City Council		
On agenda:	5/1/2017	Final action:	5/1/2017		
Title:	AN ORDINANCE AMENDING SECTION 2-4202 OF THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING SURPLUS, CONTRABAND, AND UNCLAIMED PROPERTY				

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance Final

Date	Ver.	Action By	Action	Result
5/1/2017	1	City Council	approved on second & final reading	
4/3/2017	1	City Council	introduced by council as seated and approved on first reading	Pass

AN ORDINANCE AMENDING SECTION 2-4202 OF THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING SURPLUS, CONTRABAND, AND UNCLAIMED PROPERTY

Summary and Background Information : Section 2-4202(c) currently requires the City to retain tangible or intangible property, other than motor vehicles, lawfully in the City's possession for **sixty (60) days** after notice is provided, thus resulting in a substantial administrative cost and burden to the City; in terms of employee time, storage facilities, and associated costs.

Section 2-4202(a) currently permits the disposition of surplus personal property by public sale or by private sale to non-profit organizations, thus restricting the ability of the City to **receive "trade-in" value** for such property when it is replaced;

THE REQUESTED CHANGE -

WHEREAS, the City Council of the City of Commerce City believes that it is in the best interest of the public to amend Section 2-4202 to **permit the private exchange of the City's surplus personal property in a transaction to replace that property and to reduce the retention period for unclaimed property to **thirty (30) days.****

The following are the reasons for the change from 60 days to 30 days:

- Lack of sufficient storage space in existing property & evidence facility
- Administration cost and burden to the city in terms of employee time
- Low percentage of items successfully returned to owners

The following are benefits for the change from 60 days to 30 days:

- Preserve some much needed space for evidentiary property that is critical to successful prosecution of new and existing cases, or needs to be retained until statute of limitations expires and appropriate disposition is obtained

- Minimize the need and costs to acquire additional secured outside storage space until the new evidence facility can be built
- There is no financial impact to the City to implement these changes. Our stock for owner notification postcards is low and if proposal is approved we will make the necessary changes on the next print order
- There is no monetary risk to the organization for any claims from citizens that we have not held onto their personal property for the appropriate time stipulated in the Municipal Code. Our notification process is sound, and documented sufficiently to protect the organization from any risk or liability claims. No prior claims have been paid out in preceding years

The following are the reasons and benefits for the change to allow the City to receive “trade-in” value for surplus property:

- Permitting the private exchange of the City’s surplus personal property in a transaction to replace that property would allow the City some flexibility and control of any financial benefit this option would provide in the future

Staff Responsible (Department Head): Interim Chief Clint Nichols

Staff Member Presenting : Interim Deputy Chief Dennis Moon

Financial Impact : None

Staff Recommendation : Approval

Suggested Motion : I move to approve Ordinance 2121