



## Legislation Details (With Text)

**File #:** 20-068      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 1/27/2020      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority  
**On agenda:** 3/16/2020      **Final action:** 3/16/2020  
**Title:** SUBJECT: Authorization to Donate a Surplus 1990 Ottawa Fire Engine to the Kids Discovery Station, a Local Non-Profit Organization

### REPORT IN BRIEF

Considers providing authorization to donate a surplus 1990 Ottawa Fire Engine previously used by the Fire Department to the local non-profit organization, Kids Discovery Station.

### RECOMMENDATION

City Council - Adopt a motion authorizing the donation of a 1990 Ottawa Fire Engine to the Kids Discovery Station and authorizing the City Manager or the Assistant City manager to execute all necessary documents.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Pink Slip for 1990 Fire Engine, 2. Fair Market Value Estimate of Fire Engine.pdf, 3. Non-Profit Verification of Kids Discovery Station, 4. Release Indemnity Agreement

Date	Ver.	Action By	Action	Result
3/16/2020	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Casey Wilson, Deputy Chief, Fire Department*

**SUBJECT:** Authorization to Donate a Surplus 1990 Ottawa Fire Engine to the Kids Discovery Station, a Local Non-Profit Organization

### REPORT IN BRIEF

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### ALTERNATIVES

1. Approve as recommended by staff; or
2. Approve, subject to modifications as conditioned by Council; or,
3. Deny this request; or

4. Refer back to staff for reconsideration of specific items (specific items to be addressed in City Council motion); or,
5. Continue to a future City Council meeting (date and time to be specified in motion).

## **AUTHORITY**

City of Merced Charter, Article II. - Powers of City. Section 200. - Powers  
Merced Municipal Code Section 3.04.370-Surplus Materials, Supplies and Equipment

## **CITY COUNCIL PRIORITIES**

Aligns with City Council priority of supporting youth programs and community outreach.

## **DISCUSSION**

### Background

*Merced Municipal Code 3.04.370 - Surplus materials, supplies and equipment.*

- A. All departments shall submit to the purchasing supervisor, at such times and in such forms as he prescribes, reports showing all materials, supplies and equipment which are no longer used or which have become obsolete, worn out, scrapped, unnecessary or unsuitable for public use. The purchasing supervisor shall have authority to transfer among departments or to sell such materials, supplies or equipment, or to trade in or exchange obsolete, worn out, scrapped, unnecessary or unusable materials, supplies, and equipment for new materials, supplies and equipment.*
- B. Except as otherwise provided in this chapter, all sales of materials, supplies, equipment and other personal property which have become obsolete, worn out, scrapped, unnecessary or unsuitable for public use, of an estimated value of five thousand dollars (\$5,000.00) or less, may be made by the purchasing supervisor in the open market.*

In other words, Municipal Code 3.04.370.B. provides that surplus equipment with a value of \$5,000 or less shall be sold on the open market and it does not contain language for donating surplus city property to a public or governmental body or agency, volunteer fire department, or a non-profit corporation.

The fire department possesses a 1990 fire engine (Attachment 1) which has been categorized as surplus due to its age, mileage, mission, and overall mechanical condition. Efforts to sell the truck on the open market have been futile with no offers for purchase.

The fair market value of the 1990 Fire Engine is estimated at \$1506.89, based upon a previous sale of a similar fire engine, which was successfully sold on the open market in March, 2019 (Attachment 2).

The Kids Discovery Station (KDS), is a tax exempt 501 (c) (3) organization (Attachment 3), who is in the midst of creating the first ever children's museum in Merced County, which is scheduled to open in the spring. KDS' mission is to provide a safe environment for Merced children of all abilities and their families to engage in joyful play and discovery. They aim to create a place where families are brought together to play and to learn, where their curiosity and imaginations are ignited and where kids and adults alike can explore the world in all its diversity. The museum is located at 350 W.

Yosemite Ave.

Therefore, Council is being requested to consider exercising its authority under the Merced Municipal Charter, Article II. - Power of City., Sec. 200 - Powers and allow the donation of the surplus fire engine to the KDS.

Historically, the City Council has previously provided authority for the city to donate a surplus fire engine to the Madera Sunrise Rotary and a surplus trailer to the Merced County Food Bank, both being non-profit organizations.

Staff believes that donating the engine to the KDS will provide substantial educational and entertainment opportunities benefiting the City of Merced's youth, which clearly outweighs the value of the surplus fire engine. In return, KDS will execute an indemnity agreement (Attachment 4).

### **IMPACT ON CITY RESOURCES**

No appropriation of funds is needed.

### **ATTACHMENTS**

1. Pink Slip for 1990 Fire Engine
2. Fair Market Value Estimate of Fire Engine
3. Non-Profit Verification of Kids Discovery Station
4. Release Indemnity Agreement