

RESOLUTION 8830

A RESOLUTION OF THE MISSOULA CITY COUNCIL FOR THE PURPOSE OF COMPLYING WITH MONTANA CODE ANNOTATED SECTION 7-8-4201 REGARDING THE DISPOSAL OF OBSOLETE CITY PROPERTY OF INSIGNIFICANT VALUE.

WHEREAS Montana Code Annotated § 7-8-4201 requires an ordinance or resolution passed by a two-thirds vote of all members of a city's council to govern the sale, disposal, or donation of any property belonging to the city; and

WHEREAS City departments and divisions possess City-owned personal property, such as computer equipment, office furniture, and mechanical tools that become obsolete through technological advances, fall into disrepair, become more of a burden than a benefit due to increased required maintenance as they age; or otherwise depreciate in value to the point of having little practical resale value; and

WHEREAS "e-waste" (including, but not limited to, laptop and desktop computers, printers and scanners, monitors, servers, and network equipment) can present a special category of property when obsolete because e-waste may be considered hazardous and thus incur increased costs of disposal; and

WHEREAS multiple City departments and divisions are seeking authority to dispose of such property in their possession in a manner advantageous and efficient to the City while complying with the law; and

WHEREAS the City Police Department manages unclaimed tangible personal property in its possession in accordance with City Resolution 8255 adopted on March 19, 2018, that is similar but distinct from the operation of this Resolution; and

WHEREAS the City Council finds it advantageous and efficient to grant authority to the Mayor and her designees to dispose of obsolete property without routine and/or additional action by the City Council, as directed below.

NOW, THEREFORE, BE IN RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOULA, MONTANA that the Mayor and her designees have the authority to dispose of obsolete City property in their possession and control.

BE IT FURTHER RESOLVED that the "obsolete property" governed by this Resolution is defined as tangible personal property that is past its useful life, in a state of disrepair such that it cannot be efficiently rehabilitated, that no longer serves any useful purpose for the City, or that has become obsolete due to technological advances. Individual items that could have a resale value of over \$5,000 cannot be considered obsolete property.

BE IT FURTHER RESOLVED that the above authorized agents in deciding when and how to dispose of obsolete property are authorized to use any of the methods set forth below and should attempt to follow the order of preference set forth to the extent it is reasonable to do so:

1. Competitive sale to a responsible purchaser after providing public notice and public opportunity for the purchase of the property, including public auction, solicitation of written bids, and negotiated sale to one or more designated buyers.
2. Trade in on new supplies or equipment at such value as will result in the lowest net price.
3. Transfer to another government agency at or below market value.
4. Transfer to a 501(c)(3) tax exempt, nonprofit organization.
5. Transfer to an appropriate recycling provider.
6. Proper disposal in a landfill.

BE IT FURTHER RESOLVED that the City Clerk is instructed to file a copy of this Resolution with the Missoula County Clerk and Recorder.

PASSED AND ADOPTED this 13th day of January, 2025.

ATTEST:

MC1
Claire Trimble (Jan 14, 2025 15:16 MST)

Claire Trimble, City Clerk

APPROVED:

Andrea Davis

Andrea Davis, Mayor



RES 8830 - Obsolete Property Disposal

Final Audit Report

2025-01-14

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