

1 Introduced by Council Member White:
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4 **ORDINANCE 2019-398**

5 AN ORDINANCE CONCERNING SURPLUS PERSONAL
6 PROPERTY OF THE CITY; WAIVING THE REVERTER
7 PROVISION OF ORDINANCE 2018-39-E TO ALLOW
8 PREVIOUS SURPLUSSED VEHICLE (2010 CHEVROLET
9 IMPALA, VIN 2G1WA5EK8A1200413, VEHICLE NUMBER
10 8369-20) TO BE DISPOSED OF BY THE TOWN OF
11 BALDWIN; DECLARING THAT CERTAIN 2008 CHEVROLET
12 IMPALA (VIN 2GIWB58K389286198, VEHICLE NUMBER
13 1948-30) VALUED AT \$5,100 TO BE SURPLUS TO THE
14 NEEDS OF THE CITY AND AUTHORIZING THE
15 APPROPRIATE OFFICIALS OF THE CITY TO TRANSFER
16 TITLE OF SAID PROPERTY TO THE TOWN OF BALDWIN
17 FOR ITS USE, AT NO COST, IN ACCORDANCE WITH
18 SECTION 122.812(C), *ORDINANCE CODE*;
19 DESIGNATING THE FLEET MANAGEMENT DIVISION OF
20 THE FINANCE AND ADMINISTRATION DEPARTMENT TO
21 MONITOR ACTUAL USE OF SAID PROPERTY; PROVIDING
22 FOR A REVERTER; PROVIDING AN EFFECTIVE DATE.

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24 **WHEREAS**, the City Council in Ordinance 2018-39-E donated 4
25 vehicles to the Town of Baldwin, with a reverter provision that a
26 vehicle be returned to the City of Jacksonville in the event that
27 the vehicle is not used for the purposed contemplated in the
28 legislation; and

29 **WHEREAS**, one of the vehicles, the 2010 Chevrolet Impala (VIN
30 2G1WA5EK8A1200413, Vehicle Number 8369-20) valued at \$4,475, has a
31 blown engine and is inoperable; and

1 **WHEREAS**, the City of Jacksonville Fleet Management Division
2 has inspected the vehicle and is of the opinion that the cost to
3 retrieve and retitle the vehicle will exceed the anticipated
4 revenues for that condition vehicle at auction; and

5 **WHEREAS**, for this reason, a waiver is desired to allow the
6 Town of Baldwin to dispose of the vehicle and for the City of
7 Jacksonville to donate a replacement vehicle; now therefore

8 **BE IT ORDAINED** by the Council of the City of Jacksonville:

9 **Section 1. Waiver of Reverter Clause in Ordinance 2018-**
10 **39-E for 2010 Chevrolet impala (VIN 2G1WA5EK8A1200413, Vehicle**
11 **Number 8369-20).** Ordinance 2018-39-E found a valid public purpose
12 to donate surplussed vehicles to the Town of Baldwin for municipal
13 use for the town of Baldwin. The disposition authorized was
14 conditioned upon the Town of Baldwin's using the said vehicles for
15 the purposes set forth therein and was conditioned upon the Town of
16 Baldwin's agreeing to convey the vehicles back to the City of
17 Jacksonville in the event that the vehicles were not used for those
18 purposes. One of the vehicles, a 2010 Chevrolet impala (VIN
19 2G1WA5EK8A1200413, Vehicle Number 8369-20) valued at \$4,475, has a
20 blown engine and is inoperable. The City of Jacksonville Fleet
21 Management Division has inspected the vehicle and evaluated the
22 cost to retrieve and retitle the vehicle. The Fleet Management
23 Division has estimated the revenue that would be generated by the
24 sale of such vehicle and believes that the expenses would exceed
25 the revenues, and for this reason recommends a waiver of the
26 reverter be enacted by Council. The Council hereby waives the
27 reverter provision of 2018-39-E, as to the 2010 Chevrolet Impala
28 (VIN 2G1WA5EK8A1200413, Vehicle Number 8369-20), to allow for the
29 Town of Baldwin to dispose of the vehicle.

30 **Section 2. Declaration of Surplus.** The City hereby
31 declares that certain 2008 Chevrolet Impala (VIN 2GIWB58K389286198,

1 vehicle number 1948-30) valued at \$5,100, as more particularly
2 described in **Exhibit 1** attached hereto and incorporated herein by
3 this reference ("Subject Property"), to be surplus to the needs of
4 the City of Jacksonville and authorizes the appropriate City
5 officials to transfer title of the Subject Property to the Town of
6 Baldwin at no cost, pursuant to Section 122.812(c), *Ordinance Code*.
7 A copy of the certificate from the Director of Procurement
8 certifying compliance with provisions of Chapter 122, *Ordinance*
9 *Code*, is attached hereto as **Exhibit 2**, and incorporated herein by
10 this reference. A copy of the property transfer form is attached
11 hereto as **Exhibit 3**.

12 **Section 3. Public Purpose.** The surplus vehicle is needed
13 by the Town of Baldwin for municipal use. The City of Jacksonville
14 finds that providing the surplussed vehicle to the Town of Baldwin
15 is a valid public purpose.

16 **Section 4. Fleet Management Division to Monitor Actual**
17 **Use of Subject Property.** The Fleet Management Division of the
18 Finance and Administration Department will be the designated agency
19 to monitor the Town of Baldwin's use of the Subject Property in
20 accordance with the purposes set forth herein.

21 **Section 5. Reverter.** The disposition authorized herein
22 is conditioned upon the Town of Baldwin using the said vehicle for
23 the purposes set forth herein and is conditioned upon the Town of
24 Baldwin agreeing to convey the vehicle back to the City of
25 Jacksonville in the event that the vehicle is not used for those
26 purposes.

27 **Section 6. Effective Date.** This ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.

1 Form Approved:

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3 /s/ Margaret M. Sidman

4 Office of General Counsel

5 Legislation Prepared By: Margaret M. Sidman

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