

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: October 15, 2009

TO: Honorable Members,
Budget and Finance Committee

FROM: Gerry F. Miller *Gerry F. Miller*
Chief Legislative Analyst

C. F.: 09-2433
Assignment No. 09-10-1611

Donation To The Bainbridge Island Police Department, Pursuant To Motion (Garcetti-Zine)

The Motion (Garcetti-Zine) C.F. 09-2433 proposes the below market value sale of 75 used riot helmets to the Bainbridge Island Police Department (BIPD) to help the department's patrol force during tactical situations and to train prospective police officer candidates. The City recently declared the abovementioned equipment "Surplus", and could therefore be directed to fulfill this request.

Our office has reviewed the proposed below market value sale of 75 used riot helmets and has concluded that the least expensive method of disposing or recycling this equipment would cost approximately \$415 (\$5.50/helmet). The City could not realistically sell this equipment for fair market value because the warranty has expired on the equipment. Therefore, the cost to dispose/recycle this equipment exceeds the proceeds that could be generated through a fair market value sale.

The proposed sale of the surplus equipment to the FBI is in accordance with the Los Angeles Administrative Code (LAAC) Sec. 22.547, as any individual, organization or government may purchase surplus equipment at less than current market value if discarding/recycling/transporting the surplus equipment produces a net financial cost to the City which can be documented. There are no other unfilled requests at this time for this type of equipment.

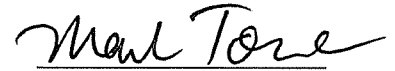
RECOMMENDATIONS

That the Council:

1. Approve the Motion (Garcetti-Zine) authorizing the sale (donation) of 75 used riot helmets to the Bainbridge Island Police Department (BIPD) for the below market price of \$1.00, each, in accordance with LAAC Sec. 22.547.
2. Request the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the BIPD.
3. Instruct the City Clerk to inform the BIPD (Detective Trevor Ziembra, 625 Winslow Way East, Bainbridge Island, WA 98110 (206) 842-5211) that the surplus riot helmets must be claimed within 60 days from the date of Council approval of the request, at which time they will revert to the City's surplus equipment pool for disposal by the Los Angeles Police Department.

FISCAL IMPACT:

The proposed donation of this equipment would have a net positive fiscal impact on the General Fund by eliminating the need to expend \$415, at a minimum, to dispose of this equipment.



Mark J. Torres
Analyst

Attachment: Motion (Zine-Garcetti) C.F. 09-2433

09-2433

MOTION

BUDGET & FINANCE

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The City of Bainbridge Island is located within the Central Puget Sound Basin, west of the City of Seattle, Washington. The Bainbridge Island Police Department (BIPD) was established to create a safe environment for the residents and visitors of the City of Bainbridge Island. BIPD is committed to the proactive prevention of crime, enforcement of laws, and the ongoing public education on personal and community safety.

The Office of Council District Thirteen (13) has received a request to donate 75 used riot helmets to the BIPD. Donation of the surplus helmets to the BIPD will help the department's patrol force during tactical situations and to train prospective police officer candidates.

The CLA has reviewed the proposed below market value sale of 75 used riot helmets and has concluded that the least expensive method of disposing or recycling this equipment would cost approximately \$415 (\$5.50/helmet). The City could not realistically sell this equipment for fair market value because the warranty has expired on the equipment. Therefore, the cost to dispose/recycle this equipment exceeds the proceeds that could be generated through a fair market value sale.

The CLA has concluded that the proposed sale to the BIPD is in accordance with amendments to the Los Angeles Administrative Code (LAAC) Sec. 22.547 (Donation of Surplus City Equipment), adopted by the Council on November 28, 2006 (C.F. 04-1822) which states: "...Any individual, organization or government may purchase surplus equipment at less than current market value, if discarding/recycling/transporting the surplus equipment produces a net financial cost to the City which can be documented" The proposed donation of this equipment would have a net positive fiscal impact on the General Fund by eliminating the need to expend, at a minimum, \$415 to dispose of this equipment.

I THEREFORE MOVE that the Council:

1. Find that the Bainbridge Island Police Department (BIPD) is eligible to purchase 75 used riot helmets at below market value (\$1.00, each), in accordance with LAAC Sec. 22.547 (Donation of Surplus City Equipment), as amended by the Council on November 28, 2006 (C.F. 04-1822), inasmuch as discarding/recycling/transporting the surplus equipment produces a net financial cost to the City which can be documented .
2. Request the City Attorney to expedite preparation of the appropriate documents to effectuate the sale and transfer of the above identified surplus equipment at below market value to the BIPD.
3. Instruct the City Clerk to inform the BIPD (Detective Trevor Ziemba, 625 Winslow Way East, Bainbridge Island, WA 98110 (206) 842-5211) that the surplus riot helmets must be claimed within 60 days from the date of Council approval of the request, at which time it will revert to the City's surplus equipment pool for disposal by the Los Angeles Police Department.

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PRESENTED BY

ERIC GARCETTI
Councilmember, 13th District

SECONDED BY

[Signature]

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