

**NORTHWEST ARCTIC BOROUGH ASSEMBLY
ORDINANCE 18-12**

**AN ORDINANCE OF THE NORTHWEST ARCTIC BOROUGH
ASSEMBLY AMENDING TITLE TWO OF THE BOROUGH CODE
REGARDING SURPLUS TANGIBLE PERSONAL PROPERTY.**

WHEREAS: Title 2 of the Borough Code establishes guidelines for administration of the Borough; and

WHEREAS: the Borough wishes to update its Code to allow for additional means of disposition of surplus tangible personal property; and

WHEREAS: the Assembly has determined that it is in the Borough's best interest to update the methods available for disposal of tangible personal property.

**NOW THEREFORE BE IT ENACTED BY THE NORTHWEST
ARCTIC BOROUGH ASSEMBLY:**

Section 1: Title 2 of the Borough Code is amended as follows with additions indicated by underlining in blue and deletions by ~~strikethrough in red~~:

2.56.010 Procedures.

A. A borough entity or agency utilizing borough real property shall provide to the mayor a notice of intent to declare property surplus. Pending borough assembly action, pursuant to subsection (B) of this section, the entity or agency providing such notice shall be responsible for the care and maintenance of the property. Such notice of intent to declare property surplus shall provide:

1. A description of the property, location and present insured value;
2. A declaration that the property is surplus to the reasonably foreseeable needs of the borough entity or agency;
3. A statement that no commitments, promises or requests for use of the property have been made or a description of such commitments, promises or requests and the identification of the parties involved.

B. Upon receipt of such notice of intent to declare property surplus, the assembly shall have a period of 90 days in which to provide by resolution the following actions to the entity or agency giving such notice:

1. The borough will accept the property and be responsible for its management, security and insurance; or

2. The borough will delegate the authority to care for or dispose of the property pursuant to this code to the borough entity requesting the property be declared surplus.

C. A borough entity or agency utilizing borough tangible personal property shall provide to the mayor a notice of intent to declare such property surplus. For any tangible personal property with a declared value of ~~\$10,000~~ \$25,000 or more, the borough entity or agency must also provide notice to the assembly and the borough assembly shall take action pursuant to subsection (B) of this section. Pending borough assembly action, pursuant to subsection (B) of this section, the entity or agency shall be responsible for the care and maintenance of the tangible personal property. Such notice of intent shall include the following:

1. A description of the tangible personal property and declared value;
2. A declaration that the tangible personal property is surplus to the reasonably foreseeable needs of the borough entity or agency;
3. A statement that no commitments, promises or requests for use of the tangible personal property have been made or a description of such commitments, promises or requests and the identification of the parties involved.

D. In the event that the borough assembly authorizes disposal of **tangible personal** property under subsections (B) or (C) of this section, the delegated entity, agency or individual shall post notice at prominent local public notice boards or such other place that is accessible to the public that the tangible personal property shall be ~~sold by sealed bid or at a public auction at least 30 days prior to the sale.~~ disposed of in one or more of the following manners:

1. By public outcry auction to the highest bidder;

2. By public sealed bid auction to the highest bidder;

3. To the best qualified proposal that responds to a request for proposal to acquire the property;

4. To an educational, charitable, or nonprofit association or corporation providing service to residents of the borough; or

5. To the United States, the State of Alaska, or an Alaska municipal corporation, or any agency or department thereof.

The Borough administration shall determine which method(s) specified in this subsection shall be used to dispose of tangible personal property valued at less than \$25,000.

The assembly shall, by resolution, determine which method(s) specified in this subsection shall be used to dispose of tangible personal property valued at more than \$25,000.

Tangible personal property not disposed of by the preceding options will be held for future disposal, or if deemed appropriate, taken to the landfill.

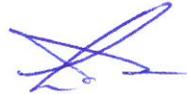
Section 2: This Code Ordinance shall be effective immediately.

PASSED AND ADOPTED THIS 18th DAY OF DECEMBER 2018.



Nathan Hadley, Jr., Assembly President

PASSED AND APPROVED THIS 18th DAY OF DECEMBER 2018.



Lucy S. Nelson, Mayor

SIGNED AND ATTESTED TO THIS 18th DAY OF DECEMBER 2018.



Stella Atoruk, Borough Clerk

ATTEST:

First Reading: November 20, 2018
Second Reading: Dec 18, 2018

