

## SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

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**ITEM NO:** C-9

**DATE:** November 2, 2009

**SUBJECT:** Surplus of Sultan Police Guns

**CONTACT PERSON:** Jeff Brand, Police Chief

**ISSUE:**

The City Council surplussed police equipment and weapons on May, 28, 2009. Staff recommends the city follow the below outlined procedure to sell the weapons to local gun dealers and return the money from the sale to the General Fund.

**SUMMARY:**

When the Sheriff's Office began delivering police service to the City of Sultan earlier this year, the city was credited for four hand guns that are being used by Sultan Deputies. In addition to those four weapons there was a safe in the police department that contained several guns, rifles and police training paintball guns.

These are weapons that were purchased by the Sultan Police Department with City of Sultan General Fund and are extra weapons that are not needed to provide police services. Snohomish County Rangemaster Chip Payne has told staff the weapons are not needed by the Sheriff's Office and cannot be used for trading stock for the Sheriff's Office so our only option for disposal of the weapons is by surplus.

Sultan Municipal Code 3.60.030 requires that when personal property with value more than \$300 is to be sold, we must call for sealed bids to sell the items and we must advertise that call for bids via at least one newspaper.

Staff does not feel that advertising the sale of these weapons to the general public or selling them to the public is in the best interest of Sultan or the public because of liabilities, if the weapons were to be sold to a person that is legally prohibited from possessing a weapon or may use a Sultan Police weapons to commit a crime.

Snohomish County Sheriff's Office Rangemaster Chip Payne has given staff the names and addresses of three reputable gun dealers or ranges within Snohomish County who may be interested in bidding on our weapons and will hopefully give us a reasonable bid for the weapons. The money from the sale of the guns can be returned to the City of Sultan General Fund and selling the guns to a reputable dealer will help insulate the City of Sultan from liabilities and public humiliation should the weapons be later sold and used in some type of criminal activity.

**FISCAL IMPACT:**

Staff estimates the sale of these weapons could net our General Fund \$2,000 - \$3,000.

**STAFF RECOMMENDATION:**

Direct staff to send the attached letters to the three gun dealers and ranges and follow the outlined process to surplus the described weapons.

**ATTACHMENT:**

- Sultan Municipal Code 3.60
- Surplus Letter Sent to: Adventure Sports Surplus Letter  
Kesslering's Gun shop Surplus Letter  
Sam's Gun Shop and Range Surplus Letter

**Chapter 3.60**  
**SALE AND DISPOSAL OF PERSONAL PROPERTY**

Sections:

- [3.60.010](#) Sale of unneeded property owned by the city.
- [3.60.020](#) Sale of personal property of \$300.00 in value or less to another governmental entity.
- [3.60.030](#) Sale of personal property over \$300.00 in value.
- [3.60.040](#) Bid deposit for the sale of personal property over \$300.00 in value.
- [3.60.050](#) Bid opening in the sale of personal property over \$300.00 in value.
- [3.60.060](#) Award or rejection of bids in the sale of personal property over \$300.00 in value.
- [3.60.065](#) When bids rejected or no bids received.

**3.60.010 Sale of unneeded property owned by the city.**

Whenever it appears to the city council that properties are no longer of public use to the city and the sale thereof would be in the best interests of the city, the city council may authorize the sale of property owned by the city upon receipt of an estimate value for each property from the department head, which shall be provided to the council within 10 working days of their determination. The clerk/treasurer shall provide in writing to the city council, at the council's next regular meeting after a sale, the purchase price, purchaser's name and address, and the date of sale. (Ord. 571, 1991; Ord. 454 § 1, 1984)

**3.60.020 Sale of personal property of \$300.00 in value or less to another governmental entity.**

Approval of the council is given for the sale or disposition of any personal property:

- A. With an estimated value of \$300.00 or less; or
- B. To another governmental entity to be used by the entity; when such property has been authorized for disposition by the city council; such sale or disposition to be made by the clerk/treasurer in accordance with informal procedures and in the best interest of the city. (Ord. 571, 1991; Ord. 454 § 1, 1984)

**3.60.030 Sale of personal property over \$300.00 in value.**

The clerk/treasurer, upon receipt of written instruction from the city council to sell personal property owned by the city valued at more than \$300.00, shall call for sealed bids and shall contain a description of the property to be sold, the location thereof, the name and address of the person with whom the bid is to be filed, the last date for filing bids, and other pertinent information. Such call shall be published at least once in a newspaper of general circulation in the city not less than five days before the last date for filing of bids. (Ord. 571, 1991; Ord. 454 § 1, 1984)

**3.60.040 Bid deposit for the sale of personal property over \$300.00 in value.**

Each bid shall be accompanied by a deposit in the form of a certified check in an amount equal to not less than 20 percent of the amount of the bid. All such deposits so

made shall be returned to the unsuccessful bidders depositing the same after award of contract has been made. The deposit of the successful bidder shall be applied upon the price, or upon failure of such bidder to consummate the purchase, such deposit shall be forfeited as liquidated damages and such deposit so forfeited shall be credited to the appropriate account. (Ord. 454 § 1, 1984)

**3.60.050 Bid opening in the sale of personal property over \$300.00 in value.**

Sealed bids shall be opened in public by the city clerk/treasurer or an authorized agent at the time and place specified in the call for bids. The city clerk/treasurer shall make a tabulation of all bids received and forward the bids to the city council. (Ord. 454 § 1, 1984)

**3.60.060 Award or rejection of bids in the sale of personal property over \$300.00 in value.**

The city clerk/treasurer shall present all bids, together with recommendations to the city council at a regularly scheduled meeting for approval or rejection by the council. (Ord. 454 § 1, 1984)

**3.60.065 When bids rejected or no bids received.**

In the event no bids are received or all bids received are rejected by the city council, then the council may either ask for new sealed bids or direct the sale or disposition of such surplus property under the procedures adopted pursuant to SMC [3.60.020](#). (Ord. 454 § 1, 1984)

*Sheriff John Lovick*

**ATTACHMENT B**  
*Mayor Carolyn Eslick*

November 16, 2009

Adventure Sports  
19905 Scriber Lake Road  
Lynnwood, Washington 98036

Sam's Gun Shop and Range  
11714 Airport Road  
Everett, Washington 98204

Kesslering's Gun shop  
4024 Old Highway 99  
Burlington, Washington 98233

Dear Sir/Maam;

The City of Sultan has the below listed surplus weapons in its inventory and are in the process of surplusing them. Per Sultan Municipal Code 3.60.030 we are requesting at least three sealed bids for consideration by Sultan City Staff.

These weapons will be available for inspection at the Snohomish County Sheriff's Office Range, 8915 Cathcart Way #H, Snohomish, Washington on Tuesday November 24, 2009 at 9:00 AM. Please contact Deputy Chip Payne at (425) 388-7676 if you would like to inspect the weapons.

Bids must be returned sealed and returned to Chief Jeff Brand, Sultan Police Department Post Office Box 1650, Sultan Washington 98294-1199 no later than 4:00 PM, Monday November 30, 2009.

Bids will be opened and expect to awarded by Sultan city staff on Tuesday December 1, 2009.

**Inventory**

(1) Tippman Model 98 Paint Ball gun, serial #69564.

**Shotguns:**

- (1) Stevens Model 620 12 gauge shotgun, No serial number.
- (1) Winchester Model 1200 Police 12 gauge shotgun, serial number L1316854
- (1) Winchester Model 1300 Defender 12 gauge shotgun, serial number L3345009
- (1) Winchester Model 1300 Defender 12 gauge shotgun, serial number L3392540
- (1) Mosberg Model 590 12 gauge shotgun, serial number P629629
- (1) Remington Model 870 12 gauge shotgun, serial number W807482M
- (1) Remington Model 870 12 gauge shotgun, serial number W680738M
- (1) Mosberg 500A (pistol grip) 12 gauge shotgun, no serial number

(1) Remington Magnum 12 gauge shotgun, serial number D312847M

**Rifles:**

(1) Ruger Mini 14, cal .223 w/folding stock, serial number 181-91746

(1) Remington pump 30 Rem, serial number C17569

**Pistols:**

(1) Smith and Wesson Model 28-2 cal .357, serial number N44449

Glock Model 22:

(10) .40 Caliber, serial numbers, KML676, KLB428, BNF994, BNF997, CNB461, FAC448, DAU994, BNF998, BNF996, CUS276.

Please contact me at my office (425) 388-6262 or via e-mail at [jeff.brand@snoco.org](mailto:jeff.brand@snoco.org) if you have questions.

Sincerely,

SHERIFF JOHN LOVICK

Lieutenant Jeff Brand  
Chief, City of Sultan Police