

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the 22<sup>nd</sup> day of April, 2014, the following Resolution:

**A RESOLUTION BY THE GULFPORT CITY COUNCIL DECLARING CERTAIN AND VARIOUS VEHICLES, MACHINERY, EQUIPMENT, FURNISHINGS, AND OTHER ITEMS OF MUNICIPAL PERSONAL PROPERTY TO BE SURPLUS PROPERTY WHICH IS NO LONGER USED OR NEEDED BY THE MUNICIPALITY AND DECLARED TO HAVE NO VALUE TO THE MUNICIPALITY AND AUTHORIZING SALE OF SAID ITEMS OF MUNICIPAL PERSONAL PROPERTY**

**WHEREAS**, the City of Gulfport is in possession of certain and various vehicles, machinery, equipment and other items of Municipal personal property (as more fully outlined, described and delineated in the Memorandum of Danny Ray Meadors, Property Manager for the City of Gulfport, which is attached hereto as Exhibit "A") that it desires to dispose of; and

**WHEREAS**, the aforementioned vehicles, machinery, equipment, furnishings and other items of Municipal personal property are no longer of any use to the City of Gulfport because of their age, condition or other factors specific to each piece of personal property; and

**WHEREAS**, the Governing Authority of the City of Gulfport according to § 21-17-1 and § 17-25-25 of the Mississippi Code of 1972, as amended, is vested with authority to determine when personal property belonging to the municipality is surplus, and to make disposition thereof; and

**WHEREAS**, the City of Gulfport proposes to sell and/or auction the aforementioned vehicles, machinery, equipment and other items of Municipal personal property at a fair market value to be determined via an auction which is presently scheduled to be held on May 10, 2014, and/or via solicited bid, at the discretion of the administration; and

**WHEREAS**, the Governing Authority of the City of Gulfport finds that the listed vehicles, machinery, equipment, furnishings and other items of Municipal personal property as found in Exhibit "A" hereto are of no further value to the City of Gulfport due to their condition, age or other factors specific to each piece of personal property and further finds that the City of

Gulfport is authorized to auction or sell these items to the highest bidder via auction (or any other method authorized by statute) to ensure that fair market value is obtained therefore and further finds that it is in the best interest of the City of Gulfport that the aforementioned vehicles, machinery, equipment and other items of personal property be hereby conveyed, sold and assigned as the same is surplus personal property belonging to the City of Gulfport.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS, TO WIT:**

**Section 1.** That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

**Section 2.** That the listed vehicles, machinery, equipment and other items of Municipal personal property, due to their age, condition, or other factors specific to each piece of personal property are hereby declared to be surplus personal property of the City of Gulfport, having no value to the City and being a burden to the City of Gulfport.

**Section 3.** That the listed vehicles, machinery, equipment, furnishings and other items of Municipal personal property be, and they are hereby authorized for auction and/or sale for the highest prices bid, in accord with § 17-25-25 of the Mississippi Code of 1972, as amended, and the Mayor is hereby authorized and empowered to sign and execute any and all documents that may be required to record such transfer of the ownership of the various pieces of personal property with the sale or conveyance or transfer of the personal property conditioned upon the purchaser's agreement to take the items of personal property "as is" without any warranty or guarantee of any kind and to agree that it will hold the City of Gulfport harmless and indemnify the City from any claims related to the items of personal property that may arise after the sale and transfer of the personal property.

**Section 4.** That this Resolution be, and it is hereby ordered to be spread on the minutes of the governing Authority, and to be in full force and effect immediately upon its passage and enactment according to law.

The above and foregoing Resolution, after having been first reduced to writing and ready by the Clerk, was introduced by Councilmember Flowers, seconded by Councilmember Walker, and was adopted by the following roll call vote:

**AYES**

Casey

Dombrowski

Holmes-Hines

Walker

Sharp

Flowers

Pucheu

**NAYS**

None

**ABSENT**

None

WHEREUPON, the President declared the motion carried and the Resolution adopted,

this the 22<sup>nd</sup> day of April, 2014.



*Lynda S. Cole*  
CLERK OF THE COUNCIL

ADOPTED:

*[Signature]*  
PRESIDENT

The above and foregoing Resolution submitted to and approved by the Mayor, this the 23<sup>rd</sup> day of April, 2014.

*[Signature]*  
MAYOR