



To: Michael Pounds

From: Mariam S. Ramos, Deputy City Attorney for the City of Coral Gables

Approved: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Sale of Surplus City Vehicles and Equipment

Date: September 24, 2015

You ask whether the City's Procurement Department may sell by auction, City surplus vehicles and equipment, which individually have a fair market value of less than \$25,000, without having to be declared surplus property by a resolution of the City Commission.

I have reviewed Sec. 2-920 of the City Code as well as Sec. 274.05, F.S. I have also reviewed previous opinions issued by this office on the issue of surplus funds (see CAO 2011-006 and 2014-042). It is my opinion that the threshold amount of \$25,000 is to be calculated on each item and therefore, any one item that is valued under \$25,000 does not need to be declared surplus property by the Commission. Please note that if the item is one that is small and traditionally counted in groups, the valuation will likely be taken of the group and not the item individually (i.e. pens, staples, paper, CDs, etc.)

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the City of Coral Gables Code giving the City Attorney's Office the authority to issue opinions and interpretations on behalf of the City.

From: Leen, Craig
To: Paulk, Enga
Cc: Ramos, Miriam; Figueroa, Yanneris
Subject: FW: Sale of Surplus City Vehicles and Equipment
Date: Wednesday, September 23, 2015 3:59:40 PM

Please publish as a City Attorney Opinion.

Craig E. Leen, City Attorney
Board Certified by the Florida Bar in
City, County and Local Government Law
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

-----Original Message-----

From: Ramos, Miriam
Sent: Wednesday, September 23, 2015 3:56 PM
To: Pounds, Michael; Leen, Craig; Figueroa, Yanneris
Cc: Riley, Steven
Subject: RE: Sale of Surplus City Vehicles and Equipment

Dear Michael,

You ask whether the City's Procurement Department may sell by auction, City surplus vehicles and equipment, which individually have a fair market value of less than \$25,000, without having to be declared surplus property by a resolution of the City Commission.

I have reviewed Sec. 2-920 of the City Code as well as Sec. 274.05, F.S. I have also reviewed previous opinions issued by this office on the issue of surplus funds (see CAO 2011-006 and 2014-042). It is my opinion that the threshold amount of \$25,000 is to be calculated on each item and therefore, any one item that is valued under \$25,000 does not need to be declared surplus property by the Commission. Please note that if the item is one that is small and traditionally counted in groups, the valuation will likely be taken of the group and not the item individually (i.e. pens, staples, paper, CDs, etc.)

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the City of Coral Gables Code giving the City Attorney's Office the authority to issue opinions and interpretations on behalf of the City.

Sincerely,

Miriam S. Ramos, Esq.
Deputy City Attorney
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134
(305) 460-5218
(305) 460-5084 direct dial

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-----Original Message-----

From: Pounds, Michael
Sent: Wednesday, September 23, 2015 12:51 PM
To: Leen, Craig; Ramos, Miriam; Figueroa, Yanceris
Cc: Riley, Steven
Subject: Sale of Surplus City Vehicles and Equipment

Please find attached a Legal Advise Request regarding the sale of vehicles and equipment by auction.

Mike Pounds
Chief Procurement Officer
City of Coral Gables
2800 SW 72nd Avenue
Miami, FL 33155
Phone (305) 460-5101

-----Original Message-----

From: fn-pur@coralgables.com [<mailto:fn-pur@coralgables.com>]
Sent: Wednesday, September 23, 2015 12:30 PM
To: Pounds, Michael
Subject: Sent from the Coral Gables Procurement Department

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: