

RESOLUTION NO. 2024-01

**A RESOLUTION DESIGNATING LIBRARY-OWNED PERSONAL
PROPERTY AS SURPLUS AND AUTHORIZING ITS DISPOSAL**

At a regular meeting of the Johnson County Library Board of Directors, Kansas conducted on Thursday, February 8, 2024, there came before the Board for consideration the matter of designating certain Library-owned personal property as surplus and authorizing its disposal pursuant to this Resolution, which follows but shall supersede County Resolution 030-09 and the County’s surplus property policy, to the extent a conflict exists. A notice of the Board’s consideration of this matter and the contemplated method(s) of disposal will be published once in the official county newspaper. The Board, upon a motion duly made, seconded, and carried adopted the following Resolution, to- wit:

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WHEREAS, the Johnson County Library Board of Directors owns the Antioch Library (“Existing Library”) located in Merriam, Kansas along with all of the furniture, fixtures and equipment located in the Existing Library; and

WHEREAS, the Board is now undertaking the construction of a new library to replace the Existing Library with an anticipated “move-in” period between January 29, 2024, and March 31, 2024; and

WHEREAS, an inventory of certain furniture, fixtures and equipment now located in the Existing Library has been or will be compiled and certain items identified as surplus personal property (the “Surplus Property”);

WHEREAS, the Surplus Property is comprised, for the most part, of individual items that have been, or will be, made available to other County offices, departments and agencies and designated for their continued use; and

WHEREAS, it is contemplated that certain items of the Surplus Property not reallocated to a County office, department, or agency may be suitable for sale or donation to another governmental or public agency, or the Friends of the Johnson County Library; and

WHEREAS, the Surplus Property also includes furniture, fixtures and equipment that may be both marketable and unmarketable, but with a market value, for each item, of less than \$1000; and

WHEREAS, costs of disposing any Surplus Property that remain unallocated to another entity and therefore available for public sale are expected to exceed the market value of the Surplus Property; and

WHEREAS, the transition plan for moving library functions from the Existing Library is a short window during which the Surplus Property must be removed from the Existing Library to allow for the expedient decommissioning of the Existing Library; and

WHEREAS, removing the Surplus Property from the Existing Library is critical to the decommissioning of the structure and the logistics, expense, and uncertainty of disposing of any unallocated Surplus Property makes it necessary and desirable to authorize the Johnson County Library and Johnson County Facilities staff to dispose of the

Surplus Property by any special, prudent, and appropriate methods including sale, donation, negotiated agreement, bulk sale, in-kind services, salvage, inclusion of remaining furniture, fixtures, and equipment in the sale of the Existing Library building, or other means that will assure all the furniture, fixtures and equipment are removed from the Existing Library no later than June 30, 2024, unless being sold as part of a sale of the Existing Library building.

NOW, THEREFORE, BE IT RESOLVED by the Johnson County Board of Directors, Kansas, that all of the furniture, fixtures and equipment located in Existing Library (“Surplus Property”) is declared Library surplus and may be disposed through one or more of the following methods:

1. Reassigned for use by another County office, agency, or department of the Johnson County Government, or the Friends of the Johnson County Library;

2. By donation to another public entity for items the cost of sale or disposal of which is likely to exceed the value of the item or which may have a particular public benefit and need for the item (*e.g.*, other Libraries in Kansas);

3. By sale through a public bid process, which may include sealed bids, auction, or fixed price as a “cash and carry” sale recognizing the value of many of the items will be nominal;

4. By a “bulk sale” of all or any part of the furniture, fixtures and equipment, which may include as in-kind consideration the hauling services that will result in the removal of the Surplus Property in an expedient and timely fashion to avoid a delay in decommissioning the Existing Library; and

5. Inclusion in the Existing Library building sale all Surplus Property not otherwise

disposed of prior to June 30, 2024.

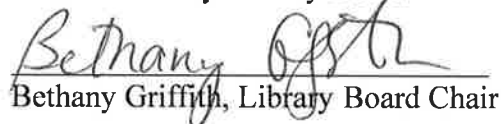
The Surplus Property shall be sold or transferred “as is” without any representation or warranty as to its condition or suitability for any particular purpose.

BE IT FURTHER RESOLVED, that the Johnson County Library and Facilities staff shall oversee the disposal of the Surplus Property in the exercise of its discretion that facilitates the timely removal of the Surplus Property from the Existing Library, which may require the establishment of special terms and conditions and notwithstanding anything in County Resolution 030-09 and County Policy 210 to the contrary.

BE IT FURTHER RESOLVED, that in order to facilitate the disposal of the Surplus Property in a timely manner, the County Librarian shall have the authority to negotiate and enter into any agreements or contracts for the disposal and removal of the Surplus Property in the best interests of the Library upon such terms and conditions the County Librarian deems reasonable and prudent.

BE IT FURTHER RESOLVED, that any action taken by the Library and Facilities staff to ensure the timely removal of the Surplus Property shall be deemed by the Board to be authorized under this Resolution in accordance with County Resolution 030-09 and County Policy 210.

Johnson County Library Board of Directors


Bethany Griffith, Library Board Chair

ATTEST:


APPROVED AS TO FORM:

Fred J. Logan, Jr.
Library Counsel