April 24, 2013

To: ACHD Commissioners
From: Josh Sharp, Fleet Administrator
Subject: TRANSFER OF PERSONAL PROPERTY TO VALLEY REGIONAL TRANSIT
Resolution No. 1095

FACTS & FINDINGS:
(1) The Ada County Highway District (“ACHD”) is the owner of the motor vehicles more particularly described and listed on Exhibit “A” and attached to this report (hereinafter referred to as “Surplus Property”). Valley Regional Transit has expressed an interest in the Surplus Property.

(2) The Surplus Property is no longer necessary or useful to ACHD for the following reasons:
   a) The vehicles are outdated and require frequent and expensive repairs.
   b) The vehicles have been replaced.

(3) The fair market value of the vehicles is set forth in Exhibit “A” The vehicles have been fully depreciated.

(4) Pursuant to Sections 40-1309(2), 40-2110, 67-2322, 67-2323 and 67-2324 of the Idaho Code, ACHD may transfer personal property no longer useful to ACHD to another governmental entity with or without consideration, but the Commission must first adopt a resolution finding that the personal property to be transferred is no longer useful to ACHD. These provisions of Idaho Code further require that prior to any transfer, a written agreement shall be made between the units of government. Notice of a public hearing and the general terms of the agreement must be published for a total of three times and a public hearing must be held before a transfer can be authorized. At the public hearing, any interested person may appear and show cause that the transfer should not be made and the Commission may elect to ratify the agreement.

(5) The proposed Resolution No. 1095 is attached hereto as Exhibit “B”, and the public hearing notice is attached hereto as Exhibit “C”.

FISCAL IMPACT:
By donating the van to Valley Regional Transit, we are not realizing potential “fair market value” return.

ALTERNATIVES:
1. Adopt the attached Resolution No. 1095 finding that the Surplus Property in Exhibit “A” is no longer useful to the Highway District, and directing that ACHD may negotiate and execute an Agreement with Valley Regional Transit for the transfer four (4) vans to Valley Regional Transit, and scheduling a public hearing for
the public to testify on this matter and for the Commission to consider the proposed transfer and ratify the Agreement.

2. Do not find that the Surplus Property listed in Exhibit “A” is no longer useful to ACHD or necessary to its use, and take no further action.

**RECOMMENDATION:**
ACHD staff submitting recommends the ACHD Commissioners adopt Alternative 1.

Enclosures

c: ACHD Staff Attorney
   Div./Dept. Files
### Exhibit "A"

<table>
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<tr>
<th>UNIT#</th>
<th>YEAR</th>
<th>MAKE</th>
<th>MODEL</th>
<th>DESCRIPTION</th>
<th>SERIAL OR VIN#</th>
<th>Years in Fleet</th>
<th>Price New</th>
<th>CURRENT VALUE</th>
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</thead>
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<tr>
<td>VAN 99-117</td>
<td>2006</td>
<td>FORD</td>
<td>E350</td>
<td>15 PAX VAN</td>
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<td>7</td>
<td>$26,812</td>
<td>$7,200</td>
</tr>
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<td>VAN 99-124</td>
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<td>FORD</td>
<td>E350</td>
<td>15 PAX VAN</td>
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<td>$26,812</td>
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</table>
RESOLUTION NUMBER 1095
OF THE ADA COUNTY HIGHWAY DISTRICT

A RESOLUTION FINDING PERSONAL PROPERTY OF THE ADA COUNTY HIGHWAY DISTRICT PROPOSED TO BE TRANSFERRED TO VALLEY REGIONAL TRANSIT IS NO LONGER USEFUL TO THE DISTRICT, AND SETTING THE DATE, TIME AND PLACE OF A PUBLIC HEARING, OF WHICH NOTICE SHALL BE PUBLISHED AS AUTHORIZED BY LAW, WHERE ANY PERSON INTERESTED MAY APPEAR AND SHOW CAUSE WHY THE TRANSFER SHOULD NOT BE MADE.

WHEREAS, based on the facts and findings and other information presented in the Maintenance Department Staff Report dated April 24, 2013, which by this reference is hereby incorporated herein, as supplemented by the oral presentation of Josh Sharp, Fleet Administrator, pursuant to Idaho Code, sections 40-2110, 40-1309(2) and 67-2322 to 67-2324, the Board of Commissioners of the Ada County Highway District ("ACHD") hereby makes the following findings of fact:

(1) The personal property owned by ACHD described on Exhibit "A" attached hereto (hereinafter "Surplus Property") is no longer useful to ACHD; and

(2) Subject to consideration of testimony and new evidence that may be presented at the public hearing, it appears the transfer of the Surplus Property to Valley Regional Transit four (4) used, 15 passenger vans; it is in the best interest of the Ada County Highway District and its patrons.

2006 Silver Ford E350 1FBSS31LX6HA58631
2006 Red Ford E350 1FBSS31L36HA62293
2006 Green Ford E350 1FBSS31L56HA62294
2006 Red Ford E350 1FBSS31L16HA62292

(3) ACHD may negotiate and execute an agreement with Valley Regional Transit and providing for the transfer of the Surplus Property to Valley Regional Transit by ACHD.

NOW, THEREFORE, BE IT RESOLVED, in accordance with Idaho Code, sections 40-2110, 40-1309(2) and 67-2323 to 67-2324, a public hearing before the Board of Commissioners to consider the proposed transfer of the Surplus Property to Valley Regional Transit and the terms of the agreement relating thereto, is hereby set for Wednesday, May 8, 2013, at 12:00 p.m., or as soon thereafter as the matter may be heard, at the auditorium of the Ada County Highway District, 3775 Adams Street, Garden City, Idaho, at which any person may appear to show cause why the transfer of the same should not be made; and
BE IT FURTHER RESOLVED notice of such hearing shall be published a total of three times, two times consecutively and one additional time, in accordance with Idaho Code, sections 40-206 and 67-2323 to 67-2324, in the Idaho Statesman, a daily newspaper published in Ada County, Idaho, the first publication shall be made not less than twelve (12) days prior to the hearing and the last publication to be not less than five (5) days prior to the hearing.

ADOPTED AND APPROVED by the Board of Commissioners of the Ada County Highway District on this ________________.

ADA COUNTY HIGHWAY DISTRICT
BOARD OF COMMISSIONERS

By:____________________________
Sara M. Baker, President

By:____________________________
John S. Franden, Vice President

By:____________________________
Rebecca W. Arnold, Commissioner

By:____________________________
Mitchell A. Jaurena, Commissioner

By:____________________________
Jim Hansen, Commissioner

ATTEST:

________________________________
Bruce S. Wong, Director
NOTICE OF AGREEMENT TO TRANSFER PERSONAL PROPERTY

NOTICE IS HEREBY GIVEN that Ada County Highway District and Valley Regional Transit entered into a Cooperative Agreement between Valley Regional Transit and Ada County Highway District for the Transfer of Personal Property (“Cooperative Agreement”) pursuant to sections 40-1309(2), 40-2110, and 67-2322 to 67-2324 of the Idaho Code. Under the Cooperative Agreement, Ada County Highway District will transfer to Valley Regional Transit four (4) used, 15 Passenger Vans. The property is being transferred “AS IS”.

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2006 Red Ford E350 1FBSS31L16HA62292

The Board of Commissioners of the Ada County Highway District will consider whether such transfer is in the best interest of the public, and will further consider whether to ratify the Cooperative Agreement at its regular meeting held in the auditorium of the Ada County Highway District, 3775 Adams Street, Garden City, Idaho, on Wednesday, May 8, 2013 at 12:00 p.m., or as soon thereafter as the matter may be heard.

ADA COUNTY HIGHWAY DISTRICT

By: ________________________________
      Bruce S. Wong, Director

End of publication

DIRECTIONS TO IDAHO STATESMAN

Publish in accordance with Idaho Code, Section 40-206 and Section 67-2323, two (2) consecutive times, on April 25, 2013 and April 26, 2013 and one additional time on May 2, 2013, the first publication shall be made not less than twelve (12) days prior to each hearing and the last day of publication shall be made not less than five (5) days prior to each hearing.

DIRECTIONS TO STAFF: For publication in the Idaho Statesman, this notice must arrive at the Statesman’s Legal Ad Department by noon at least four days prior to the beginning date of publication. Send material to be published to as text-only file, attached to e-mail addressed to Janice Hildreth at legals@idahostatesman.com, or by fax to 377-6309. Publications run Mondays through Saturdays (not Sundays) and additional lead time necessary for very long or complicated ads.