



## Administrative Regulation No. 024.A011.0398

### Disposal of Real Property

#### I. Purpose

The purpose of this administrative regulation is to set forth the City of Sarasota's procedures for establishing authorization and procedures for disposing of real property including land and buildings owned by the City of Sarasota.

#### II Definitions

Real Property - Tangible real property of a not consumable nature, such as land and buildings.

#### III. Procedures

##### 1. Authorization

No department, division or agency of the City shall dispose of real property without prior written submission to the Director of General Services or to his/her designee, and approval by the City Manager or his/her designee.

##### ( a ) General Requirements

Real property shall be offered through competitive sealed bids, public auction or negotiated sale, whichever is deemed by the City Manager to be most advantageous or most practical considering the relevant circumstances to the City. For all real property transactions, regardless

of method, a real estate appraisal must be obtained by an independent state certified licensed appraiser (MAI) from a firm licensed to perform real estate appraisals in the State of Florida to the general public. If there is an existing City appraisal on the property under one (1) year old, such appraisal may be used in lieu of a new appraisal being sought.

#### IV. Procedures

##### 1. Competitive Sealed Bidding

- ( a ) Solicitation and Opening - When making sales by competitive sealed bidding, notice of the sale should be given at least ten (10) days before the date set for opening bids. Notice shall be given by mailing a "Request for Sale" bid to prospective bidders, including those bidders on a list maintained for this purpose, and by making the "Request for Sale" bids publicly available. Newspaper advertisements may also be used. The "Request for Sale" bids shall list the real property offered for sale; provide legal descriptions and zoning information; designate their location and how they may be inspected; state the terms and conditions of sale and instructions to bidders including the place, date and time set for bid opening. Bids shall be opened publicly.

For the sale of real property, the City's appraisal price will serve as the minimum acceptable bid in most cases.

- ( b ) Award - Award shall be made in accordance with the provisions of the "Request for Sale" bids to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the Director of General Services. When such price is not acceptable, the Director of General Services may reject the bids in whole or in part; negotiate the sale, provided the negotiated sale price is higher than the highest responsive and responsible bidder's price; or solicit bids again.
- ( c ) Preferential consideration to "Other" Public Agencies (State, County, Municipality or School Board) - The City of Sarasota may reserve the right to grant preferential consideration to public agencies which intend to use the real property for a public purpose, as a service to the community. Granting of preferential consideration to such agencies shall be approved by the City Manager or his/her designee.

2. Public Auction

Real property may be sold at public auction. When appropriate, an experienced auctioneer should be used to cry the sale and assist in preparation of the sale. The solicitation to bidders should stipulate, at a minimum, all the terms and conditions of any sale; that a deposit may be required in order to participate in the bidding; that the purchaser must take title within a stated time period; and that the City retains the right to reject any or all bids.

When an auction is conducted for real property, the City's appraisal price will serve, in most cases, as the opening bid.

3. Negotiated Sale

Real property may also be disposed of through negotiated sale. An agreement must be reached on the terms and conditions by the interested parties using the City's real estate appraisal as a starting point for price negotiations.

## V. Written Procedures for Disposal of Real Property

Depending on the disposal method utilized, the Director of General Services will review the request for disposal of real property submitted by the requesting department, division or agency. Once reviewed by the Director of General Services, the request will be forwarded to the City Manager for approval.

1. If approved by the City Manager, General Services will coordinate with the requesting department, division or agency to obtain an appraisal on the real property prior to any negotiation on price. The appraisal must be done by an independent state certified licensed appraiser (MAI) from a firm licensed to perform real estate appraisals in the State of Florida to the general public
2. If there is an existing City appraisal on the property under one (1) year old, such appraisal may be used in lieu of a new appraisal being sought.
3. The requesting department, division or agency will initially pay for the property appraisal. The cost of the appraisal will be included in the overall sale price and upon the closing of the transaction, the requesting department's budget will be reimbursed the cost of the appraisal.

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4. Once completed, the City's appraisal will serve as a benchmark for the disposal price negotiations.  
  
The proposed offering price and any and all appraisals received must be forwarded to the Director of General Services and the City Attorney for review.
5. The City Attorney's Office will be contacted for the preparation of a proposed contract for the sale of real estate. The completed contract will be returned to the Director of General Services for final review.
6. The request for disposal along with any and all property appraisals received and the proposed contract for sale will be brought before the City Commission for approval.
7. Once acceptable terms and conditions are reached, the transaction will proceed in accordance with the laws of the State of Florida and be closed by the City Attorney.
8. When closed, the Finance Director must be given written notification to delete the capitalized cost of the property from the City's financial records.

Non-Buildable Lots

Occasionally, the real property being offered for sale may consist of a non-buildable lot or parcel. These parcels are usually smaller than the minimum allowable for building and typically have limited monetary value and market appeal. For this type of disposal transaction, the City Manager, at his/her discretion, may elect not to call for a property appraisal and dispose of the non-buildable lot in the manner the City Manager deems most appropriate for the particular piece of property.

Nothing in this administrative regulation will prevent the City from obtaining additional appraisals or instituting additional procedures or substituting procedures to comply with any

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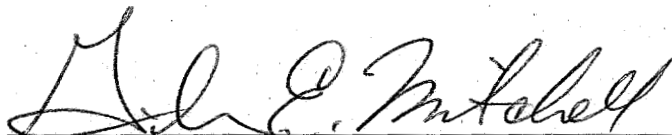
federal or state grant funded transactions. The City Manager has the sole authority to override one or more of the procedures in this regulation if in the best interest of the City.



Nancy Carolan  
Director of General Services

3-10-98

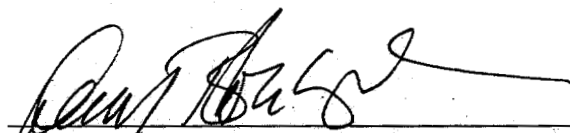
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Gibson E. Mitchell  
Director of finance

3-10-98

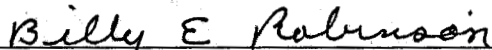
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David R. Sollenberger  
City Manager

3-10-98

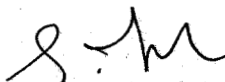
Date



Billy E. Robinson  
City Auditor and Clerk

3-10-98

Date



Shawn Fulker  
Administrative Regulations Chair

3/10/98

Date