

PROPOSED REVISIONS TO CITY ORDINANCES

~~**14.40. Responsibility to city for city property.** The person having the care or use of such public property, and the person's sureties if there are any, shall be held liable to the city for any and all such property as is not satisfactorily and properly accounted for, either by the return of the same, or by showing its expenditure on behalf of the city, division or ward, or its loss without the fault of such person.~~

~~**14.50. Recovery by city on liability for city property.** All liability of any person having the use or care of public property may be recovered from such person and the person's sureties, if there are any, by civil action; and if any such person shall fail or refuse to furnish and file written receipts and accounts as aforesaid, such shall be deemed a violation of this Code.~~

~~**14.120 Sale of city lands and buildings used for municipal operations.** In the event any of the If lands and buildings owned by the city for any municipal operation or service, become useless or are no longer needed for such purpose, they shall be sold, if possible disposed of by sale, if resalable, upon advertisement for bids or at private sale as the city council shall deem to be in the best interest of the city. The city engineer shall determine whether the real estate is needed for municipal operations.~~

~~The sale shall be for an adequate consideration and upon such other terms and conditions as the city council may prescribe. Notice of the proposed sale of any such property shall be published in a newspaper of general circulation in Hennepin County at least ten (10) days before the public hearing date, fixed for hearing thereon, describing the property to be sold and stating that the terms and conditions of the sale are available for public inspection at the office of the city clerk. At the time and place specified in the notice, a hearing shall be held to determine the advisability of the sale.~~

~~Prior to any sale, the proposed sale of such property shall be referred to the city engineer and the city planning commission for their review and recommendations. The valuation of such property the real estate as determined by the city assessor or by an independent appraisal shall be reported to the city council, prior to approval of the sale. Any funds realized by said sale shall be credited to such project account within the permanent improvement fund as the city council may direct. reimburse holding costs and selling expenses with the remainder deposited into the appropriate permanent improvement fund or operating expenses fund related to the public lands or buildings being sold, except to the extent that other City ordinances, grant requirements, or state or federal laws require a different method for allocating the revenue from sales. This section shall not apply to City-owned real estate acquired, held or sold for development purposes.~~

~~**14. 125 Fund designations for certain types of real estate dispositions.** When city-owned real estate formerly held for municipal operations is disposed of for development purposes or city-owned real estate formerly held as development property is transferred~~

for use in municipal operations, the City Council shall determine the fund allocations of net sale proceeds or interfund transfers at the time of the disposition or use approval.

~~14.130. Leasing of private property.~~ Taxes must be paid. The city shall not, as lessee, execute any lease or contract for lease of any privately owned real property or interest therein for public use by the city or any of the boards or departments thereof, nor shall the city finance officer countersign or the city clerk attest any such lease or contract until the lessor presents receipts showing that all of the real estate taxes, including installments of special assessments due thereon, have been paid. **Sale of development property.** The director of the department of community planning and economic development shall be responsible for the disposition of city-owned real estate acquired or held for development purposes. Disposition of development property must comply with applicable state and federal laws and such policies as may be adopted from time to time by the city council.

~~22.70. Control of equipment and public buildings.~~ The city engineer shall have full charge of and be held responsible for all construction and maintenance equipment (except that as to the police and fire department maintenance equipment the city engineer shall exercise only such control and furnish such service as the city council shall specially direct), ~~and also of all lands and buildings owned or leased by the city and maintained or operated by the departments of the city under the jurisdiction of the city council.~~

~~22.140. Care~~ **Control of public lands and buildings used for municipal operations.** The city engineer shall control all public lands and buildings owned or leased by the city for municipal operations under the jurisdiction of the city council. The city engineer shall take such measures as the city engineer deems necessary for the proper care, maintenance and protection of city public lands and buildings, ~~and to purchase such additional or replacement lands and buildings as in the judgment of the city engineer may be necessary.~~ The city engineer shall also purchase or sell public lands and buildings subject to the Such land and building purchases shall have proper approval of the city council. All leases of public property must involve adequate consideration to reimburse the City for property expenses. The section shall not apply to purchases, sales or leases for development purposes.

~~22.150. Rental of lands and buildings.~~ The city engineer shall not permit the use of any of the lands and buildings under the control of the city engineer by any department or board of the city or other person or persons except upon a rental basis per month or year as the city engineer may determine. Such rental basis shall be determined and calculated to be sufficient to provide the necessary cost of operation, repairing, maintaining and depreciating of said lands and buildings. The city engineer shall make vacant unused city property available to residents of the city for gardening, recreational or related uses through the issuance of short-term permits upon payment of a fee of five dollars (\$5.00) to cover the cost of issuing such permits. Such permits shall be revocable at any time upon written notice from the engineer. **Control of development property.** The director of the department of community planning and economic

development shall acquire, manage, maintain and control all real property acquired or held by the city for development purposes.

~~**22.160. Lands and buildings fund.** The city finance officer shall maintain a separate fund to be known as "lands and buildings fund." This fund shall be subdivided into the permanent improvement subdivision and the current expense subdivision. Into the permanent improvement subdivision shall be placed all moneys received from the sale of real estate and fire insurance, as reimbursement for fire losses on permanent improvements. This subdivision shall be used to buy new property, to make major repairs due to fire losses, and for the construction of new buildings. Into the current expense subdivision shall be placed all moneys received from rentals and for operation and maintenance work done for other departments. This subdivision shall be used to make all minor repairs properly chargeable to current expense, to maintain and operate all structures, and as a general working fund for the department operation and maintenance, properly chargeable to current expense.~~

~~**22.170. Lands and buildings rent to be credited to fund. Lease revenue.** Rental charges for Lease revenue from the use of public lands and buildings shall be collected from the various departments or boards of the city or from construction projects, as the case may be, and said money when so collected shall be credited to the lands and buildings fund. shall be credited to the appropriate permanent improvement fund or to the operating expenses fund related to the public lands or buildings being leased. This section shall not apply to leases on development property.~~

~~**22.180. Sale of lands and buildings.** Upon any of the lands and buildings becoming useless, and upon recommendation of the city engineer, they shall be disposed of by sale, if salable, in accordance with section 14.120.~~

~~**22.190. Purchase of lands and buildings.** Additional new lands and buildings found to be necessary to be used for the purposes herein specified must be paid for from any cash balance in the lands and buildings fund not otherwise encumbered. If, however, there shall not be sufficient unencumbered cash balance in said fund to purchase new lands and buildings, the city council may authorize additional money to be placed in said fund to be used for such purpose.~~

~~**22.200. Accounting procedures.** The city finance officer shall maintain the necessary accounting procedures for the purpose of disclosing the expense and income of all equipment as well as lands and buildings under the direction and control of the city engineer. For the purpose of accounting, all heads of departments of the city directing or controlling equipment or lands and buildings as herein mentioned shall furnish the city finance officer such information as the finance officer may require and on such forms as the finance officer may designate, deemed necessary for full and complete accounting purposes as herein indicated.~~