

RESOLUTION NO. 2026-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, ESTABLISHING AN ADMINISTRATIVE PROCESS FOR THE CLASSIFICATION, DISPOSITION, AND REPORTING OF CITY VEHICLES AND EQUIPMENT DECLARED TOTAL LOSSES FOR INSURANCE PURPOSES; PROVIDING FOR REPORT-ONLY DISCLOSURE TO THE CITY COMMISSION; AUTHORIZING ADMINISTRATIVE ACTION TO FACILITATE INSURANCE SETTLEMENTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City periodically experiences losses of vehicles and equipment that are declared total losses by the City's insurance carrier, requiring the timely transfer of title in order to finalize insurance settlements; and

WHEREAS, pursuant to Section 35.4 (Approval Authority) of the City's Procurement Policies and Procedures Manual, all City property with a value exceeding \$5,000 must be declared surplus and approved by the City Commission prior to final disposition, which may delay insurance settlement processing and result in extended storage of inoperable or wrecked vehicles and equipment; and

WHEREAS, Chapter 274, Florida Statutes, governs the classification and disposition of surplus property and authorizes the governing body of a municipality to classify property as surplus and to dispose of property that is obsolete, uneconomical to repair, or has no further governmental use; and

WHEREAS, Sections 274.05 and 274.06, Florida Statutes, authorize the reasonable exercise of discretion by a governmental unit in determining the method and timing of disposition of surplus property, including property without commercial value; and

WHEREAS, vehicles and equipment that have been declared total losses by the City's insurance carrier are inoperable, no longer usable for municipal purposes, and qualify as surplus property under Chapter 274, Florida Statutes; and

WHEREAS, the City Commission desires to streamline administrative operations, allow prompt completion of insurance settlements, reduce unnecessary storage and handling costs, and maintain transparency through post-disposition reporting to the City Commission in accordance with State law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That any City-owned vehicle or equipment that has been formally declared a total loss by the City’s insurance carrier is hereby classified as surplus property pursuant to Sections 274.05 and 274.06, Florida Statutes, upon such declaration.

Section 3: That upon written confirmation of a total loss determination by the insurance carrier and approval by the Director of Finance and Administrative Services, the Procurement Division is authorized to administratively release title and related documentation directly to the insurance carrier, or its authorized agent, for the purpose of completing the insurance settlement related to the declared total loss. No separate or prior City Commission approval shall be required for such disposition.

Section 4: That all vehicles and equipment disposed of pursuant to this resolution shall be included on the next available City Commission surplus agenda as report-only items, identifying the asset, disposition method, and insurance settlement reference, for transparency and record-keeping purposes.

Section 5: That the City Manager, or designee, is authorized to establish and carry out any administrative procedures necessary to implement this resolution in a manner consistent with Chapter 274, Florida Statutes.

Section 6: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 7: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this _____ day of _____, 2026.

Attest:

Jacqueline Railey, Mayor

Joseph J. Kavanagh, City Clerk

Railey _____

Wasserman _____

Welch _____

Rydell _____

Brodie _____