

STATE OF TEXAS §
COUNTY OF COMAL §

ORDER No. 457
DISPOSITION OF SALVAGE OR SURPLUS PROPERTY

WHEREAS, the Texas Local Government Code authorizes the Commissioners Court of a county to dispose of "salvage property" and "surplus property" under Section 263.152 of the Texas Local Government Code by donating it to a civic or charitable organization located within the county;

WHEREAS, the Commissioners Court of Comal County acknowledges that Section 263.151 of the Texas Local Government Code defines "salvage property" as personal property, other than items routinely discarded as waste, that because of use, time, accident, or any other cause is so worn, damaged, or obsolete that it has no value for the purpose for which it was originally intended;

WHEREAS, the Commissioners Court of Comal County acknowledges that Section 263.151 of the Texas Local Government Code defines "surplus property" as personal property that (1) is not salvage property or items routinely discarded as waste; (2) is not currently needed by its owner; (3) is not required for the owner's foreseeable needs; and (4) possesses some usefulness for the purpose for which it was intended;

WHEREAS, Section 263.152(a)(1) allows the Commissioners Court to periodically sell "salvage property" and "surplus property";

WHEREAS, Section 263.152(a)(4) allows salvage and surplus property to be donated to a civic or charitable organization located in the county if the commissioners court determines that: (A) Undertaking to sell the property under Subdivision (1) would likely result in no bids or a bid price that is less than the county's expenses required for the bid process; (B) the donation services a public purpose; and (C) The organization will provide the county with adequate consideration, such as relieve the county of transportation or disposal expenses related to the property; and

WHEREAS, the Comal County Sheriff's Office possesses historical jail registers, arrest registers, and fingerprint records that the Comal County Commissioners Court desires to donate to the Sophienburg Museum & Archives collection in order to preserve the history of New Braunfels and Comal County.

NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County hereby determines that these items are surplus property under Section 263.151 of the Texas Local Government Code;

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Court determines that said surplus items comply with the requirements of Section 263.152(a)(4) of the Texas Local Government Code and shall be properly disposed of by donating to the Sophienburg Museum & Archives; and

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Commissioners Court of Comal County hereby authorizes the County Judge to sign the Sophienburg Museum & Archives Deed of Gift.

ADOPTED this 25th day of February, 2021.

Absent

Sherman Krause, County Judge

Donna Eccleston
Donna Eccleston
Commissioner, Pct. #1

Scott Haag
Scott Haag
Commissioner, Pct. #2

Kevin Webb
Kevin Webb
Commissioner, Pct. #3

Jen Crownover
Jen Crownover
Commissioner, Pct. #4

ATTEST:
Bobbie Koepp
Bobbie Koepp, County Clerk

