

Chapter 3.32

DISPOSITION OF SURPLUS PERSONAL PROPERTY

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3.32.010 Generally.

Surplus personal property, as defined in this Chapter, belonging to the City, shall be disposed of according to the provisions of this Chapter. (Ord. 807 §1, 2013)

3.32.020 Surplus Personal Property Defined.

Personal property owned by the City that is no longer necessary or convenient for use by the City shall be considered surplus personal property. (Ord. 807 §1, 2013)

3.32.030 Identification of Surplus Personal Property. (Ord. 807 §1, 2013)

The City Administrator, or his or her designee, may, from time to time, require that the head of each Department in the City submit a list of all surplus personal property belonging to such City Department. (Ord. 807 §1, 2013)

3.32.040 Authority to Dispose of Surplus Personal Property.

The City Administrator, or his or her designee, shall have the authority to determine whether and how to dispose of surplus personal property pursuant to this Chapter except that City Council approval is required for disposition of surplus personal property

when the total estimated value of any item exceeds Two Thousand Five Hundred Dollars (\$2,500.00). (Ord. 807 §1, 2013)

3.32.050 Methods of Disposition.

As used in this Chapter, the term "dispose" shall mean to sell, exchange, trade, abandon, destroy, donate or otherwise discharge. Surplus personal property may be disposed of by the City through one of the following methods:

A. Sale at Public Auction to the Highest Bidder. Notice of any auction involving the sale of surplus personal property shall be published in the official newspaper of the City no later than ten (10) days prior to the scheduled date of the auction. The services of a salvage or auction company or a paid auctioneer may be used at the discretion of the City Administrator, or his or her designee. The City Administrator, or his or her designee, may reserve the right to reject any and all bids received for any item. In the event that a bid is rejected, the property may be sold to the next highest bidder, or at such lower price as approved by the City Administrator, or his or her designee.

B. Sealed Proposal. The restrictions as to rejecting any and all proposals and thereafter selling the surplus personal property shall be the same as those for public auctions as set forth in Subsection A of this section.

C. Incidental Sale. For the purpose of this subsection, the term "incident sale" shall mean the sale of an item at a price, and at a time and place to be determined by the City Administrator, or his or her designee, to any buyer who is willing to pay the price requested, without first advertising such sale or calling for the receipt of bids; provided, however, that the City Administrator, or his or her designee, may advertise such sale as it may deem advisable. Surplus personal property may be disposed of by incidental sale when the City Administrator, or his or her designee determines that the item:

1. Is scrap or salvage material, including, but not limited to, discarded fire hose, a tire casing, a dead storage battery, or worn-out or wrecked automobile

or machine body or part;

2. Is perishable; or

3. Has been offered for public sale and no acceptable offer to purchase has been received.

D. Consignment. The City Administrator, or his or her designee, may sell any item of surplus personal property through consignment and may waive the requirement of competitive bidding on a consignment contract if it determines that such waiver is in the best interest of the City.

E. Sale to Another Public Agency. Surplus personal property may be sold to any other public agency, provided that the price is determined to be fair and reasonable by the City Administrator, or his or her designee. For purposes of this Chapter, the term "public agency" means the state or any agency or subdivision thereof, any city, county, special district, or school district.

F. Donations. By resolution of the City Council, surplus personal property may be donated to any other public agency or charitable organization exempt under Section 501(c)(3) of the Internal Revenue Code.

G. Transfer Between City Departments. The City Administrator, or his or her designee, may send a list of surplus personal property to all departments within the City. The department head of any city

department may choose any item of surplus personal property from such list to be used by that department in the ordinary transaction of the business of such department, and the property may be transferred without offering the same for public sale. In the event that more than one department shall request any particular item of surplus personal property, the City Administrator shall decide which department shall receive such property. (Ord. 807 §1, 2013)

3.32.060 Records.

The City Administrator, or his or her designee, shall maintain records which identify surplus personal property disposed of, the method of disposal, and the amounts received from the disposal and shall maintain records for public inspection relative to the disposal of surplus personal property for a period of time in compliance with the state law and the City's records retention schedule. (Ord. 807 §1, 2013)

3.32.070 Proceeds of Sale.

Proceeds of the sale of surplus personal property shall be deposited in the appropriate City fund as determined by the City Administrator. (Ord. 807 §1, 2013)