

## Municipal code Chapter 6 Section 2614

### 2614 Disposition of Surplus Property.

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(a) All City departments shall submit to the Purchasing Manager, at such times and in such form as the Purchasing Manager shall prescribe, reports showing all surplus property which is no longer needed or which has become obsolete or worn out.

(b) The Purchasing Manager may dispose of surplus property by the following methods:

(1) **Competitive bidding** under subsection (c) of this Section;

(2) **Public auction** under subsection (d) of this Section;

(3) Other methods of disposition under Section 2614(e); provided, that the Purchasing Manager determines that competitive bidding or auctioning of such surplus property is infeasible, has not resulted in sale of such surplus property, or will result in minimal return to the City.

(c) Competitive Bidding. If the Purchasing Manager elects to dispose of surplus property by competitive bidding, the following procedures shall be used:

(1) Surplus property shall be sold to the highest bidder submitting a sealed bid in response to a notice of sale by sealed bid.

(2) The Purchasing Manager shall cause to be published at least three (3) days before the sale, in a locally adjudicated newspaper, a notice setting forth a general description of the surplus property to be sold; and the date, time and location for submittal of sealed bids, which date shall not be less than five (5) calendar days following the last date of publication of the notice; the location where the property may be inspected; any special terms or conditions of sale; and the place, date and time when the bids will be opened and tabulated.

(3) The Purchasing Manager shall accept the highest bid or may reject all bids, and at a later date hold another public sale by competitive bidding. However, if the disposition of such surplus property includes capitalized equipment, then approval of the City Council shall also be required prior to disposition of such capitalized equipment.

(d) Auction. If the Purchasing Manager elects to dispose of surplus property by auction, the following procedures shall be used:

- (1) If the auction of such surplus property includes capitalized equipment, then the Purchasing Manager shall seek the approval of the City Council prior to initiating disposition by auction.
- (2) Surplus property shall be sold to the highest bidder at a public auction conducted by a licensed auctioneer or through participation in a cooperative auction of government agencies.
- (3) The Purchasing Manager shall cause to be published at least three (3) days before the sale, in a locally adjudicated newspaper, a notice setting forth a general description of the surplus personal property to be sold, and the date, time and location of the auction. If the auction is part of a cooperative auction, the notice given by or on behalf of the agency coordinating the auction will satisfy the requirements of this subsection and no additional notice is required.
- (4) The surplus property shall be sold to the highest bidder, provided the bid exceeds the minimum bid price, if any.
- (5) All surplus property shall be sold "as-is" without warranty express or implied.
- (6) The Purchasing Manager may contract with a professional auctioneer and allow a flat fee, hourly fee or percentage of the amount of the sale to be paid based upon that which is common and customary method and rate for such auctioneering services.

(e) Other Methods of Disposition. The Purchasing Manager, when in his or her judgment that the competitive bid or auction of surplus property is infeasible, has not resulted in sale of such surplus property, or will result in minimal return to the City, may dispose of such surplus property by:

- (1) Donation to any other governmental organization, nonprofit group or corporation exempt from Federal taxes pursuant to Internal Revenue Code Section 501(c)(3) located within or serving the City of Carson. Surplus property shall only be donated upon approval of the City Council; or
- (2) Sending to a recycling or waste disposal facility.

(3) However, to the extent that the disposition of such surplus property includes capitalized equipment, then approval of the City Council shall also be required prior to disposition of such capitalized equipment.

(f) The Purchasing Manager shall keep a written record of surplus property sold or donated pursuant to this Chapter. If the property was sold, the record shall include the price or other consideration paid and the identity of the purchaser. If the property was donated, the record shall include the identity of the donee.

(g) Unless otherwise provided, all proceeds from sale or auction of surplus property will be deposited into the City's general fund. Proceeds from sale of enterprise, Federal, grant or other special designation property will be reimbursed, less prorated selling expenses to the appropriate fund, after completion of each sale. (Ord. 17-1609, § 2)