

CITY OF ALBION
ORDINANCE #2016-01

AN ORDINANCE TO AMEND SECTION 2-388
SALE OF OBSOLETE PROPERTY

Purpose and Finding: Ordinance 2-388 currently provides the City's procedure for the sale of obsolete or unusable personal property owned by the City. Several employees have expressed an interest in purchasing obsolete property for sale. It is believed that these employees, by virtue of their employment, should have the first option to purchase said property. The amendment gives employees the first opportunity and also gives the City Manager the authority to control that procedure. The purchases of the obsolete or unusable property, whether to an employee or to the public, would continue to be done consistently with state and federal law requirements as well.

THE CITY OF ALBION ORDAINS:

Section 2-388 – Sale of Obsolete Property

1. The sale of unusable or obsolete personal property from any using agency within the City, which has a value of \$2,500.00 or more, or other limited as established by resolution of the council, shall occur as follows:
 - A. The sale of obsolete or unusable property of a value of more than \$2,500.00 shall first be offered to current City employees. Interested employees may submit sealed bids to the City Manager within the time period designated by the City Manager. The City Manager shall have the discretion to set minimum bids for the sale of the property. Employees must demonstrate, where applicable, that they are permitted to purchase and/or own the property under state and federal law. If the property is not sold to an employee via this subsection, the sale of the obsolete property shall proceed via subsection (B);
 - B. The same of obsolete of unusable property of a value of more than \$2,500.00, which is not sold pursuant to subsection (A) shall be sold by public auction, held after a five-day publication of the time of the sale, the items of property to be sold, and any relevant terms of sale;

- C. The proceeds of any sale of personal property under this section shall be paid to the general fund unless otherwise advertised in the five-day publication and approved by the City Council;
 - D. Nothing contained within this section shall be deemed to abrogate or supersede federal or state law requirements regarding the ownership, possession, sale, or transfer of certain personal property.
2. Subsection (1) of this section shall not apply to the sale of unusable or obsolete personal property in the following situations:
- A. Unusable or obsolete personal property with a value of \$2,500.00 or less, or other limited as established by resolution of the council, may be sold directly by the City Manager without public auction or sealed bid;
 - B. The sale of personal property used as a trade-in for the purchase of new supplies or materials or equipment.

This Ordinance shall take effect on May 4, 2016, after publication.

First Reading: March 21, 2016

Second Reading & Adoption: April 4, 2016

Ayes: 7


Ayes: 6

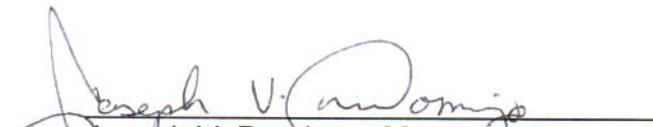
Nays: 0

Nays: 0

Absent: 0

Absent: 1 - (Domingo)


 Jill Domingo, City Clerk


 Joseph V. Domingo, Mayor