

CITY OF HOMER  
HOMER, ALASKA

ORDINANCE 93-3

*Failed  
93-3 § 93-4  
1/25/93  
Council directed  
that 3 & 4 come  
back as Resolutions  
MLB*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF HOMER ADDING A NEW CHAPTER, SURPLUS EQUIPMENT  
DISPOSAL, TO THE CITY OF HOMER PROPERTY MANAGEMENT  
POLICY AND PROCEDURE MANUAL

WHEREAS, the City of Homer periodically disposes of surplus equipment and policies and procedures for surplus equipment disposal need to be established,

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Property Management Policy and Procedures Manual shall be amended by adding a new chapter entitled Surplus Equipment Disposal to read as follows:

1.0 POLICY

1.1 The City Council or City Manager shall approve a list of Surplus Equipment for disposal and shall determine whether sale should be by sealed bid or auction.

1.2 When Surplus Equipment is disposed of by sealed bid, the City Manager may require a certified check, money order or equivalent for total bid amount to accompany the bid.

1.3 After final determination of the highest responsive bidder by the City Manager or the Department Director, the City shall notify the bidder. Payment in full must be received from the bidder within five business days and Surplus Equipment picked up not later than ten days following payment. The City shall release any and all titles, rights and liabilities upon payment of bid price. If payment is not made within ten days the bid will go to the next highest bidder and so on unless the bid fails to meet an established minimum or the City Manager determines the bid should be rejected for a legally sufficient reason.

1.4 The City Council, or the City Manager if the proposed sale is within his limit of authority, may establish a minimum bid for any item of Surplus Equipment.

## **2.0 DEFINITIONS**

2.1 Surplus Equipment includes any supplies, materials, equipment or other personal property deemed surplus, obsolete or unnecessary by the City Manager or his designee for conducting business now and/or in the future.

## **3.0 RESPONSIBILITIES**

3.1 It is the responsibility of the appropriate Department Director to develop a list of Surplus Equipment proposed for disposal and to assist the City Manager in determining its value.

3.2 It is the responsibility of the City Manager to approve the list of Surplus Equipment and to determine its estimated value. If the value of the Surplus Equipment exceeds his sale approval authority, it is the City Manager's responsibility to present the Surplus Equipment list to the City Council for approval for sale. The City Manager shall make a determination whether the proposed disposition is exempt from the advertising or competitive bidding requirements of the City Code. The City Manager shall determine minimum bids, if any, or make recommendations concerning minimum bids to the City Council if the City Council approval is required for the sale. The City Manager shall determine if all bids should be rejected, or if any bid should be rejected for a legally sufficient reason.

3.3 It is the responsibility of the appropriate Department Director to initiate the necessary advertisement. The advertisement must state if the Surplus Equipment is to be bid in lump sum or other manner. If a lump sum bid, bids must be itemized. The advertisement must be clear as to how the bids are to be submitted (form and content). A bid form shall be provided by the city.

3.4 It is the responsibility of the Department Director to display the Surplus Equipment for inspection by the public and to answer public inquiries.

3.5 It is the responsibility of the Department Director to have Surplus Equipment clearly marked so it is identifiable from the Surplus Equipment list.

3.6 It is the responsibility of the City Clerk to coordinate placement of the required advertisements and to electronically record the sealed bid opening, and to

record bid information on the bid register if such recording is deemed necessary by the City Council, City Manager, or Department Director.

3.7 It is the responsibility of the Department Director to evaluate/review the bids and make final determination regarding the successful bids. The Department Director is responsible to see that the Surplus Equipment is not released to the purchaser until the purchase price has been paid in full.

3.8 If determined to be necessary by the City Council or City Manager, or requested by the successful bidder, the sale to the successful bidder shall be approved by the Homer City Council. This may be done by motion or Consent Agenda and does not require a formal resolution.

#### 4.0 EXCEPTIONS

4.1 Should no bids be received, or no bids be received in excess of a minimum bid, the City Manager may eliminate the bidding process and negotiate with potential buyers for sale of Surplus Equipment for not less than the minimum bid, if any, established by the City Council.

4.2 When the City Council or the City Manager determines to hold an auction for Surplus Equipment disposal, such auction will follow all of the requirements for Surplus Equipment disposal except those provisions relating to sealed bids.

#### 5.0 REFERENCES

5.1 Bid or proposal processing checklist.

5.2 Homer City Code Chapter 18.30.

Section 2. This ordinance amends the Property Management Policy and Procedure Manual only and shall be included therein. It shall not be codified in the Homer City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA,  
this \_\_\_\_ day of \_\_\_\_\_, 1993.

CITY OF HOMER

HARRY E. GREGOIRE, MAYOR

ATTEST:

MARY L. SHANNON, CITY CLERK

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

First Reading:  
Public Hearing:  
Second Reading:  
Effective Date:

Reviewed and approved as to form and content:

RICHARD LELAND  
CITY MANAGER

GORDON J TANS  
CITY ATTORNEY