

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 11
SERIES OF 2014**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 4-3-130 OF THE RIFLE MUNICIPAL CODE TO MODIFY THE PROCESS FOR APPROVAL FOR AND DISPOSITION OF PERSONAL PROPERTY OWNED BY THE CITY OF RIFLE.

WHEREAS, Section 4-3-130 of the Rifle Municipal Code (“RMC”) provides terms and conditions for the sale of personal property owned by the City of Rifle (“City”); and

WHEREAS, the City Council finds that the current procedures set forth in Section 4-3-130 of the RMC are antiquated, cumbersome, and limit the City’s possible opportunity to obtain a higher sales price from the sale of City-owned personal property through modern methods alternative to those provided for in Section 4-3-130; and

WHEREAS, the City Council wishes to amend Section 4-3-130 of the RMC to modify the procedures available to the City for the sale of City-owned personal property to provide the City with greater flexibility.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 4-3-130 of the Rifle Municipal Code is hereby amended to read as follows, with additions shown in **bold, double underlined text**, and ~~strike-through language is deleted~~:

Sec. 4-3-130. Sale of real and personal property.

~~All sales of real property must be approved by City Council. Sales of personal property (materials, supplies, equipment) must only be approved by City Council if the estimated value of the property exceeds one thousand dollars (\$1,000.00). Items with an estimated value over one thousand dollars (\$1,000.00) must be sold by sealed bid, unless otherwise approved by City Council. Bids for the sale of property valued over twenty thousand dollars (\$20,000.00) must be accompanied by a five percent bid bond, which will be forfeited if the buyer fails to perform the contract for sale. Property impounded or seized through forfeiture by the Police Department shall be excluded from this Section.~~ **Personal property such as materials, supplies, equipment shall be sold as follows:**

- a. Any item of personal property must be designated as surplus before it may be sold. Personal property purchased by the City at a cost of two thousand dollars (\$2,000.00) or more must be declared surplus by the City Council. The City Manager may declare all personal property purchased by the City at a cost of less than two thousand dollars (\$2,000.00) to be surplus, but nothing in this Section 4-3-130 shall prohibit the City Manager from referring surplus designation decisions on such property to the City Council.
- b. The City Manager shall sell surplus property at auction, as provided for in this subsection (b), under the most cost effective and beneficial auction option as determined by the City Manager in

his sole discretion. The City Manager shall have the authority and option to use conventional auction methods or web-hosted public surplus auctions. When using conventional auction methods, the City Manager shall provide at least ten (10) days notice in the official newspaper of the City and, optionally, on the City's website. Surplus property shall be sold to the highest responsible bidder. The City Manager may establish minimum bid amounts and reserve prices. If no bids are received by the City in an auction of surplus property, in lieu of undertaking a second auction of the property, the City Manager, at his or her sole discretion, may donate the item to any entity of the City Manager's choosing to which charitable donations may lawfully be made, or if the surplus property is of insignificant or no value, as determined by the City Manager in consultation with appropriate City staff members, the City Manager may order its disposal.

- c. The City Manager shall report to the City Council within thirty (30) days of disposition the manner and terms of all completed dispositions of surplus property.
- d. Property impounded or seized through forfeiture by the Police Department shall be excluded from this Section.

INTRODUCED on July 16, 2014, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on August 6, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk