

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 22
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTION 4-3-130 OF THE RIFLE MUNICIPAL CODE REGARDING THE
SALE OF SURPLUS PERSONAL PROPERTY BY THE CITY.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, the Rifle City Council wishes to amend the Rifle Municipal Code regarding disposition and sale of surplus personal property owned by the City to simplify and modernize the process.

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 18-2-30 of the Rifle Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~.

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

All sales of real property must be approved by City Council. Personal property, such as materials, supplies and equipment, shall be sold as follows:

(1) 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~~ ten thousand dollars (~~\$210,000.00~~) 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~~ ten thousand dollars (~~\$210,000.00~~) to be surplus, but nothing in this Section shall prohibit the City Manager from referring surplus designation decisions on such property to the City Council.

(2) The City Manager shall destroy, dispose of, trade, solicit bids, sell, or auction surplus property purchased by the City at a cost of less than ten thousand dollars (\$10,000.00) ~~at auction, as provided for in this Paragraph~~, under the most cost-effective and beneficial ~~auction~~ option as determined by the City Manager in his or her sole discretion to obtain the best value from the market considering staff resources.

(3) Unless otherwise directed by the City Council, ~~The~~ City Manager shall sell property purchased by the City at a cost of ten thousand dollars (\$10,000.000) or more ~~have the authority and option to use~~ by 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.

(34) 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.

(45) Property impounded or seized through forfeiture by the Police Department shall be excluded from this Section.

INTRODUCED on October 5, 2016, 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 October 19, 2016, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk